



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **1<sup>ST</sup> DAY OF MARCH, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney at 9:30 am and Jason Loos, Deputy City Attorney at 2:04 p.m.; and Elia Saolele and Mike Cohen and John Paolazzi, Sergeants at Arms.

Item Nos. 196, 197, 203 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:15 a.m. and reconvened at 10:17 a.m. Location: Portland Building.  
 The meeting recessed at 11:20 a.m. and reconvened at 12:53 p.m. Location: City Hall Rose Room.  
 The meeting recessed at 1:57 p.m. and reconvened at 2:04 p.m. Location: City Hall Rose Room.  
 Council Chambers in City Hall was updated with new audio technology March 1-April 14. City Council meetings were held in the Portland Building Auditorium on the 2nd floor while the changes were made.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>188</b>	Request of J. Dubois to address Council regarding reform, multi-level (Communication)	<b>PLACED ON FILE</b>
<b>189</b>	Request of Robert McCullough to address Council regarding city revenue enhancements (Communication)	<b>PLACED ON FILE</b>
<b>190</b>	Request of Kernel Moses to address Council regarding Biblical teachings regarding the orphan, the destitute, the downtrodden and the rich (Communication)	<b>PLACED ON FILE</b>
<b>191</b>	Request of James B. Lee to address Council regarding concerns for security at City Hall (Communication)	<b>PLACED ON FILE</b>
<b>192</b>	Request of Standard Schaefer to address Council regarding Emergency Medical Services and Portland Police Bureau crowd control - protocol needs updating for new weapons (Communication) (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		

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<b>193</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim March 2017 to be Women’s History Month in Portland (Proclamation introduced by Mayor Wheeler) 20 minutes requested	<b>PLACED ON FILE</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Ted Wheeler</b>		
<b>194</b>	Reappoint Wendy Serrano, appoint Matthew Gebhardt to the Home Forward Board of Commissioners and confirm the Gresham appointment of Richard Anderson (Resolution) (Y-4)	<b>37271</b>
<b>Bureau of Planning &amp; Sustainability</b>		
<b>*195</b>	Authorize an Intergovernmental Agreement with Portland State University for \$15,000 to research and track naturally occurring affordable housing as part of the Southwest Corridor Equitable Housing Strategy (Ordinance) (Y-4)	<b>188250</b>
<b>Office of Management and Finance</b>		
<b>*196</b>	Pay claims of Michael Cooley in the sum of \$425,000 and Lori Cooley in the sum of \$100,000 for the total sum of \$525,000 involving the Bureau of Transportation (Ordinance) (Y-4)	<b>188257</b>
<b>*197</b>	Extend contract with StellarRAD Systems LLC, through June 30, 2018 and increase the contract value by \$247,960 for a contractual not-to-exceed amount of \$1,372,960 for maintenance of the Communications Network (Ordinance; amend Contract No. 41090) (Y-4)	<b>188258</b>
<b>*198</b>	Amend contract with Elevator Consulting Services for Elevator Inspections for a total not-to-exceed amount of \$100,583 (Ordinance; amend Contract No. 30005016) (Y-4)	<b>188251</b>
<b>*199</b>	Authorize a contract with Carleton Hart Architecture, PC for a Needs Analysis for Portland Fire & Rescue Logistics, Prevention, and Training, and Scenario Planning for the Parkrose SFC Jerome F. Sears Sites for a total not-to-exceed amount of \$180,264 (Ordinance; Contract No. 30005724) (Y-4)	<b>188252</b>
<b>200</b>	Extend term of a franchise granted to NewPath Networks, LLC to build and operate wireless facilities within City streets (Ordinance; amend Ordinance No. 180376)	<b>PASSED TO SECOND READING MARCH 8, 2017 AT 9:30 AM</b>
<b>201</b>	Extend term of franchise granted to Qwest Communications Company, LLC n/k/a CenturyLink Communications, LLC to build and operate telecommunications facilities within City Streets (Second Reading Agenda 174; amend Ordinance No. 171914) (Y-4)	<b>188253</b>

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<b>202</b>	Extend term of OnFiber Communications, Inc. franchise to use designated City streets to provide telecommunications services (Second Reading Agenda 175; amend Ordinance No. 175793) (Y-4)	<b>188254</b>
<b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b>		
<b>*203</b>	Authorize a competitive solicitation for construction of the North Park Blocks Playground Replacement and Improvement Project for an estimated \$980,000 (Ordinance) (Y-4)	<b>188263</b>
<b>*204</b>	Authorize a competitive solicitation for construction of Ventura Park Play Area Improvements and Loo Project for an estimated \$894,807 (Ordinance) (Y-4)	<b>188255</b>
<b>*205</b>	Authorize contracts with Wenaha Goup, Inc., Exeltech Consulting, Inc., and MacKay & Sposito, Inc. to provide construction management services on an as-needed basis, at a not-to-exceed amount of \$150,000 per contract (Ordinance) (Y-4)	<b>188256</b>
<b>REGULAR AGENDA</b> <b>Mayor Ted Wheeler</b> <b>Bureau of Planning &amp; Sustainability</b>		
<b>206</b>	Improve land use and other City regulations through the Regulatory Improvement Code Amendment Package 8 – Technical Amendments (Second Reading Agenda 169; amend Title 17, Title 24 and Title 33) (Y-3; Eudaly absent)	<b>188259</b> AS AMENDED
<b>207</b>	Improve City tree regulations through the Regulatory Improvement Code Amendment Package 8 – Technical Amendments (Second Reading Agenda 170; amend Title 11)	<b>CONTINUED TO MARCH 8, 2017 AT 9:30 AM</b>
<b>City Attorney</b>		
<b>208</b>	Authorize City Attorney to appear as amicus curiae to support City interests in fair treatment of immigrants (Resolution) (Y-3; Eudaly absent)	<b>37272</b>
<b>Office of Management and Finance</b>		
<b>*209</b>	Authorize Intergovernmental Agreement with Portland State University in the amount of \$15,750 to conduct a Citywide employee engagement survey to ascertain strengths that support the City's identity as an Employer of Choice and further identify areas for growth and improvement (Ordinance) 20 minutes requested (Y-4)	<b>188260</b>
<b>Portland Housing Bureau</b>		

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*210	Approve application under the Multiple-Unit Limited Tax Exemption Program for Hawthorne Boulevard located at 2310 SE Hawthorne Blvd (Ordinance) 10 minutes requested (Y-4)	<b>188261</b>
*211	Approve application under the Multiple-Unit Limited Tax Exemption Program for Fairfield Killingsworth located at 5327 N Interstate Ave (Ordinance) 10 minutes requested (Y-4)	<b>188262</b>
<b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b>		<b>188264</b>
*212	Amend contracts with R&W Engineering, Inc. and MFIA, Inc. in the amount of \$100,000 per contract to provide additional mechanical engineering services (Ordinance; amend Contract Nos. 31000852 and 31000849) (Y-4)	
<b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b>		<b>PASSED TO SECOND READING MARCH 8, 2017 AT 9:30 AM</b>
213	Authorize a contract with lowest responsible bidder for the construction of the Wheeler Basin Reconstruction and Green Streets Project No. E10219 for \$7,033,000 (Ordinance) 10 minutes requested	
<b>Commissioner Dan Saltzman</b> <b>Bureau of Transportation</b>		<b>188265</b>
214	Assess benefited properties for mast arm traffic signal and utility undergrounding improvements in the N Vancouver Ave and Cook St Local Improvement District (Second Reading Agenda 167; C-10047) (Y-4)	
215	<b>TIME CERTAIN: 2:00 PM</b> – Authorize a contract with Confluence Engineering Group, LLC in the amount of \$664,930 for the Corrosion Control Treatment Pilot Project (Ordinance introduced by Commissioner Fish) 90 minutes requested	<b>PASSED TO SECOND READING MARCH 8, 2017 AT 9:30 AM</b>

At 3:27 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2<sup>ND</sup> DAY OF MARCH, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Saltzman, 4.

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

The meeting recessed at 2:23 p.m. (video difficulty) and reconvened at 2:27 p.m.

		Disposition:
*216	<p><b>TIME CERTAIN: 2:00 PM</b> – Establish emergency speed for portions of Southeast Division from SE 82<sup>nd</sup> Ave to SE 174<sup>th</sup> at the city limits (Ordinance introduced by Commissioner Saltzman) 1 hour requested</p> <p><b>Motion to add a directive to give the Commissioner in Charge or the Director of the Bureau of Transportation discretionary authority to extend the 120 day period for another 120 days:</b> Moved by Fish and seconded by Wheeler. (Y-4) (Y-4)</p>	<p><b>188266</b> AS AMENDED</p>

At 3:15 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.

**MARCH 1, 2017 9:30 AM** Location: The Portland Building.

**[TECHNICAL DIFFICULTIES]**

**Wheeler: [Wheeler Continued]** Notice, but I'm going to shorten it. The purpose of the meetings is to hear city business this is a great opportunity for everybody to be heard, we want to create an environment where everybody feels welcome and comfortable to have their opinions heard. You may or may not agree with the opinions heard here we ask people not to verbally react to people's testimony, thumbs up, thumbs down or jazz hands are sufficient. We ask that everybody be respectful typically we get three minutes, but as some of you know as the council meeting goes on we might have to shorten that testimony time if needed. Shout interrupting other people's testimony is not accepted, shutting down the meeting is not a good thing, if these things happen we have to adjourn the meeting and it is possible that you can be excluded from city hall we hope that doesn't happen cause frankly we like to hear what everybody thinks. So that's it Karla if you could call the first person up for communications today.

**Item 188.**

**Item 189.**

**Item 190.**

**Item 191.**

**Wheeler:** Good morning and the usual if you could just state your name for the record.

**James B Lee:** Mr. mayor, members of the council my name is James Lee I reside on se Mitchell street in Portland and I speak only for myself thank you for hearing me today. I'm concerned about the violence and destruction at city hall I wanted to remind people that in the 1970's a very large bomb was placed under the portico and did very substantial damage to the council chambers. I personally during Connie McCready's tenure as mayor witnessed someone actually setting fire to the building this is when the podium was facing the other way in the normal council chambers. So these are very important issues and I think mayor Wheeler is dealing with them with this new situation realistically. I'd like to enforce what the mayor just said and this important order that everyone behave themselves and we behave in a polite manner, but in fact there is a change in the public life of our city and the country. First we had a defense crisis in September of 2001 then we had a financial crisis in October 2008 and now we had our most recent electoral crisis in November of 2016. I look at this threefold sequence as it comprises a national catharsis citizens of influenced wealth and power have become over bearing. The substantial minority have been dispossessed of respect, livelihood family perhaps they actually are a minority the elites are confounded that their perceived inherent superiority is being challenged as it is firmly based in our two native ideologies which are feminism and capitalism both are paranoid delusions both typified the extreme self-involvement reluctantly leading to the demise of great nations. We here cannot control the deconstruction of our nations long lived native ideologies even as we witness them today. With careful thought and prudent actions, we can minimize their local effects of which homelessness is a vital one. I simply wish to close by saying we are playing a new game with new rules and that we must think anew and act anew those were the remarks of a

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pretty good American president at one time and he concluded by saying we must disenthraw ourselves and then we can save our country thank you very much.

**Item 192.**

**Standard Schaefer:** Good morning Stan Schaefer's my name. On October 12<sup>th</sup> 2016 at city hall the bridge crane riot dozens of people filled the streets unable to move, police wouldn't allow them to treat victims, much later we discovered that there was one video showing an emt threatening a victim but scolding her for screaming from her burns. We at empower Portland met with them to discuss improving the response, protecting innocent parties neutrally during control conditions, people have died because police refuse to let emts treat injuries under safer conditions. They promised changes but didn't follow through, today, you can still be gassed indiscriminately by riot police, in a crowd, and emt can come up to you in riot gear, wearing pepper spray canisters to treat the burn injuries, the savior appears as the abuser, the batterers twin the same liquor on their breath so to speak but they don't come for us but for the police. We have seen emt's confiscating property tossing batteries into the streets and instead of treating injuries. We were promised mobile task teams that never appeared and emts wearing blue lives matter patches to black lives marches. The social science is clear, riot gear causes escalation and sparks violence, would you not say this to shame our emts? We say this to shame the lack of accountability around militarized policing. On president's day a policeman smashed a 66-year-old woman's face, the emt, ten feet away did not treat her, later she had to refuse treatment because they asked her name next to the police, just as we sought to prevent. We expect emergency services to protect the presumption of innocence in hippa, we expect fire and emergency to be fully informed about the weapons police use. They aren't. They don't have chemical data sheets ppb has not shared them with fire in defiance of two federal laws endangering ems workers. What happens, when the police armory catches fire in the big earthquake, firefighters won't know they are fighting a chemical fire. And they will find no comfort in the deputy chief, deputy fire chief Espinosa who said I don't mean to be rude but pepper spray and cs gas are not critical injuries. We are calling on you to work with us to treat the injuries without further trauma or escalation. We want medical treatment for all we want new written policy and training, everybody wants strong emergency medical services and everybody wants it done professionally and we are all at risk. The gas leaks everywhere, ask the folks at r2 d2 who were accidently gassed by the police. Work with us to keep Portland safe demilitarize emergency care, emt should not wear the riot gear, that's not neutral and they should not wear blue lives matter badges.

**Wheeler:** thank you very much. Is that the end of the communications?

**Moore-Love:** Yes

**Wheeler:** Next the consent agenda. It's my understanding, Karla, that items 194 and 196 and 197, and 203 have been pulled. Have any other items been pulled off the consent agenda?

**Moore-Love:** That's all that I have.

**Wheeler:** Great, could you please call the roll?

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. The consent agenda is adopted. At this time, I wonder if the family of Quanice Hayes would like to have an opportunity.

**\*\*\*\*\*:** Not yet we're waiting for the rest of the family.

**Wheeler:** Fair enough, we will move into the regular agenda, we have a time certain if you could call that please.

**Item 193.**

**Wheeler:** This is one that I have the privilege to read, this is a proclamation on behalf of the Portland city council. And on behalf of the city of Portland, of course, we are

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celebrating women's history month, and it's our tradition to issue a proclamation in support of that. Whereas residents of this region know, its greatness and success is a direct result of all residents, regardless of gender, making creative, intelligent, and revolutionary contributions to society. And whereas women have been historically under represented, and yet continue to play important roles internationally, nationally, regionally, and locally. In furthering knowledge and promoting positive social change. And whereas to foster the next generation of women, the city of Portland seeks to encourage and support professional, educational and social opportunities for women in order to ensure that opportunities that may not have existed in the past are available in the present and into the future. And whereas women's history month is a time for all Portlanders to remember the stories and the teachings of the many women who made and contribute to make improvements for the livability of the city, region, and world. And whereas during women's history month all Americans are encouraged to reflect on past victories and struggles of women to create a society where our daughters can reach their full potential unobstructed by gender. And whereas the 2017 women's history month theme honoring trail blazing women in labor and business is especially relevant to honor women who have successfully challenged the role of women in both business and in the paved labor force. Now therefore I ted wheeler, mayor of the city of Portland, Oregon, the city of roses do hereby proclaim march 1st to march 31st, 2017 to be women's history month in Portland, and encourage all residents to honor and observe this month. And as this is a resolution, there is no vote but I am happy to entertain any comments from any of my colleagues on this subject. It's my understanding that we do not have any testimony on this?

**Moore-Love:** We have some speakers.

**Wheeler:** I am sorry, I apologize. Please come on up and introduce yourself. My apologies. I am sorry about that.

**Courtney Duke, Portland Bureau of Transportation:** Good morning mayor and counselors, thank you for the time to speak to you today, and for proclaiming women's history month 2017. I am Courtney duke, work at pbot in transportation planning. I am here also representing the pdx city mamas, we're the working mom's affinity group, which is a deep sponsored affinity group, and our mission to working for working parents, and I have been an employee, obviously, a female employee for 20 years, and celebrated 12 years as a working mom at the city on February 13, the 12th birthday of my son, who is a sixth grader at Jackson middle school so I therefore also am a proud public school parent. Working moms can be financially vulnerable compared to working dads. There continues to be a wage gap in the united states and many women do not have paid family leave, although the city of Portland passed paid family leave for six weeks last year and we thank the council that was here voting on that. And but there is working moms can still be financially burdened, and many working mothers are also usually doing double if not triple duty working at their job or at home or caring for aging parents and volunteering at schools and working to make the local and national communities safe for women and children and to move forward with positive change. Pdx city mamas is proud to partner with the women's empowerment group on another women's history month, this year with the focus on women in trades and labor. We have a month full of networking, panels, films, meals, and education here at the city. Women from all bureaus at the city, both sides of the river are working together to bring events to city employees. Please join us for any of these events that are on the calendar but specifically I wanted to call out march 23, which is a happy hour, with combining the women's empowerment group and the working moms group, and April 18 at a lunchtime event which is a wonder woman award and the awards are open to anyone to nominate a woman in their organization. Thank you again and we have three other speakers.

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**Wheeler:** Thank you.

**Wheeler:** Good morning.

**Nan Stark, Bureau of Planning and Sustainability:** My name is Nan Stark I am a city planner with the bureau of planning and sustainability. I am also the northeast district liaison. I would say that each of us has only one thing to gain from the feminist movement, our whole humanity. That's a quote from one of the founders of the modern women's movement. Gloria Steinem, and we know that her words resonate more powerfully than ever today. It's an honor to be here today to celebrate women's history month. As an organizer with the women's empowerment, affinity group I appreciate the advancements, the city continues to make in providing leadership opportunities for women. I've been a city employee for 22 years. It is hard to believe but true, it happens. I have seen many positive changes during that time, particularly in the number of women who are bureau directors and upper management positions. There is still a lot of work to do, particularly in diversifying our workforce to better reflect our population and in getting women in leadership positions throughout all of our bureaus, not hitting the glass ceiling, but seeing opportunities for advancement and pay equity. The city has done a good job in this but women in this country still make only 70 cents on the dollar for every dollar a man makes. It's wonderful and heartening to see two women again on city council. Something that we have not experienced since the 1990s when Gretchen Kafoury and Vera Katz were on the council and prior to that it was in the 1980s. How much women have served on the city council? Commissioner Eudaly is our eighth out of 350 elected commissioners in Portland's history. So you can do the math on that. Our history includes three women mayors. Mayor Katz, and McCreedy and Dorothy McCullough Lee, our first female mayor. We're grateful that commissioner Fritz has served us since 2009, and previous women include Vera Katz and Gretchen Kafoury from the 1990s and Margaret Strong and Mildred Schwab in the 1980s, Connie McCreedy in the 1970s and first elected councilwoman was Dorothy McCullough Lee who served in the late 1940s and early 1950s and then later became mayor. We have yet to see a woman of color on the council. There have been two people of color in Portland's history. Two commissioners. Both men, Charles Jordan and Dick Vogel from the mid-1970s to the 1990s. As we look at women's history month I encourage all of us to embrace Angela Davis' words. I am no longer accepting the things that I cannot change. I am changing the things that I cannot accept. Thank you.

**Wheeler:** Thank you very much. And thank you for your service to the city.

**Wheeler:** Good morning.

**Huong Nguyen, Bureau of Environmental Services:** Good morning. I am Huong Nguyen and I work for the bureau of environmental services as an engineering associate in the wastewater treatment plant. I've been with the city for nine years. I met a lot of incredible women who love to work, who dedicate, who want to take on more responsibility, but the opportunity doesn't come that easy. I also met people who want to scale back to focus on their family. But they didn't get approval. It is hard for working moms. To balance work, life, and career. Being an Asian American, working mom, is not making any easier. A recent survey in Canada showed that Asian job applicants is 28% less likely to get a job interview compared to equally qualified candidates. In the U.S. Asian job applicant was almost twice as likely to get a job interview if they changed their name on the resume. This survey and source posted on the city's website office of equity and human right. Speaking of myself, there is challenges in the workplace. English is one of them. I was declined for a first interview because English was not my first language. I realize that. The bureau, all bureaus, cities, willing to spend millions of dollars in asset management. We go on to evaluate our assets. To make the system more reliable, but when it comes to the human, the most valuable assets, I am not aware of any program that

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can help to evaluate our needs. To make us more efficient. So I am here today to ask you, mayor, council, to please to support your employee, all of the way, either scale back to taking care of the family, or she wants to step up and take on more responsibilities, please give her the resources, the tools that she needs. Mentor her. Help her. To develop her potential. Thank you.

**Wheeler:** Thank you very much, we appreciate it. Thank you. All right, folks, folks, let's let the testimony continue. Please.

\*\*\*\*\*: Say yes.

**Wheeler:** Yes: Thank you, and please continue, and we would ask thumbs up and down, something like that, so we can let everybody be heard in this council session. Thank you.

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

**Wheeler:** Thank you for the prompting.

**Debbie Caselton, Bureau of Environmental Services:** I am debbie caselton.

**Wheeler:** Is it on?

**Caselton:** Can you hear me now? I am Debbie caselton and work for the bureau of environmental services. This is my 15th year, and it's my tenth year as one of the co-chairs of the diverse and empowered employee of Portland. Which is a volunteer position, and it is an employee group for employees, by employees. We oversee all of the different affinity groups and we help out with the celebrations, the cultural celebrations, etc., and we also have a leadership development program we piloted last year, and we are going to try to do it again in the next year. I want to say how proud that I am of Hong who is a graduate from the leadership development program's pilot program. And public speaking is now one of her fortes I would say. We have many excellent events this year, and I just want to point those out. Yesterday we had a fantastic event that there were a lot of people in attendance here, and it was the sister and the brotherhood short film, and that was co-sponsored by the city african-american network affinity group as well as women's empowerment. So many sponsors, again this is our seventh annual wonder woman awards. Just exciting. We could not schedule it in march because there is space availability issues so it will be on my birthday, April 18. I thought that was appropriate since I am hosting it.

**Wheeler:** We can't forget it.

**Caselton:** There better be cake. There is also a couple of speaker series happening in the month. We have a women's history month breakfast tomorrow morning in the Portland building here in room c on the second floor. We have some short films and discussions, and we have, of course, with the theme this year, we have to show norma ray with sally field. And that's my doing. A lot of people have not seen that 1979 film which started this whole union movement, so you will have to see it. We will show it in two parts during lunch that will be in pbot's office in the Hawthorne room on the eighth floor so I hope to see you there. There is a wellness discussion and walk, dress for success clothing drive again which has been very successful. We have a speaker panel for hope and inspiration, and these are at different locations, all over. We have you know, the city hall, the Portland building, the 1900 building. I know that there are some folks in parks and rec that, at the different community centers that are going to do web series and stuff. We also have an event at the -- hosted by the Portland housing bureau, equity team, and at the commonwealth building where that's also the same offices as the office of equity and human rights. I also added to the calendar it's not on the one that you have, but the ones I send in the emails is more inclusive because things keep getting added and rooms change because there is a lot of stuff going on. Room availability is really hard right now. In fact, we have the boss ladies that I added to the calendar, march 28, that commissioner Eudaly is hosting that will be facilitated by Kelly Roy of adx so that will be at the atrium from 6:00 to 8:00. We have many co-sponsors, and I will wrap this up. And we have the women's

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empowerment team. Pdx city of mamas, bureau of development services, environmental services, bureau of planning and sustainability, the bts equity committee, the city attorney's office, omf, parks and pbot. Then again there were some additions like I said. We have a women and development that's hosted at the Portland housing bureau, and so like I said, watch for my emails, they will come out every week, I know you get sick of them, but for the public these are all open to the public. They are posted on the front page of the Portland, Oregon website. They will be there every week but they are on the main calendar, too. I finally got deeps calendar connected to the front page, so all of our events should be posted there. Thank you very much.

**Wheeler:** Thank you very much. We appreciate it. Could I give you this resolution at the breakfast tomorrow?

**Caselton:** That would be great.

**Wheeler:** Thanks. Could you call the roll?

**Moore-Love:** That was the proclamation?

**Wheeler:** Oh, a proclamation. Can I get a motion and a second? Don't need any, ok. Comments, commissioner Fish you are up.

**Fish:** Thank you, mayor. First I want to thank all the dedicated city employees that took time this morning to talk to us, and Debbie is on my team at the bureau of environmental services, and for those of you in the community, that have a sewer project in your neighborhood, the newsletter that you get, that says, that has on the front page a note from Debbie caselton, this is Debbie who does great work so thank you. Mayor thank you for issuing this proclamation, and for honoring women and leadership in our community. And as is my tradition I just want to Acknowledge three women leaders making a difference. The most important hire that we make as city elected officials is our chiefs of staff. Our chief of staff not only runs our whole operation, but speaks for us in public gatherings. I have a dynamic chief of staff named Sonia Schmanski, and I want to acknowledge and thank her for her leadership. I want to acknowledge my wife, Patricia, who is a professor of history and teaches women's history at Portland state university, and she is the reason that we came to Oregon, and I thank her every day for that career decision. And I also want to thank and acknowledge today perhaps one of the most important women leaders in our community who just turned 70. Who just received notification that she will receive an honorary degree from Portland state university, which is long overdue. And that is senator avel gordly, and I am grateful for the role model that she has provided for all of us in public service. So thank you, mayor.

**Wheeler:** Thank you, commissioner.

**Saltzman:** I want to thank the organizers and the -- your calendar is very impressive, and I will try to attend as many of those events. Thank you.

**Eudaly:** Thank you, also, to the organizers, as usual, nick is so much more prepared for the eloquent speech than I am, but I just want to say that the issues of working moms, certainly are resonating with me today as I am struggling through a week with a very sick kid and trying to do my simultaneously do my job. So I want to thank my policy director, Jamie Duhamel, who is also a hard working mom and is a powerhouse behind our office. Happy international women's day, Jamie, and everyone.

**Wheeler:** So at the risk of being intensely corny I want to thank my third grade teacher. She was the first one, Mrs. Hobbs, who really inspired me to want to do something. Positive with my life and I think about her all the time. Obviously I will support the proclamation, so the proclamation is, obviously, approved and I want to thank my colleagues for your words and I want to thank our great city employees who never cease to amaze me. Thank you very much for coming forward with this and giving such great testimony to a packed chamber today. Thank you. So I am willing to offer that time if the

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family is ready now. I don't want to push you. Is the family -- great, let's invite the family up. They would like to address the city council. It's off the agenda but I certainly will allow it.

**Venus Hayes:** Good morning to you guys my name is Venus Hayes I am the mother of Quanice Hayes, the 17-year-old shot and killed by officer Andrew Hurst on February 9. I would like to thank all for gathering here today, both in remembrance for my son Quanice Hayes and in support of my family's fight for justice on his behalf. It has been 20 days since Quanice was taken from me. The day's passing his death feels like a lifetime for me and my family. Myself, for my family and myself, we waited patiently for the city to provide us after surrounding the event that took my son's life. As the details are slowly made available to the public, my family has to bear the burden of piecing together what occurred by fact-finding statements given to various social media sites and news outlets, rather than receiving those from those receiving them from those working on this investigation. Since his death we have learned that the officer Hurst, who was also involved in a death of Meryl Hat shot Quanice Hayes three times. To clarify earlier statements and news reports, my son died immediately as a result of a gunshot wound to his head. My son was born and raised in Portland. Quanice was not a thug or a gang member or some homeless street kid. He was a very -- a funny adventurous teen who like most times could be a little rebellious. He was my child. His life mattered. And I want to know why he was killed. I am asking the public to stand with me and my family, I am asking the public to stand by us, let my son's life be the means of change. We are looking for any witnesses of the events leading up to the death of Quanice to reach out to our family's attorney Ashley alby, the Portland police, your local pastor, or any of the advocacy groups in Portland. Thank you. We have no more statements at this time.

**Wheeler:** Thank you very much.

\*\*\*\*: Say his name.

\*\*\*\*: Quanice hayes.

\*\*\*\*: Say his name.

\*\*\*\*: His name was Quanice

**[chanting]**

**Wheeler:** Can we take a five-minute recess.

**At 10:15 a.m. council recessed.**

**At 10:17 a.m. council reconvened.**

**Item 194.**

**Wheeler:** Let's take a recess.

**At 10:21 a.m. council recessed.**

**At 11:02 a.m. council reconvened.**

**Wheeler:** We're back in session. For those of you waiting to testify, thank you. I appreciate that. The first item that was pulled off the agenda, please. Assuming we have staff here to testify. I think it was 194.

**Item 194.**

**Wheeler:** Is there -- first who pulled this?

**Moore-Love:** Mr. Walsh.

**Wheeler:** Is there staff here to testify on this matter?

**Saltzman:** Mayor, we have people here from home forward that were waiting, but they left.

**Fish:** Would it be helpful if I described who the appointees are?

**Wheeler:** That would be great.

**Fish:** The chair of home forward was here earlier with a couple of appointees. Under this resolution, mayor, under our system it's the mayor who formally brings the council nominations, we would be reappointing Wendy serrano. She has served since January 2016. She's a former field representative for congressman earl Blumenauer and a board

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member of the Oregon Latino action agenda. We would be appointing Matthew gebhardt, an assistant professor of urban studies and planning and real estate development at Portland state university. And he has in his background completed a study for the department of housing and urban development on choice neighborhoods initiative in Chicago. We would be confirming Gresham's appointment of Richard Anderson, a consultant with an mba, and he previously served at the request of governor Barbara Roberts, later reappointed by governor Kitzhaber to the tax supervising and conservation commission where he served from 1994 to 2005.

**Wheeler:** Thank you, commissioner. Mr. Walsh, did you pull this? Did you want to testify?

**Joe Walsh:** Yes.

**Wheeler:** We have people here to testify and they are waiting. Thumbs up, thumbs down is sufficient. Good morning, sir.

**Walsh:** Good morning.

**Saltzman:** Push the button down.

**Walsh:** It turns green. That's cool. [laughter] I'm joe Walsh. I represent individuals for justice. I am really trying this year to be patient with you guys. But it's not working so well. We have no objections to anybody on your list. It's the way you are doing it that bothers us. We don't know these people. The people of Portland do not know these people so it seems to me if they are going to serve on a committee or commission that they come here and say their little piece.

**Wheeler:** They were here. They left because we're an hour and a half behind schedule.

**Walsh:** But that's not the case all the time. [groaning] [shouting] Am I wrong or was this on the consent agenda?

**Wheeler:** That's correct.

**Walsh:** That's under the table. No discussion unless a citizen comes to your meeting and pulls it. So don't tell me that they were here testifying about what they were going to do on these committees. They don't. Put it on consent agenda. Bring it out in the open. If you appoint somebody you say, Mr. Walsh, state your case. Why are you on this committee? Instead of underneath the table. That's what we object to and we will always object to it because let me tell you something -- [cheers and applause] your auditor came out with these statistics. 80% of the people of Portland do not think they have fair chances in this council. Only 20% your auditor said that. [shouting] [cheers and applause] I have another question. Where is Amanda? Is she in Arizona? She's on a vacation? Looking for --

**Wheeler:** Mr. Walsh, back to the appointment. This has to be on the agenda item.

**Walsh:** Amanda is not going to vote because she's not here. Why is that? Some emergency? No. She's spending \$40,000 to look at diversity where? Arizona. [laughter] [applause] you're going to hear a lot about Arizona.

**Wheeler:** Thank you, Mr. Walsh.

**Walsh:** Congratulations on spending my money.

**Wheeler:** Next item, please, Karla.

**Moore-Love:** Do you want to vote on that resolution? [shouting]

**Wheeler:** Could you call the roll, please?

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. Next item, please.

**Item 196.**

**Wheeler:** And do we have staff here for this presentation? Let's skip this oh we do thank you. Appreciate it. Thanks. Come on down.

**Wheeler:** Are there specific questions you would like me to answer? This was pulled by a citizen, I believe. I don't know what the specific questions are. Could you tell us about what it is?

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**Davis Landrum, Deputy City Attorney:** It's case about bicycle versus car accident on the uphill portion of interstate avenue immediately south of the Kaiser medical campus. Happened in 2013, Mr. Cooley was hit by a hit-and-run driver. He was very seriously injured. He also had a claim, Mrs. Cooley had a loss of consortium claim. I second chaired. I'm David Landrum for anyone that doesn't know me. We did an extensive investigation and came to the conclusion that the city's interests would be better served by settling the case than trying it.

**Wheeler:** Very good.

**Landrum:** We worked out a settlement acceptable to all parties and it's ready to go if you are.

**Fish:** Mr. Landrum, the folks asserting the claim were represented by council?

**Landrum:** That's correct.

**Wheeler:** Does this settlement require a court approval or is it just our approval?

**Landrum:** No, just requires council approval.

**Wheeler:** Thank you. Is there public testimony on this item?

**Moore-Love:** Mr. Lightning pulled this.

**Wheeler:** Is Mr. Lightning here? You have to come to the microphone. It's on the record. [shouting]

**\*\*\*\*:** It's the rule.

**Wheeler:** It is the rule.

**Wheeler:** Thank you, sir.

**Moore-Love:** You have to hit the button.

**Lightning:** I'm lightning. I represent lightning watchdog pdx. I just wanted this pulled to the regular agenda. I think it's very important on any settlement agreements that these are put on the regular agenda for the public to be able to view this. Understand the amounts that are being paid out, and again, I disagree with the low amount. I think it should be closer to \$750,000 payout. Thank you.

**Wheeler:** Thank you. Mr. Walsh?

**Joe Walsh:** For the record I'm Joe Walsh. I represent individuals for justice. This is really the most bizarre case that I have read in case your viewers don't realize it if you click on the number of the item it will give you supporting documentations. So sometimes it's a few, sometimes it's 40 or 50 pages. This one tells nothing about this. The only thing I got was that you're going to pay out, I don't know, \$600 thousand, somewhere like that, I mean, that's a larger amount than Amanda is spending in Arizona. [laughter] however, there's no information. It sounds like there was a bicycle accident that involved a city truck or city car or a city something. We don't know. Doesn't say. In any of the supporting documentation. I have never seen that. You say supporting documentations it will tell you. This is what happened. This is why we're paying this. This is why we don't want this to go to trial. All kinds of information. Nothing in this. Why? So when you do that, my antennas go up. We do not oppose the settlement. Actually we would join with Mr. Lightning and increase it because you waited how many years, four years and then you're settling without going to court. Shame: What the hell is that? shame: [shouting] If you got somebody who's paying \$600,000 that's a serious accident that person suffered for four years while you sit on your ass, city attorney, and do nothing.

**Wheeler:** We don't actually know that.

**Walsh:** You're lying again. [shouting]

**Wheeler:** Thank you. Could you call the role, please? Call the roll, please. Thank you, Mr. Walsh.

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. Next item, please.

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**Item 197.**

**Beth Fox, Bureau of Technology Services:** Good morning. I'm Beth Fox with bts, communications division. This is our ordinance I'm happy to answer any questions you may have.

**Wheeler:** It's my understanding this is a contract amendment is that correct?

**Fox:** That's correct.

**Wheeler:** Ill assume this was pulled by somebody.

**Moore-Love:** Mr. Walsh.

**Wheeler:** I don't know what the questions are. We'll hear Mr. Walsh. [shouting] [cheers and applause]

**Joe Walsh:** For the record my name is joe Walsh. I represent individuals for justice. We object to this. Not that it's a contract. It's that you're increasing the contract.

**Wheeler:** I can't hear you.

**Walsh:** I was on the red.

**Fish:** I couldn't hear you with the noise.

**Walsh:** I'm so sorry, commissioner.

**Wheeler:** Get to the point. Keep going. [shouting in audience]

**Walsh:** Don't you interrupt me.

**Wheeler:** Joe, I'm not taking your time. You guys, I know you think this is fun and games. There are people in this chamber -- [shouting in the audience] Who are waiting their turn. They are waiting their turn -- they are waiting their turn; they are waiting their turn to be heard. [shouting] if you guys act out other people who want to be heard don't get their voice heard. That is not the way we run this chamber. [shouting] if you want to yell you can yell at me outside all day long but in this chamber we're going to be respectful. Those are the rules. Those are the rules. [shouting] Mr. Walsh -- you know what? Mr. Walsh, please continue. I'm asking everybody again act civilly. Are we capable of that? Thank you. Mr. Walsh.

**Walsh:** Once again for the record I'm joe Walsh. I represent individuals for justice. This is not fun and games. I take that as a personal insult. We come here on our own time. We don't get paid. [shouting] [cheers and applause] we do it because we care. You are increasing this contract and I want to know why. You know why that you're increasing this contract. It seems like every god damn contract that comes before this body gets increased, never decreased. [applause] tell me why. Why are you increasing this contract? Did you screw it up in the beginning? On the estimate? Or are you screw it up now? Tell me, mayor, fun and games. You're spending hundreds of thousands of dollars. You think that's funny? You think that's funny? Mayor hales' thought it was funny and his career is over. He's in Spain someplace trying to keep his boat from sinking. [laughter]

**Wheeler:** Thank you, Mr. Walsh.

**Walsh:** Why? Why are you increasing it? Do you know? You and you pirate --

**Wheeler:** Would you like to hear?

**Walsh:** Shut up: [cheers and applause]

**Wheeler:** Back to my original point.

**Walsh:** Shut up.

**Wheeler:** Could we hear from the attorney on the question that mr. Walsh asked? [shouting] come on up.

**Wheeler:** You know what? You guys -- I want to hear the answer to this and after this item if we cannot maintain order in these chambers once again we're going to have to adjourn. I don't want to do that. I honestly don't. There's people here who have signed up. I was on jury duty, by the way. Thank you. There are people who have signed up. [shouting] Sit down. Sit down: You're out of order. Sit down. There are people who have come here to

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testify on items that they have signed up way in advance to speak on and they would like to be heard. If you yell and shout and scream and laugh, then they don't get that opportunity. [shouting]

**Wheeler:** That's not true. You can sign up for communications just like everybody else did. Thank you. [shouting] I wasn't even here. Anyway -- that's correct. I was. At any rate if you would sit down I would like to hear the answer to the question. It was a good question Mr. Walsh raised. Let's hear it. Sorry, I apologize. [audio not understandable]

**Fox:** Thank you for your questions on this ordinance I know it's a lot of money over the 10-year period of time actually it'll be 11 years and we will have spent 1.3 million. This is a very complicated piece of software that runs our communications network with fiber and telephony. We're in the middle of replacing this software contract and we're going to put a new piece in but with the data center move and the Portland renovation it's going to take us longer to replace it than we had originally planned so we're extending it out until June of 2018 to make sure that we get it done in time and right and do not compete with the other, larger projects in front of us.

**Wheeler:** Thank you. I appreciate it. Please call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. Next item, please. [laughter]

**Item 203.**

**Wheeler:** Again I'm going to have to ask you to stop laughing. If you want to do that do it outside so we can keep doing the business -- [laughter]

\*\*\*\*\*: Freedom of speech.

\*\*\*\*\*: I can't stop laughing.

**Wheeler:** I apologize. We want to hear this because we do want to talk about a new park for north Portland but not right now. We're recessed.

**At 11:20 a.m. council recessed.**

**At 12:53 p.m. council reconvened. Meeting location: City Hall Rose Room.**

**Wheeler:** Number one, city hall is under lockdown. We had a group of people repeatedly take over the city council chamber this morning. We did our level best -- oops. Sorry, we have a technical difficulty. Now I feel like the nilly vanilly of mayors here, I promise I am not lip syncing. We had a group of people commandeer the city council chamber this morning. I personally find that unacceptable as I said in council session, there is a lot of people who have signed up to testify. They would like to come in and be heard, and we're going to provide a safe environment for that to happen. So for people who would like to watch the city council meeting, there is a viewing room, it's room c at the Portland building, the Portland building is the one right next door to city hall, and it's the big blue one with the tiles, and people would like to testify it said session, they may still do so, there is sign-up sheet in room c, people will be called prior to their testimony, and thrill have the opportunity to be escorted over here. They will be able to testify to the city council, and again, we'll ask people to please state your name, and we will ask you to please testify on the item that is before the city council. I also want to state this -- to my colleagues, I apologize, this is not how I would like to run city council meetings but I think this is the best that we could do to get the business of the city council completed in as timely of manner as possible and I welcome thoughts and ideas on how to do this differently. Next week of course, we'll be taking a vote on a different city council protocol, and I would encourage people to take a look at that. I know commissioner Eudaly is on her way. Could you call the next item, which I believe was a pulled up on the consent agenda?

**Item 203.**

**Wheeler:** Is the individual who pulled that here or in the Portland building?

**Moore-Love:** Mr. Lightning pulled that.

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**Wheeler:** We will put that in abeyance until we determine whether or not Mr. Lightning is here to -- if you would not mind, we will give it say ten minutes, we have staff here, prepared to testify. But we'll give that a few minutes until we can understand whether Mr. Lightning is here. So if I understand correctly that gets us back to our regular agenda. If you could call the next item.

**Item 206.**

**Wheeler:** Is there any further council discussion on this item? Commissioner Fish this is the recap 8.

**Fish:** This does not include anything related to [inaudible]

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

**Fish:** Aye. **Saltzman:** Aye.

**Wheeler:** Aye. The ordinance is passed as amended. Next item please.

**Item 207.**

**Wheeler:** Commissioner?

**Fish:** For some reason, it may be my own failings, I did not get a follow up briefing on this matter. My office has a number of questions with the council's indulgence would you set this over a week?

**Wheeler:** No objections heard we'll set item 207 over for one more week. Next item please.

**Item 208.**

**Harry Auerbach, Chief Deputy City Attorney:** Harry Auerbach from the city attorney's office. I believe we talked about this, we have a couple of efforts going on around the country, in which we've been asked to participate as amicus to defend the city's interest in maintaining a welcome community for the immigrant population and were asking for your authorization to join those and for the authorization because we get these requests sometimes on very short notice for authorization to join others of a similar kind, with the consent of the mayor who is our commissioner in charge.

**Wheeler:** Very good, any further discussion? Commissioner Fish? You might want to push the button.

**Fish:** Something about pushing my button? I think we are getting close to that line here. Karla. It's red, it was green earlier today, just to make sure. I am getting confused here. I strongly support this resolution, and the mayor came down to talk to us about giving him the discretion to act outside of our normal cycle because I think that we are in an unusual time, and there are lots of legal challenges that are being brought to executive orders and to other decisions. I think that it's appropriate to give the mayor who also in his formal capacity oversees the legal department, the authority to sign on as amicus or make other recommendations outside of council action so I strongly support this.

**Wheeler:** Thank you, commissioner. Please call the roll.

**Moore-Love:** We did have people sign up.

**Wheeler:** You bet.

**Wheeler:** Call the roll, please.

**Fish:** Harry Auerbach in the legal department, thank you, and mayor wheeler, thank you for bringing this resolution forward. Let there be no doubt that this city will stand up for the rights of immigrants and refugees, that we will continue to follow state law, and that where appropriate we will lend our voice in ongoing legal proceedings to defend our values. Aye.

**Saltzman:** Well, this makes a lot of sense to authorize the mayor to authorize future friends to the court filings because there are many of them and will be many more, I sense, as this country reacts to the anti-immigrant and refugee rhetoric that we have heard in Washington d.c., so I am very supportive of this and wish us luck. Aye.

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**Wheeler:** First of all, let me just say this. I am aware of the fact that three people had signed up to testify on this. They are no longer here. They have left, and if people would like to sign up, they can do so in room c in the Portland building. Aye the resolution is adopted.

**Wheeler:** Thank you, next item.

**Moore-Love:** It is an emergency ordinance. I believe that we are trying to get commissioner Eudaly here.

**Wheeler:** We'll just -- is 209, commissioner Eudaly --

**Moore-Love:** That is your item.

**Wheeler:** So why don't we go ahead --

**Moore-Love:** Except 213.

**Wheeler:** Got it. Ok. Let's do 213 if commissioner Fish is prepared on 213. Here she is. Never mind.

**Wheeler:** That's quite an entrance. We need you. Thank you, commissioner.

**Wheeler:** We're just starting. 209.

**Item 209.**

**Wheeler:** Thanks. And please poke the button until it lights up and state your name for the record.

**Anna Kanwit, Director, Bureau of Human Resources:** Anna Kanwit, director of the bureau of human resources. Gail Baird, my training manager was going to be here, and I am not sure that she will make it but that's fine. So this request is a continuation of the resolution we presented to the city council last September. Branding the city of Portland as the employer of choice, the resolution contains a number of initiatives. We created a brand of the city being a values-based employer, and our values are around public service and public trust and equitable outcome and diversity and inclusion and ethical conduct. At the time I told the council that we would be coming back with a budget request to conduct -- to conduct a survey, city-wide survey of employee engagement that will help us to narrow down our focus areas for this initiative. I am here -- I don't need the actual council to authorize the money, I have it in my budget for the contract with psu to help us to develop the survey. Not only will they develop the survey, psu would be responsible for conducting it, would be anonymous. And they would aggregate the data for us, and so this is a very important work in moving this initiative forward for the city, it would give us really good baseline data, and from there we will look at other initiatives, after the survey, next steps, and we'll be putting together a program for conducting entrance and exit interviews so we have additional data on our employees but we think the survey is a very important part of this initiative. I have the money within the budget to pay for the survey so it's authorizing the agreement with Portland state university.

**Saltzman:** This is a survey of --

**Kanwit:** The city employees. The individual bureaus have done the surveys but we have never done a city-wide survey. And so I think that this will give us a really good opportunity to have that data cross the board, and it is supported by the champion circle of the cross bureau committee that's working on this. So I have representatives from about 10, 12 bureaus on that committee.

**Saltzman:** Will there be any questions about pay equity thoughts from our employees?

**Kanwit:** Probably not that, commissioner. Of course we have not -- we have not started working directly with psu yet. We have had conversations. They do a lot of this work for the city. We're going to try to keep the survey short, and there are questions that we probably won't ask. I am not sure about that one, but certainly the things that we can affect changeover we will probably not ask about, and not -- not meaning to say equity is one of those but I have seen them ask questions about are you happy with your compensation?

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We're not going to ask that because that's a council decision, and we have a compensation plan that sets that for employees, so again we're going to be very careful in terms of making sure that we're not -- I have seen surveys where you set employees' expectations, and they are disappointed because they feel like they have wasted their time and there is no outcome.

**Saltzman:** I think that it would be interesting if we could ascertain you know, we heard testimony this morning during the women's history month proclamation, people feel the city is a better place than others in terms of the pay equity but I think that it would be useful if we could weave a question in there that sort of you know, if we are trying to be the employer of choice I think that this is a huge issue, and particularly for women.

**Kanwit:** Absolutely.

**Kanwit:** I think that we can do that, commissioner, along the lines in terms of opportunities to move because as you may recall, from the resolution we presented last year on this what we found because we have a compensation plan, that is well constructed and, you know, the compensation factors are either bargained or based on the objective factors we could make. It is not as much of a pay issue here but we have a difference in terms of where women are in the organization, so when you look at the lowest paying job, it tends to be three quarters of women, when you get up to my level, it's pretty much reverse. If not a lower percentage than that. So certainly we have areas that we need to work on, and so I think that we can weave some questions in all of that.

**Saltzman:** That would be great, thank you.

**Kanwit:** Absolutely.

**Wheeler:** Further questions while Anna is sitting up here? Any public testimony on this item?

**Moore-Love:** Mr. Shedrick Wilkins.

**Wheeler:** Come on up and state your name for the record. The mic is already on.

**Shedrick Wilkins:** I am shedrick j. Wilkins. I will make this quick. On this issue, similar to the issue of giving \$62,000 to the street roots, I do not believe in giving money to psu. They want to do studies on housing or something, and they can do it by themselves. They could, you know -- there is no reason they should give money, and it does not make it an independent review. If you are going to give 15,000 for the homeless give it to Saltzman and his housing bureau and don't have somebody do anything that naturally will do things, and also as a psu was not necessarily qualified, it's a school, a university, and they have students training to do these things, and it's not a repressional review of anything and neither is street roots. Street roots make comments, I don't consider their opinion -- nice it's nice to know that they can do that but giving money to them, it's the same thing. Even though this is a small percentage of the city budget it is symbolic that we don't pay groups. It could edge them to be biased. There is nothing wrong with the housing in the city because they gave us 15,000.

**Wheeler:** Thank you, sir. Appreciate it. Any further board discussion on this item? Karla please call the roll.

**Fish:** I want to thank Anna for the presentation, and I strongly support this ordinance, and I think that this, mayor, will be the first time that I have ever publicly disagreed with Mr. Wilkins who consistently comes before us and offers thoughtful testimony and also is someone who follows us closely. But I respectfully disagree with his analogy. This is not like providing a grant to the street roots for the purpose of helping them serve better their mission. This is a grant to Portland state university for the purpose of asking them to do an independent review. Sorry.

**Kanwit:** No.

**Fish:** Go ahead.

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**Kanwit:** I am sorry to interrupt but I want to be very clear that this is money that is in my budget now. I am not asking council to authorize additional funding. I am going to pay for this within the bureau's budget. I need the authorization, obviously, to -- I was not sure if that was clear.

**Fish:** It was clear. So thank you, it's not new money but budgeted but the point that I wanted to make is that I strongly support using third party entities like Portland state university to do independent assessments of our work, and I think that it's through those kinds of collaborations that we have greater public trust in the outcomes because, of course, if we did them in house that's where I think that we might be more vulnerable to the charge of, of potentially bringing our bias into the work. And I will note that I have the great honor right now of serving as the community representative on the search for new director of the Hatfield school, and one of the things that all of the applicants for that position have mentioned is that they want to continue to position Portland state university as the go to place for local government to get independent research on the functions of government. So I think that it's exactly the role that they should be playing, and I think that it's a great idea to engage them to do this survey. Aye.

**Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** The ordinance is adopted. Next item, please.

**Item 210.**

**Wheeler:** Good afternoon and thank you for being here. The usual state your name for the record please.

**Kurt Creager, Director, Portland Housing Bureau:** Kurt Creager, director of housing for the city, and with me today is dory van Bockel. Just to frame the issue, the state legislature allows the cities under multiple unit limited tax exemption program or multi-program to exempt the property taxes from willing property owners that are willing to make a portion of the units affordable. The city council and the board of county commissioners allocate annually a sum of money, and that is currently 3 million per year. Dory administers the program so she is the interface with the property owners, and helps them to position their projects for approval. So dory.

**Dory Van Bockel, Portland Housing Bureau:** Yes. Hello again. Dory Van Bockel I am the program coordinator for the multiple unit limited tax exemption program as well as our new housing program, and the other programs that are associated with that. So we have two projects, we'll hear this one and another one similarly, and since we have two folks who are new to the multi-program, I wanted to give you a very quick overview of kind of the nuts and bolts of how we review an application. Generally, the program itself is meant to encourage private developers to include affordable units in their projects that might not otherwise have them. And by doing so they receive a ten-year property tax exemption on the improvements of the new structure that gets built. Generally, the affordability required in the project is 20% of the units during that ten-year period be set aside for households up to 80% of median family income, and potentially 60 depending on certain factors of where a project is located and the type of building in the market for that type of a project. We also have not just the affordability goals of the program, but also for accessibility as far as requiring some units in the building to be fully adaptable in order to be accessible for people with disabilities and seniors. Also we have goals around equity with the program both through working with the third party technical assistance provider for pursuing 20% participation with minority women and emerging small businesses in the construction contracting of the project, as well as working with us in the lease-up of the building. We have an annual 2 million cap that we are reviewing with each application. And they must have their building permits issued so this is part of the planning of the development. We test and review the project financials to see that there is a need to provide the tax

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exemption in order for the affordability to be achieved. Up to this point the after review of applications, also reviewed then by staff, and then through the internal investment committee at the housing bureau, we also have held a public hearing through our Portland housing advisory commission and allowed for the public to, you know, just ask questions and get comfortable with the projects and what the program is, and then this is ultimately the final approval is here at council. For this specific project, it's located on 23rd and Hawthorne. So it is a proposed four-story building with ground floor retail space, and as well as 22 tuck under parking spaces, so it's, you know, a high walkability, bikable area, and there is a mix of one and two bedroom units in this project. And those will be available again at 80% of the area median income, but I am happy to answer any questions about the project itself and certainly about the program and how it works.

**Creager:** Just one other thing I'd like to add is since we have a preference policy in north and ne Portland projects that fall within that area and the next one is one that is 5327 interstate. In this particular instance, we would be placing -- we would be working with the no-appfee.com application, so it's an open platform for everyone to have equal access.

**Eudaly:** I have a couple of clarifying questions.

**Van Bockel:** Sure.

**Eudaly:** The multi-program is for new developments?

**Van Bockel:** Correct.

**Eudaly:** So when you said they will get a tax exemption on the improvements, it was -- I was confused.

**Van Bockel:** On this building. So the land is still taxable.

**Eudaly:** Ok.

**Creager:** And only the residential portion of the building, so if it's a retail space, that's accepted from the exemption.

**Eudaly:** That is what I was confused about, and how -- are we hitting that 3 million cap?

**Van Bockel:** We have, actually, in -- almost exceed it had with 2016, in the sense that we have gone over 3 million but an exception for projects located within the urban renewal areas so we, actually, have total application from 2016 about 4.5 million. So we won't technically hit the cap itself, but we have been very well prescribed for the calendar year, so you will see a handful of applications still that had been received in 2016 come before you in the next coming months.

**Eudaly:** Do you have the approximate number of affordable units we might have?

**Van Bockel:** I don't have it at my fingertips. 20% of all those projects, and I think that we were looking at several hundred affordable units out of that.

**Eudaly:** Cool. Thanks.

**Van Bockel:** You are welcome.

**Fish:** I have a couple of questions. Mr. Director, I think when this was originally filed, affordable housing impact statement was not part of this submission, and while that was something that was a regular feature of commissioner Saltzman's presentations to council, it's up to the mayor's office whether to continue that, I want to put it to the commissioner in charge and the director, can we assume that will continue so there will be an impact statement on each filing?

**Creager:** The staff have no difficulty with that request, the format is something that we agree is succinct and the issue is that we want to say how many might have incomes of zero to 30% versus 30 to 60, or 60 to 80. They are all 80% and below and rarely unless someone has a voucher which would enable a person at 30% of the median income with a tenant based voucher to use that voucher in that building. Where they have extremely low incomes but we are -- we accept the format and would be happy to abide by that.

**Wheeler:** I think that that's an appropriate request.

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**Fish:** Number two, I think that I have forgotten the answer. At the expiration of the ten-year statutory period we have the discretion, assuming we have cap space to extend it another ten years, if we have a willing party?

**Van Bockel:** Yes, with the current code that's not an option that we have available.

**Creager:** We have in some instances I'm recalling the Ramona.

**Van Bockel:** We have done -- done some extensions of projects that had largely affordable units in the building, rather than just a portion that also had separate affordability restrictions that made them eligible for our interpretation of the statute along with the counties' acceptance of the program, and currently with the code changes it went forward through the inclusionary housing implementation, because of the ongoing affordability through the inclusionary housing, just the creation of units, that are keeping the cap available for that, was a priority.

**Fish:** But there is nothing under state law that would preclude us, is that correct?

**Van Bockel:** As long as it does have the affordability as the feature, so it would be something that we could design within the program implementation, yes.

**Fish:** I won't bring this as an amendment but I would like to just put this on the table. I would like to bring back to council a fix that retains the discretion on a case-by-case basis for the commissioner in charge to make a recommendation. For a couple of reasons. One is that because a lot of this housing occurs in high opportunity areas and stable buildings, getting more than the ten-year affordability may be a strong public interest. Second, as we know, up to close to 20,000 units were entitled prior to the effective date of our inclusionary housing ordinance. So we're, actually, while there will be some projects that come along, regrettably the bulk of the new development over the next three years will not technically be subject to our ordinance because of the timing. And finally I just philosophically I think that we should have all the tools available to the commissioner in charge whether you choose to exercise it and bring a recommendation back to council or whether you have the concurrence of the county chair and the assessor, that would be within your prerogative, but I would strongly urge that we come back with a code change that preserves your authority to do that.

**Wheeler:** Thank you commissioner, and I will second that, I realize it's not a formal amendment but we'll put some together some draft language and walk the floor. I would appreciate that flexibility because I think that there is opportunities and it would give us strength in the negotiations.

**Fish:** I will be attending the home for everyone tomorrow, in the afternoon, and I will be presenting on a proposal that I hope gets traction on both sides of the river to set hard numbers around supportive housing units. I think unless you have a goal, it's hard to reach it, and as the director just mentioned these are all 80% units, which is great news for a starting teacher, a nurse, maybe even an entry level police officer. But the challenge that we continue to face is we have people in shelters and on the street, and thousands of people, and while this housing fills a need in the community, and serves a purpose, it is not actually addressing the most acute crisis that we are experiencing, which is homelessness and its related challenges, and so I will be -- and I support this today and the multi-program, and I think it's an appropriate use of scarce resources but it does not quite fill the need that we currently have in transitioning people off the streets into stable housing, so I will be pressing us during the budget time to set the concrete goals that we can hopefully achieve on an annual basis.

**Wheeler:** Good. Further comments? Any public testimony on this item, Karla?

**Moore-Love:** This is a pulled item. I do not have sign-up sheet so we probably do not have anybody in the other rooms.

**Wheeler:** Very good. Call the roll.

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**Fish:** Thank you for your presentation and good work, aye.

**Saltzman:** Good news, aye.

**Eudaly:** Aye.

**Wheeler:** All good and thank you, commissioner Fish for your suggestions. I think that they are great suggestions. That strengthens the conversation as well. Aye. The ordinance is adopted. Next item please.

**Moore-Love:** We are going to do the pulled item next. 203.

**Wheeler:** Sorry, thank you for your patience. It is very interesting. Thank you.

**Item 211.**

**Creager:** As initiated, Kurt Creager, director of the Portland housing bureau and with me is dory Van Bockel 5327 north interstate, differs in size and in terms of the geographic location. Dory can describe the number of units but the preference policy would also apply which makes it somewhat different than the one on Hawthorne.

**Van Bockel:** Correct. As far as specifically on this project, it's a seven-story building and we'll also have some ground floor retail space which is typical for the area. There's 57 subterranean parking spaces designed with the project. This is one block off of the interstate max line. It will have a mix of studio 1 and a sprinkle of two bedroom units as well. So because the multi-program requires the units be distributed we'll have one affordable two-bedroom unit in that project which is greatly desired, and as well as the 20% of both the studio and the one bedroom units, as well.

**Saltzman:** So per the preference policy the units will be set aside for people who reside or formerly resided in northeast Portland?

**Van Bockel:** All the units will be available through the preference policy first.

**Saltzman:** All of them.

**Van Bockel:** Assuming that they can all be leased up under those terms.

**Creager:** You've been working with the bureau of technology services on the software because multi-family properties turn over so frequently that the number of people that are interested and the need to keep the preference policy moving forward on a real-time basis is important. With home ownership we had 1,000 people interested and selected 65, and that database was done with an excel spread sheet and this will be more dynamic. The people that own the properties are very welcome. If we do the work for them, by sorting and screening all of the eligible households. So just for people that might not be familiar with the preference policy, if people have been physically displaced from north -- northeast Portland, through condemnation they score the greatest number of points. If they have been economically displaced through rezoning or other planned amendments, they receive fewer scores. And the people with the greatest number of scores get first shot at the available units, and we work down from a high score of six down to one until the entire list is worked through. So we're hopeful that this provides is a path to return for people disenfranchise from north Portland.

**Saltzman:** Good.

**Wheeler:** Further questions or comments? Any public testimony on 211?

**Moore-Love:** We have a gentleman who wishes to testify.

**Wheeler:** Very good. Come on up, just poke this mic so that it is lit up so people can hear you. State your name for the record please. Poke the button. There you go. Thank you.

**Jason Martin:** Good afternoon council members. I am Jason martin. I am with Fairfield residential, the developer of the project and I want to make myself available in case you had any questions that were not resolved about the project.

**Wheeler:** Thank you for coming in.

**Fish:** Thank you for coming. We don't often have the developer attend these multi-hearings so I guess I should ask you is there any reason that we should vote no?

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**Martin:** Not at all. This is a phenomenal project that we are excited about.

**Fish:** Thank you.

**Wheeler:** Karla call the roll.

**Fish:** Aye.

**Saltzman:** Well I really -- this is a great project, and I appreciate the developer being here and glad to hear the preference policy will apply to the people that were, perhaps, displaced from north, northeast Portland, and I also wanted to note that I think that yesterday or the day before we got our first application on the, under our inclusionary housing policy which is really good news, and shows that we have gotten something right. Contrary to a lot of press and, and cynicism that existed around it, so I think that it's a sign of good things to come so good work. Aye.

**Eudaly:** Aye.

**Wheeler:** I want to thank commissioner Saltzman who did a lot of work on this particularly on the preference policy, and I want to thank your team, as well, for putting together this and the prior ordinance that we adopted as well. I think that this is great progress and exactly the right direction. So thank you, aye the ordinance is adopted. Why don't we go back and finish off the consent agenda, so these two ladies can get back to work. I am sure that they would prefer to do that.

### **Item 203.**

**Lauren McGuire, Portland Parks and Recreation:** I am Lauren McGuire the development program manager for Portland parks and I am here with robin Laughlin, the project manager for this project. And as you know this is part of the 2014 parks replacement bond, the \$68 million that the voters approved, and this is a great project. It is going to replace an outdated park, playground that's at couch park and park avenue. We'll be taking out that equipment and replacing the lights and improving the accessibility to the playground as well as replacing all of the playground and surfacing. So we're just here to ask permission to bid. So to go out for a competitive solicitation, and the estimated cost for us at this time is \$980,000, and that's -- we have medium confidence in that.

**Wheeler:** Great, thank you.

**Fish:** I have a question, so this is the north park blocks, and there is a public [inaudible] on the southeast corner, is that correct?

**Robin Laughlin, Portland Parks and Recreation:** Yes, that's correct.

**Fish:** And does the work that you are contemplating around the playground, will there be any, any -- will you be investing anything in relating to the loo and the relationship between in that and the playground?

**Laughlin:** This project doesn't do any improvements to the loo itself. We will be making some changes to the fencing that's currently in the playground, so proximate to the through the fence around the playground moves towards the loo a bit but stays within the center of the block.

**Fish:** Let me state a concern and I am second to no one in terms of my support for the program even though we did spin it off as a free standing business. That loo is in a, you know, intense urban area, and I can just speak for my own personal experience that sometimes it has been kind of an attractive nuisance and a magnet for behavior that is anti-social, and I think that there is, there has been some police activity there, as well, around drugs, drug sales, and other kinds of things. And what I want to be absolutely sure as we go forward is that we are thinking holistically about the children and family playground that's adjacent to the loo, and how we help both become successful public spaces. Let me just state it as diplomatically as I can, and I am second to no one in my support for the loo, but it has attracted some people whose behavior is not what we want to promote and is adjacent to a major children's playground so would you add that to your

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thinking and planning on this and when you come back to council just let me know what your thoughts are?

**McGuire:** Certainly. Any other questions?

**Wheeler:** Is there any public testimony on this item?

**Moore-Love:** Mr. Lightning but I don't believe he's here anymore.

**Wheeler:** Great. Call the roll please.

**Fish:** Thanks again to commissioner Fritz and her work in securing the bond money that allowed us to do this good work and the north park blocks in my view is long overdue for sort of an updating. And I think that if we can get the children's playground updated, and at some point we can find the partners to build out the northern space that's in front of the pacific northwest college of art and pivot the north park blocks into the post office site, how we can write the next great chapter of this area, so thank you very much. A little drama and suspense. Aye.

**Saltzman:** Thank you. This is a good project, thanks for your patience today, aye.

**Eudaly:** Aye.

**Wheeler:** Aye. Thank you very much. The ordinance is adopted. And let's see, we are back to 212.

### **Item 212.**

**Wheeler:** Good afternoon

**McGuire:** I am Lauren McGuire, development program manager for Portland parks, and we're here to ask that we amend the contract for r&w engineering, inc. And also mfia, inc. In the amount of \$100,000, so let me explain. On May 1 in 2016 we had two contracts for these on-call professional expert services. They are mechanical engineering services between the city and r&w engineering and the other between the city of Portland and mfia. The original contract amount for each was \$100,000, which is typical for the on-call contracts. In the bond program we are doing a lot of projects as you know. So we are really looking for four different firms that would provide our mechanical engineering services and we only had two at that time. So we decided after talking to the procurement to go back out and so we went out for a second rfp, and it was released in November of 2016. And we got the same two firms that were soliciting or providing us with proposals. So in talking to procurement, their recommendation was rather than do two separate contracts for each firm, just to make it one contract, and to up the contract from 100,000 to 200,000. So that's why we're here. On-call contracts, in case you are not familiar, we have up to, up to 75,000 per task order that we can do for those, and so that's how they work. If we go above that the director has to approve it.

**Wheeler:** So let me ask a question, this may just be a general question that I will put out there for future reference. If Mr. Walsh were here he would fall out of his seat hearing me ask this question. But this is on a regular agenda, as a contract update. We had another one on our consent agenda earlier this morning that was also a contract update. What is the standard by which things are on the consent agenda versus in the regular agenda?

**Fish:** Can I address that? It's not necessarily the bureau-specific.

**Wheeler:** Ok.

**Fish:** We have, I think, either formally or informally agreed as a body that 500,000 is the minimum threshold for, or a threshold for bringing a change order or a contract modification to council, and Karla, I am having a senior moment but I think that we might have done that by ordinances or --

**Moore-Love:** It was a memo, I believe, from mayor hales. For the capital improvement projects.

**Fish:** So I think that this was a legacy of some history where particularly I think the public utilities used the consent agenda with greater frequency, and so your predecessor and I

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agreed that anything a half million dollars or above would automatically be placed on the regular agenda. So what I would say is it's really within the discretion of the commissioner in charge or the bureau, and but if, what I would strongly suggest, mayor, is that if you have a strong view as to what should be the trigger below that, we should just establish that as a guideline because a number of these projects automatically get pulled to the regular agenda, when people see them, and frankly, I even think that sometimes it is misleading with -- not in this instance but sometimes it is misleading where it seems to be a small dollar amount, but if you unravel the history it's like the fifth or sixth or seventh time someone has brought a change order which may be appropriate because of the work that we do under water, for example, and other things involves unforeseen contingencies, and you very well may want to, a rule that says if it's the x number of change order or if it's a certain amount, that it should be brought to the regular agenda, but there is a council rule that if it is a half million or above it should be placed on the regular agenda.

**Wheeler:** Great, thank you, sir, I appreciate that.

**McGuire:** And correct, and to speak to this also, in this case our contracts are doubling, basically, so we felt that was appropriate.

**Wheeler:** Thank you. Any further questions on this issue? Commissioner Eudaly? Is there any public testimony, Karla?

**Moore-Love:** No one else signed up.

**Wheeler:** Call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye the ordinance is adopted.

**McGuire:** Thank you.

**Wheeler:** Thank you. Next item please.

### **Item 213.**

**Wheeler:** Commissioner Fish.

**Fish:** Thank you, mayor. This ordinance will authorize a contract to replace or to repair over 11,500 feet of public sewer pipe and install eight green street planters in the Boise Elliott neighborhood. The project will reduce sewer backups and rehabilitate the century old pipes in very poor condition. The green street planters are being installed as a cost effective way to reduce the amount of storm water entering the sewer system, eliminating the need for larger pipes. This project is slated to start this summer and to be completed within 15 months, and I will just highlight before I turn it over to Brandon Wilson and Scott Gibson, anticipate that what may catch your attention on this one is it is a big project going into a dense area that also has had a lot of capital construction work whether it's roadways or new construction. We are interested in your feedback about sequencing of the work and impact on other projects, and I am pleased to introduce Scott Gibson for the presentation.

**Scott Gibson, Bureau of Environmental Services:** Thank you. For the record I am Scott Gibson, principal engineer at the bureau of environmental services and with me today is Brandon Wilson. He's our project manager for this effort, and I am going to make just some short statements and Brandon will take over the presentation. We will come before you on a number of occasions over the year asking for authorization to do sewer construction projects. There are generally two types of efforts that we're engaged in. One is when the pipe fails, when it gets old and is cracked and needs to be replaced then there's this other program which we're talking about today which is basement sewer backup risk. So we have a legacy system that in certain areas can't provide appropriate level of service of protection and when the rains get heavy above a certain level or below, sometimes below the target area you cannot have sewage backup into the basements. This product here today is a sewer backup relief project, and Brandon will get into the details but the techniques that we tend to use there are to replace the pipe with a larger

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pipe when appropriate but we also use green infrastructure, storm water planters to soak up the rainwater and to diminish the demand on the system such that the existing system can function, so what Brandon and his team has done and he will describe this to you is to use a combination of the tools, new pipes and green streets to come up with a solution that works in this case. I will turn it over to Brandon.

**Brandon Wilson, Bureau of Environmental Services:** I am Brandon Wilson, work for the bureau of environmental services, and so as Scott set the stage a bit, what project that we have, this slide shows the geographic location. You can see the familiar streets on the west end. We have Williams and Vancouver running north and south and mlk also is a major thoroughfare running north and south, and we are bound by the north by Russell. And by the south close to Broadway.

**Fish:** If I could just comment because this is a great chart. On the -- as you look to the east at mlk, so for those of you, commissioner Eudaly knows this, but for those who are not as familiar that's -- work will be starting just to the south of the Nike store, on mlk, and as you go west from there, we recently took up a couple of items with new lights and turn systems being placed near legacy Emanuel hospital, a huge choke point coming off the bridge there, and of course, with changes to Vancouver, and Williams avenue, those can also be pretty congested so this is a pretty active area with also a lot of restaurants that operate in the evening, and a lot of community resources, and the like so that's one of our sensitivities is making sure that the work doesn't disrupt the living and the working part of this community.

**Wilson:** I would like to add several streets in this area are also considered city bikeways, or, and-or neighborhood greenways. Also on this slide you can see the mlk, there is a, there is six intersections on mlk that we have identified to be done during the night. And we have a noise variance for that work, and we did not receive any opposition to that noise ordinance. Also the night work that is shown is minimized, and I have a slide later that talks more about that.

**Saltzman:** You talked about that, I understand that there is a trade-off between traffic and headaches and noise for the residents? How does that cut in this case?

**Wilson:** So night work is usually what is kind of an exception to the process. It's more expensive and generally less safe and it's a trade-off here because we've been working with the city engineer, the traffic engineer that is, and the work that we need to do, the manholes, they are in such a place that we're not, we're not able to maintain the minimum distances for the lanes, the minimum widths required, and in order to do that work, we have to go during low volume times, which are during the night.

**Gibson:** So the -- we do go through the process of pulling the noise variance, and all of that noise, the officer with the board we make the presentation and do the outreach to the community that says that we do need night work in this area and if you have any issues, this is who you contact so we go through the process to try to balance that, and because it's exactly as you said, a trade-off between the residents living in the neighborhood and the through traffic, so --

**Saltzman:** Ok. Thanks.

**Wheeler:** Is that six intersections simultaneously or how will that night work be conducted?

**Wilson:** Great question, one intersection at a time.

**Wheeler:** Over what period of time?

**Wilson:** I believe we allocated, gave ourselves a week to week and a half for each intersection, and I am not sure if they are going to be done consecutively, they are done in --

**Gibson:** Along with the adjacent horizontal -- we need to come into the mlk so they will be scattered.

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**Wheeler:** Ok. And I see that you are using the crossing capacity here, is that in combination with the vision zero? Is there a coordination with that?

**Gibson:** Absolutely. The civil engineering design is reviewed and coordinated with pbob. We have a liaison who we pay a salary who works with us to coordinate the work with pbob, so we have done all of that work to make sure that we are coordinated with that.

**Wheeler:** I want to thank you and commissioner Fish because I love to see multiple objectives achieved simultaneously. This looks like a great opportunity to do that.

**Fish:** We sometimes, actually mayor, get criticized for one of the impacts of the green infrastructure, is that it does inherently have a traffic calming impact because it changes the -- it changes the configuration of the street, and that's not the primary purpose but it does and could, a good example is on lower division, and there is other issues along the upper division but lower division with the green infrastructure, it does have a traffic calming effect.

**Wilson:** Great. This slide gives more details about the project. It was recommended by our assistance plan 2012, and you can see 11,500 linear feet, those are the sizes between eight and 30 inches, and most of these are under capacity, and there are a few sections that are in poor condition, and these are century old sewers. Next slide.

**Gibson:** Oh, no, he's got the clicker.

**Wilson:** It's -- I am just kind of going through this, but I do have it.

**Moore-Love:** Why would we ever doubt -- nick, why would we ever doubt -- Karla, why? Why?

**Wilson:** We also mentioned the atypical storm water infiltration facilities, and there you go. So this -- so with the project this size, there is a lot of public involvement that goes out, outreach done to the public, several mailings, neighborhood public meetings.

Neighborhood associations. We have all --

**Fish:** Debbie Caselton came before us this morning on women's history month, and mayor we send a lot of these newsletters out to the affected people whenever we do big capital construction projects and the original format for these had a lot of information, but it had no personal touch. And thanks in part to Debbie's vision, what we do know on the front page of all of these is we have a, essentially, a letter, a note from the staff person who is the liaison, and I don't know if you can see it here but it has her cell phone number, and her email address, and it is signed by her, and she puts her own update every time that we send one of these out on the cover, and of course, what we're trying to do is personalize this. It's a person saying if you have a concern, call me directly.

**Wheeler:** Great.

**Fish:** And that was one of the things that she really fought for.

**Wilson:** Yes, Debbie is doing a fantastic job for this project as you can imagine. I would like to mention that there is ongoing close coordination with the residents and businesses, that have been happening, that's been happening during the design and will continue to happen during the construction, and I also wanted to touch on the fatigue in the neighborhood that you mentioned. This neighborhood has been undergoing development and different construction projects. Our public involvement staff is aware of that, and especially the lack of parking that is, as a result of that, so we do have that as a sensitivity. I wanted to talk a bit about one aspect of this project that is a little unique. It is a flow transfer away from Williams and mlk, and this does not show that well it had three or four pipe settings being upsized, a lot of work on Williams and mlk and we, in concert with our work with pbob were able to reduce the amount of upsizing and instead upsize work on side streets less expensive and less disruptive to the traffic patterns and also with, to eliminate the night work. And as part of that analysis, that's where the storm water facilities were actually added to the project. The project did not have those to begin with, it was

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through this effort to, to try to get a better, a better fit for this project. Those were added. Next steps, advertisement should be this month. High purchasing agent. We will be back to present an ordinance to award, to ask for the awarding of our contract once we have a low bid and a contractor selected, construction is notice to proceed in summer and is -- has the commissioner mentioned will be a 15-month construction duration. That concludes the presentation. If you have any questions.

**Wheeler**” Commissioner?

**Eudaly:** I have a question. Is there a difference between vegetative green speaks facilities and bio-swells?

**Wilson:** That's a great question.

**Eudaly:** Trying to keep up with the lingo?

**Wilson:** Exactly. That's the engineering version of what these are but they are also called bio-swells and green gardens and so we have lingo.

**Eudaly:** This might seem like a silly question but that's diverting rainwater from the sewer system and does that bring down people's sewer bills?

**Fish:** I will answer that.

**Eudaly:** Personally invested in the answer to this question.

**Fish:** So we did a commissioner a couple of years ago, when we did Tabor to the river which as you might imagine is the flow from tabor to the river. Because it was part of the greater green initiative, what we did was intentionally came to the counselor and presented a kind of -- a couple of alternatives, and what happens if we just did the gray approach, which is expand the pipe capacity and like building more highway, what would that cost? And then we did an analysis of what it would cost if we had fewer pipes and more green infrastructure to let mother nature handle the load. Of course the return on investment was not close. It was less expensive to do the project using gray and green rather than gray. When we keep the costs down on these capital projects, what we do is we give the council a menu of options. Council could say let's put the capital budget on a diet accordingly or council could say for the same amount of money that we budgeted go and do more and address some of the other backlogs at work. We are able to show a more efficient use of scarce resources to get the job done and it, actually, frees up money to do more work. That is the beauty of gray and green. And my only regret is that ten years ago we did not describe it that way. I think that we overemphasized the environmental benefits. And we did not focus enough on the rate payer benefits and my view is a huge win for rate payers because it cost less and you put a value on what it is to have a tackle, the heat island effect or a more lush neighborhood or a more friendly streetscape. We save a lot of money when we do it this way so fortunately we are less reliant on gray and using more green, so thank you.

**Eudaly:** Thank you. That was all.

**Wheeler:** Any further questions? Is there any public testimony on this item, Karla?

**Moore-Love:** No.

**Wheeler:** Very good, this moves to second reading. It's a non-emergency ordinance. And if you could read the next item.

**Item 214.**

**Wheeler:** Is there any further discussion on this item? Please call the roll.

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. All right, we now have our time --

**Fish:** Can we have a five-minute break?

**Wheeler:** Let's do that, let's take a five-minute break. We are in recess.

**At 1:57 p.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.

**March 1, 2017 2:00 PM Location: City Hall Rose Room**

**Wheeler:** Great why don't we go ahead and reconvene this is the afternoon city council session on March 1<sup>st</sup>. Just a reminder commissioner Fritz is excused, commissioner Fish.

**Item 215.**

**Fish:** In a moment I'm going to turn over the presentation to director Stuhr to make the introductions of our honored guest today's hearing follows a council work session held last October. As my colleagues know public health and safety is the bureau's highest priority. 20 years ago, the water bureau took a balanced approach to addressing lead in Portland's home plumbing and helped reduce leaching in bad pipes by about 70%. In the past two years the bureau has disconnected open air reservoirs at Mount Tabor and Washington Park well ahead of the original 2020 deadline. This has given the bureau an opportunity to take a fresh look at additional treatment options. In 2014, council approved a corrosion control study to better understand the system after the changes. Today the bureau will present results of that study and will make a recommendation to conduct a further treatment pilot study. Director Stuhr.

**Mike Stuhr, Director, Portland Water Bureau:** Good afternoon, Mr. Mayor, commissioners. I'll turn mine on too, Karla. There you go. Good afternoon. One introduction I would like to make first is Nicole, can you stand up? Nicole has just joined our staff as communications director. She's the new Gabe since I stole Gabe and made her my deputy. Welcome. So let's proceed here. What we're doing today is continuing a journey that began in 1991 or 1992 depending where you believe lead and copper rules passed more recently began in 2014 as we took the reservoirs off line and finished the dam 2 tower which allowed us to control temperature of the water we release into the stream and into the city pipes. We started doing the corrosion study. And at that time we showed you the next slide, and today we're at the arrow. Can you make the arrow pop up? There you go. When we first showed you this there was the corrosion study. That's what we talked about in 2014 and we had this little decision tree. Today we're at Portland city council decision. What we're asking you to do quite simply flipping to the next slide is to approve a contract with Confluence Engineering to do a treatment pilot to analyze the various options for what we might do and make sure it fits in with the water system. Our water system is more complicated than maybe readily apparent because we wholesale water to 19 other communities basically the whole metro area and all of these water sources are a little bit different than ours so we have to search out the best combination of chemicals. A little bit about the system. So we have our standard map. Just to be geeky you'll notice this map, maps typically are presented with north at the top and the west is on the left and east on the right. That would be our watershed. Water comes down from Bull Run, head works. We treat it, comes into the big reservoirs at Powell Butte/Kelly Butte and gets distributed about town. We supply 588,000 people in the city of Portland and about another 370, 400,000 people outside the city limits basically the most of the metro area. Next slide, you might wonder why this is flipped. First slide had left -- then right. This slide

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now has left and right. Left is upstream and right is downstream unlike a map. The reason we do that is an engineering custom water flows from left to right across the page. There's no other rhyme or reason for it, just tradition. So that's our treatment system. We disinfect head works. We need a certain amount of retention time after you disinfect and it gets that as it rides its way down the hill and climbs up the hill. At lusted hill we do the ph adjustment and chlorination then it trips its way into town. At that point I'm going to turn it over to Scott, who will do the technical part of the presentation.

**Scott Bradway, Portland Water Bureau:** Good afternoon. Scott Bradway with water quality information with the Portland water bureau. As we're here to talk about lead in water I thought we would talk about where the sources actually are not in our system. We actually do not find lead in our source water. We find it extremely low levels and very rarely. We also never use lead service lines in the city of Portland. Lead service lines are what you generally hear about across the country as we heard about in flint, Michigan, a lot of their sources of lead was from a lead service line. However, there was a period of time in Portland generally before world war ii when we used pigtails, there also called goose necks or service connections. That's a picture of the pipe in the bottom right picture of the slide there. These are just short two, three foot sections lead pipe that connected the mains in the street to the service lines for sending the water into somebody's home. We have since removed all the known lead pigtails in our system. So where do we find lead in Portland? The main source we find for lead in drinking water tends to come from copper pipes that were joined with lead solder in people's homes and building throughout the regions. These were homes built or plumbed between 1970 and 1985. We can occasionally find lead from old fixtures, faucets, drinking fountains and the like installed before 1985. After that there were restrictions put on the amount of lead that could be used in brass. Those tend to be the main sources however the major source of exposure to lead in the Portland area is from lead based paint, used until 1978 when it was banned. Very commonly used prior to 1960 through most homes. As you all are familiar with the housing stock and development of Portland, most of our buildings were built prior to 1970 when we generally see lead and solder being used in homes. Homes were built with lead paint in them, the greatest exposure to lead in the Portland region. Recognizing lead in water is something to minimize the water bureau has been working over 30 years to minimize exposure to lead in water n.1985 we worked with the state legislature to enact the Oregon lead ban banning the use of lead solder in home plumbing. We also worked to remove all known pig tails. In the 1990s we made a concerted effort to locate and identify all the leaded pigtails in our system and to remove those. Over that time period we removed over 10,000 leaded pigtails at a cost of approximately 10 million. In the 2000s we realized some older, large meters that serve buildings such as apartments and schools had components made of lead. Recognizing this could be a source of lead in drinking water we made a concerted effort to identify meters that serve in buildings that have vulnerable populations like children and pregnant women to replace them with lead free meters. All new meters are lead free. So additionally to our voluntary efforts in 1991 the epa published the lead and copper rule. It requires large systems to maintain optimal corrosion control treatment. It requires the utilities to monitor for lead in drinking water routinely. It established a drinking water regulation or action level of 15 parts per billion. What's important to realize is that this action level is not a health based level. It's a level that epa determined a system with optimized corrosion control treatment could meet at 90% of the worst case homes in their system. For Portland when we monitor for lead in drinking water we're testing homes built between 1983 and 1985 that are known to have lead solder in their homes. This is the most recent that was installed in Portland. That we know we have identified source of lead. This is the worst case scenario to give us an idea how effective our treatment is. History of

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our compliance with the lead and copper rule, in 1994 we performed a completed a treatment study that recommended that we adjust our drinking water through treatment to a ph of 9.0 and alkalinity of 20 offer a comparison the bull run is naturally has a ph of about 6.5 to 7.0 with an alkalinity of less than 10. However, keeping in mind that at that time it was generally thought that the greatest source of exposure was from lead paint, that there was a small percentage of homes, about 10%, with lead solder in them. That the current level, I believe dr. Lewis will talk about this in a little bit, the lead levels of concern was 10 micrograms per deciliter for children. The city water bureau was directed to look at an equivalent level of compliance that addressed all sources of lead. As a result, in 1997 we proposed the lead reduction program as the city's compliance program with the lead and copper rule, approved by the state of Oregon and has been our compliance program since that time. The lead reduction program contains four components to it. The first being water treatment and monitoring. Since 1997 we have been treating our drinking water, adjusting the ph to 7.5, in the early 2000s we increased it to 7.8. In about 2005 it went to 8.0. Recently we increased it further to 8.1. We also monitor our most at risk homes every six months as well as throughout our distribution systems for effectiveness of our treatment. Our program also has an extensive education and testing component to it. This is where we provide education to our customers about the hazards of lead in drinking water and easy ways they can reduce exposure to it. We also provide free test kits to any customer that requests it. We provide the education in various ways. We send out targeted mailers to home that are most at risk. 1970 to 1985 homes with a pregnant woman or child in their home. We also provide information on customer' bills and as an informational brochure sent to all bill-paying customers as well as putting information in our annual drinking water report on our website and through other mailings and outreach efforts. In addition to our efforts for lead and water we have a public education and community outreach program that addresses all sources of lead. We provide funding to the community alliance of tenants to provide education and information to tenants about what the hazards are for lead, lead paint in their buildings and ways they can work with their landlords to mitigate those hazards. We also provide funding to the Multnomah county health department to fund the lead line which provides an information referral source for exposure to all sources of lead as well as testing at community events. That education and outreach funding is utilized by the Portland housing bureau as matching funds for housing and urban development grant that provides funding to low income residents to mitigate lead paint hazards that their homes. It will replace windows, repaint houses, those types of efforts. The next slide shows history of our compliance with the lead and copper rule. The red bars show the levels of lead in our high risk homes prior to treatment. As you can see, our treatment has been relatively effective at reducing levels of lead in drinking water. We have seen a nearly 70% reduction at customers' taps through the treatment we have had in place since 1997. However, you can also notice with the red line across the screen that our levels are generally hovering around and occasionally exceeding the lead action level. For this reason, we have been looking at ways to further reduce the levels of lead in drinking water. More recently as commissioner Fish mentioned we started a water quality corrosion study in 1994. Sorry, 2014, not 1994. Go back in time a little bit there. We did do it in 1994, actually. In 2014 we began water quality corrosion control study. Last year early we also started conversations with the Oregon health authority and epa. This was in response to what was happening nationally. The state and federal regulators wanted to check in with all the large systems to see how they were complying with the rule. Later last year in September we proposed and improved corrosion control treatment center to the Oregon health authority. Shortly thereafter we provided a work session to update city council on these efforts. In November we received approval of our proposed schedule from

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the Oregon health authority as well as a request to implement an interim lead reduction plan. We submitted that in December which was then accepted in January of this year shortly followed by the first one of the first steps of that plan of increasing our ph further in February. So next I'd like to go over some of the water quality corrosion studies we're wrapping up now. As mentioned this is authorized in 2014. The idea was to take a year of gathering data so we could see what the seasonal variations of our water system are being in unfiltered water system we can see seasonal variations. The ultimate goal to obtain a better understanding of the role water quality plays on release of metals in our system particularly of household plumbing. We utilized a panel of utility control and academic experts to do the study and analyze the results. The water quality corrosion study evaluated three main mechanisms of corrosion in plumbing by understanding which are contributing to lead in drinking water and then lead to what are the next appropriate steps to reducing that lead in drinking water. This is essentially a chemical corrosion or eroding of lead when present in a very uniform manner, it erodes equally.

**Wheeler:** I'm sorry, is this a testing device?

**Bradway:** Yes. So that picture is called a prs, a process research solution testing rack. What it has is four different chambers. You can see a little enlarged picture there of the inside of one. We have one with pure lead, one with galvanized iron, the fourth one was brass. Thank you. So that's what we used to gather data from our distribution system, kind of a household plumbing surrogate or simulator as well as gathering from other homes as well. We did both simulated and real life testing in homes. So in addition to uniform corrosion we looked at bio stability. When you have microbial activity in your system that can alter the water chemistry and increase uniform corrosion or it can actually destabilize the scale that develops on the inside of pipes in houses causing release of scale and increased lead in water. Then we also looked at the effects of scale release in plumbing. So that can be caused either as I mentioned by bio stability, the chemistry of the water can affect that. If you under certain chemical conditions scale can be less stable than under other conditions and you can have changes in the hydraulic flow can affect scale release as well. We wanted to better understand that. To understand all of this just to show you that we tested for a lot of parameters, a whole bunch of places to look at all three of these components. So it was a rather large data set. It told us we have all three contributing to lead release in Portland. That water chemistry how the different levels of ph and alkalinity can affect all three mechanisms. Additionally, it confirmed that household plumbing materials are the dominant source of lead in our system and that there's no geographic hot spots or places of concern where we see higher levels of lead release than others. That can graphically be seen on this next slide. This is from the third monitoring period of the study and this is a compilation of all of our customer requested sampling as well as regulatory sampling. The green dots, triangles and circles are low level results and the red are elevated results. Steps or solutions would need to apply to the entire city. That we can't focus on one portion of owe city. We need to look at a city-wide approach.

**Fish:** Let me jump in on that point, Scott. Superb presentation. On this chart is the closest we have, colleagues, to the equity lens. One of the questions we had early on was is there a concentration of in any particular zip code impacting people potential of lower income households, communities of color and the like. Because the high risk homes are basically homes built between a certain period of time and are likely to be infill homes built all over the region, mercifully we learned there's no actual cluster of where these homes -- they could be anywhere and it has more to do with when the house was built than any other characteristic. You see a wide distribution of the red triangles which as Scott said has an influence on the recommendation he's making.

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**Bradway:** So that brings us to our next steps. We started with it earlier with. So we had our corrosion study that started on the left of the slide that fed into the question of would improved treatment benefit out system. What we found from the results of this study is that since we do have wide spread corrosion that all the factors of corrosion in our system somewhere can be affected by water chemistry, that improved treatment would have a benefit to our system. So for that reason we recommend today that we move forward with the next steps in improved treatment for the city of Portland.

**Wheeler:** Could I ask a question to dispense with a question that came to my mind?

**Bradway:** Yes.

**Wheeler:** The solution here that you're offering up is a water treatment solution. I'm assuming that that is a much more effective and cost effective way to address this rather than going back into those identified homes from that certain construction period and replacing the plumbing. I had not heard that and I want to hear that on the record.

**Bradway:** There's two pieces to that puzzle. Piece one is dealing with the homes themselves. Just doing it off the top of my head, it's about \$100 million to replace the pipes in those homes. In the blogosphere there's been comments about why should I replace my neighbor's pipes. I think that's a fair question. But there's a bigger puzzle here. We tend to focus on the 15,000 homes or the 43,000 homes in the whole metro area because that's our trigger. We have chosen the regulation made us choose the worst of the worst. But we have a good relationship with our regulators and one of my colleagues at epa had the best description of this that I want to share with you. Every citizen is entitled to protection under the law. In our old towns you have lots of old fixtures with old brass which has very high percentages of lead in it. So what we think are regulatory partners sometimes have a problem conflating us with flint. We don't have lead service lines. We don't have a hot spot that you can do something to. This is pretty much well distributed throughout the city and it totally depends upon when the homes were built. So I think it's extremely expensive. There are huge legal problems with us spending capital dollars on private homes. We don't have any regulatory authority to go beyond the meter. I don't think really in the end it's the best solution.

**Fish:** We got an email from a Mr. Schneider ahead of this hearing who basically said why are you wasting money on consultants and treatment when we could just fix the plumbing. It's a question someone might ask naturally. I think the director has answered it straight up. I'll offer a couple more components. We're told in the public health world and dr. Lewis will touch on this later that there's no safe level of lead. So in a perfect world we would remove lead the same way in a perfect world every intersection would be safe, we would make sure that all the air we breathe is safe and the like. There is really if money was not an issue then the answer to your question would be yes, the only foolproof way of eliminating lead from the system is removing it from a distribution system. Since we don't have lead in our source water or don't have lead in our distribution system or in our pigtails, by process of elimination what we're left with is bad plumbing and faucets in homes. We call it bad because congress and the state legislature have declared as of a certain date you can no longer use those substances. They are banned. So in the same vein if we said we want to get asbestos out of every home, we want to get lead out of every copper piece of plumbing and let's go one step further, the city said we would like to help low income people afford energy retrofits to lower the cost. I view them as complementary, mayor. In a rational system, speaking as me, not the public health expert, not the bureau if we had the resources in a rational system we would primarily focus on replacing the plumbing because that's the only long term sure fire way of getting down to as close as we want to be. But both the regulation doesn't look at it that way, number one, so we're bound, we're a system of laws. That's not how the regulation is crafted. As the director alluded to it there's

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a lot of profound questions about who would pay for that and whose responsibility is that. Probably we would not -- it would not be well received if we mandated that every homeowner took care of that problem. For us to be in compliance with federal law which says be creative about optimizing corrosion control, this, this, this is the standard approach. But I would hope working with the governor and the congress that over time we also came up with a way to reduce the cost, to school districts and homeowners of replacing bad plumbing in faucets so for the long term we get further reductions of lead in the end point.

**Wheeler:** Thank you.

**Bradway:** So we have used our corrosion study to feed into our decision we brought forward today, a decision that is going to look at what we're proposing is beginning a treatment pilot to improve corrosion control. What are we proposing to do? The treatment pilot is not an effort to look at increased treatment going to be effective. It's a look at what the most effective form of treatment we should move forward with. We'll be looking at two essential types of treatment, either a ph or alkalinity adjustment, changing the water chemistry, or a phosphate based corrosion inhibitor which creates more of a pipelining which prevents the lead from getting in contact with the water. To evaluate those two types of treatment we'll be looking at of course the effectiveness of reducing lead in water but we will also be taking into consideration what impacts we'll have to our sensitive customers and our industrial users to our brewers, dialysis clinics, our manufacturers. We'll be looking at the cost of both options and of course the different chemicals that can be used to achieve this. We have to take into consideration simultaneous compliance with other water quality regulations we don't want to make a change that has a negative impact someplace else with a different water quality parameter. We also need to consider compatibility with multiple sources of supply as mike mentioned we deliver water to a lot of communities in the region. Some have other sources of water. We need to make sure what treatment we're adding doesn't negatively impact them. We also need to consider our sanitary and storm water discharge considerations. How will this affect our treatment plant? How will this affect our storm water discharges to the Willamette or other local streams and rivers. So when we talk about corrosion treatment what kind of chemicals in the like are we talking about? These are pretty simple basic chemicals here. Some examples are baking soda or in the water industry sodium bicarbonate. These are just baking leaveners. Carbon dioxide. We use that to carbonate our beverages and the soda that we drink. Caustic soda or sodium hydroxide we have been adding to our water since 1997. Other options are hydrated lime, calcium hydroxide. Also used in food processing for calcium supplements. Or soda ash, which is also sodium carbonate similar to sodium bicarbonate and then that's used for soaps and detergents, food processing as well. These are basic, simple chemicals that we're looking at. On the corrosion inhibitor side, it would be orthophosphate which is known as phosphoric acid, also used in food processing and baking, carbonated beverages. Zink orthophosphate which can be used in dental cement and other uses.

**Wheeler:** Obviously the phosphoric acid caught my attention. We started looking at the ph, and it was already on the acidic side. The problem is the corrosive nature of our water as it comes out of bull run in these pipes. Why would you add an acid based chemical to the water supply?

**Bradway:** That's the point that the orthophosphate comes in. It forms a very thin scale on the inside of the pipe that then protects the water from coming in contact with any sources of lead that are in the system. So it works very different than adjusting the water quality the corrosiveness of the water. They are two very different approaches to it. We didn't look very closely at ortho phosphate in 1994 because at the time we had the open reservoirs and having a phosphate based chemical going through the open reservoirs when it comes

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in contact with sunlight you can end up with algae blooms and those kinds of issues, but it's something you can consider now. Important to realize that these types of chemicals have been utilized throughout the country in our region, nationwide for many years long the Clackamas river they are using soda ash. Similar to us Eugene, lake Oswego, Hillsboro use sodium hydroxide. Seattle is an unfiltered system, use a combination of lime and carbon dioxide and the like. So these are kind of widely ranged options. They have been used for 20 years throughout the country and prove to be successful for the cities using them.

**Wheeler:** May I ask another question? For the pilot it seems to me you haven't decided on the exact combination or you're going to be testing several combinations simultaneously?

**Bradway:** Exactly that's what the objective of the pilot is to look at these different options both as a table top looking at different charts and formulas and also doing some real life testing with some of our treated water and seeing how it works, not in the live system, but in the lab type setting.

**Gabriel Solmer, Portland Water Bureau:** I'll just finish up. I'm Gabriel Solmer, the deputy director of the water bureau. You've heard from Scott; you've heard from Mike about why we're here today. Just wanted to remind us that ultimately the bureau's recommendation is to move forward with the treatment pilot. So we tried to be really clear in our outreach. We have done a significant amount of outreach to users, industrial users, community and environmental groups to let them know what we're thinking about and get their feedback. Our recommendation is to move forward with the contract with confluence for the treatment pilot. Ultimately that would bring us to a couple of things. I want to be really clear about this because although we just have that contract before you today we want you to know what's coming forward in the next few months. If we moved forward today with the treatment pilot that would be the first step in designing and constructing a corrosion control treatment facility to actually implement that corrosion control. We're moving step by step through this process. But we would be following the joint approved compliance schedule between the water bureau and OHA to improve our corrosion control treatments. By way of overlapping steps we're able to move this process along. That's why you see if you moved forward today a design contract coming back in July. That may seem a short amount of time. We won't be done with the treatment pilot at that point but we will know enough, this is where we assume we will be by July, we'll know enough about what chemicals we're looking at to know what that design would look like so we could start with design, meet the schedule we're on even though treatment pilot would continue and would overlap with the design contract. Then coming back fall 2018 potentially into January of 2019, depending on the schedule with actual construction contract. Most of these chemicals that Scott was talking about need the same footprints, the same injection type into the system so the design of the actual facility is not going to change much depending on which facility or which dosage you use. Of course that's very important for us to get right but we can start with the design and even into the construction as we go through the pilot.

**Wheeler:** Could I ask a question about the pilot? How -- you say continue to work with community partners. I assume that this is an open research system that you're collaborating, that you're showing people the data coming out of the different --

**Solmer:** It's on our website even as we speak.

**Wheeler:** I have already gotten a few what I'll describe as nervous communications from the local craft brewery industry and what impact it might have. I assume they are at the table and would have the opportunity to collaborate with you on this?

**Solmer:** Yes.

**Wheeler:** As well as others.

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**Bradway:** We have done initial outreach with larger breweries in town to see what kind of potential impacts that these changes in our treatment would have on their systems and facilities. We also been working to try to attend an upcoming Oregon brewer's guild meeting to talk and interface with brewers as well. We also have quite a few brewers, home brewers as well as industrial type larger brewers and we have been using that to communicate and push information out to them, inviting them to contact us if they have any concerns with this approach.

**Fish:** When I first was assigned the water bureau I think the first meeting that director shaff and I had was with the widmer brothers. It was part of an effort we made in the first few months to reach out to some of our largest industrial customers. To say how are we doing? What I learned from that meeting is that they do have some unique needs because their product is mostly water. Of course the reason they chose to expand their footprint here and the reason other craft brewers are moving here it turns out our bull run water is the gold mine. The key ingredient. So they made a big investment. What we learned, what I learned that is for example when we switch from bull run to well water, which we do generally in the summertime and we do it blended, we did it recently out of abundance of caution, they like to get advance notice because it does have some -- make changes in water chemistry. We have well established relationships with our brewers and we will work closely with them on any recommendations for changing water chemistry.

**Wheeler:** Thank you, commissioner. I appreciate that.

**Stuhr:** That concludes our piece of the presentation. What I would like to do before we take questions, dr. Paul lewis has joined us. He's the Multnomah county or tri-county health officer and he has some comments he would like to make.

**Paul Lewis:** Mayor, commissioners, thanks for having me here today. I just have a couple of things. Some of you might have heard it from last fall, basically very similar. Scott said the first phase of this proposal. My main points are that I have been a pediatrician for 30 years now. In my career, standards for lead exposure have changed three times. Part of the theme is as we learn more we have to adapt. That's one thing. The other is that you've already asked some very specific questions. There's not a single solution to get lead exposure to our perfect world level. Again, great presentation, guys. Lead is a pretty special metal. It's actually soft. I used to play with it when I was a kid over an open flame. Many people my age actually had dramatically higher lead levels than we're talking about as normal. Mostly because we were exposed to lots of industrial emissions and through leaded gasoline. It's got lots of uses it was used in ancient times for piping and things like that because it's so malleable. It's used for remarkable things during the industrial phase of civilization not only with plumbing but machine parts. There's a reason brass has it in it. It's great at plugging leaks in pipes. It's extremely useful. It has all these other uses too. Why is it in gas? I can't explain why it was, this anti-knock agent in gasoline for many years. In the olden days when I started learning about medicine the toxicity was if you ate a lead sinker you'd go to a coma. Every year that goes by we learned about more and more subtle toxicity from lead particularly with development which is the concern with pregnant women and younger children and all kinds of neuropsychiatric things, attention deficit disorder, stuff that's more subtle than going into a coma but arguably a very, very important. The standard when I was born said you had to take action at a level of 60 in your blood. 60 in 1960. It has steadily gone down. The cdc level went to 30, about 1980 it went to 25 then you heard about 1991, a lot of things happened in '91. It went down to ten. But then I kind of missed it. In 2012 it basically went to zero. The safe amount of lead in a kid's blood was zero. They say it's five because they have to say a number. That's the tail of the bell curve, as high as 2.5%. In my public health role and my pediatric role, we want to focus on where we get the biggest bang. We investigate at the county all of the elevated

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blood lead levels to find out is there a removable source. About two-thirds of the cases the removable source has to do with household exposure to lead paint and dust from lead paint particularly in older homes. Another 20% comes from a variety of things. Certain home remedies from overseas contained lead in them ironically. Various hobbies, leaded glass, making your own bullets, jewelry, all sorts of things that lead to lead exposure. Even in principle there's occupational exposure where if someone is exposed they can bring it home on their shoes and clothes and indirectly expose a kid to that. From my point of view and I think commissioner Fish made this point very well is that we would like to eliminate all of the exposures. 2016 was kind of a banner year. There was a lot of concern literally about exactly a year ago about air quality and then the air quality barely settled down when the record keeping issues arose with the schools and had they kept track of their fixtures and things like that. So we have never done more testing in the public sector before. 2016 numbers are just wrapping up. Despite additional testing we haven't found a lot of additional cases and we haven't seen any additional new sources showing up. Again, the big bang is with lead paint. I'm kind of echoing commissioner Fish that I think all of the approaches to prevent exposure are important. We heard a lot about one with the water supply and everyone deserving safe water. The complexity of other things. Schools are now taking this very seriously of actually systematically trying to remove everything that they own that has lead in it and I would like to think that as we're undergoing our various issues with housing and renovation and building and stuff like that that we continue to emphasize getting permanently eliminating those sources of lead that are still there.

**Wheeler:** Could I ask you a question, doctor? It's great, by the way, I love the fact that we have the tri-county health officer. I thought this was great and I enjoyed working with your predecessor on a variety of issues. People listening to this conversation, how scared should they be? Give us some context.

**Lewis:** Again, you know, we're expecting to end 2016 with 630 so-called elevated lead levels. No one was sick from it but higher than that 5 microgram better deciliter standard. We think these many efforts are gradually making progress, but again our message to parents and educators is always the same, that we want to have our kids to have a perfect world so whether it's making sure that the plumbing is safe, making sure that the home is safe, that the hobbies are safe it takes all those things. We have actually set a truly aspirational goal. We'll always be working toward that. As far as should people be worried, I think that rather than be worried focus your energy on just being conscious and focusing on those things that you can control and prevent.

**Fish:** To put a plug in for a couple of the messages we use at the water bureau, one if anyone watching this today has a concern we have a program where we will at no cost furnish them with a test kit. I can personally vouch for the fact that it is very easy to do and send back because even I was able to do it when I used to be a homeowner. That's a service we offer at no cost to everyone. The bureau also has a lot of information online. One thing that sometimes gets lost in these discussions is that if everybody in a school setting, work or home setting flushed their water for about a minute starting in the morning they will virtually eliminate any risk to the extent they have a risk factor. Then of course what we have learned in the last couple of years is that if we're going to spend money particularly in schools we ought to update the drinking fountains because in the way they were built and the age of our drinking fountains they just -- they weren't designed with human health in mind. That's what you get some of the really bad readings. Frankly if everyone who has a concern particularly if someone is pregnant, has a young child, if they flush their water for about a minute in the morning that may be the single most effective strategy going forward. Everything we're talking about is optimizing corrosion control. We're not making any promises that we can eliminate and you saw the chart earlier with

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the numbers. We're very pleased with the 70% reduction. But it may well be that we do all the things that are being recommended but we still are hovering plus or minus 10. As the doctor said the new literature says the goal should be getting down below that we may actually be in compliance with federal law but still above where some people might want us to be in those high risk homes, which is a very small subset of the total universe of people we serve.

**Saltzman:** I have a question. Great presentation. I guess what concerns me, everyone is concerned about lead from everything we have heard we well should be, so why is it taking in your proposal so long to actually pick a winner and do it? Five to seven years given the enormity of people's concerns, that just seems like a lot of time. Is that driven by concerns about impact on rates or does it really take that long to figure out what is essentially adding chemicals to the water supply and the technology to do that?

**Stuhr:** The biggest challenge here is actually what we're proposing to do any time you talk about the kinds of money that the water bureau spends it always sounds like a big number but in my world of big capital projects it's not. It's going to be someplace around 15, 18 million. So -- for what's required. So it's not that big of a deal, but we have a unique problem here or challenge here in that we have a surface water supply. So the temperature of the water changes year round so the condition and the stability of the water changes year round, so if you want to do a complete and effective test, your tests run through a whole cycle. Our particular worry is the fall. Fall cycle we also get something called nitrification. We need to make sure -- we don't want to become a flint because we weren't careful. Admittedly we're cautious but I think we're moving as quick as we can and still answer all the technical chemistry questions we need answered.

**Saltzman:** If I understood the briefing correctly, the technology selection would start while you're still testing but wouldn't be completed --

**Stuhr:** We might narrow the field.

**Saltzman:** It's conceivable in 2018 you could have the chosen technology and go with it?

**Stuhr:** Let me ask Michelle the question. She's our treatment engineer. She may be able to shed better light on it than I can. Come on up here.

**Wheeler:** Please state your name for the record.

**Michelle Cheek, Portland Water Bureau:** I'm Michelle Cheek as mike stated, our water quality does vary seasonally. So we do want to try to capture all those seasonal changes with any pilot testing that we do. Just so we can make sure that whatever treatment chemical we choose takes into account the seasonal water quality changes. What was the question?

**Saltzman:** Don't Seattle and Vancouver have a pilot of this for us? Can't we narrow the field based on what they are using for corrosion control? We have similar surface water sources, similar climate, temperature.

**Cheek:** They do. And what I think is unique about our system is that we have another source that we bring online in the summer or its online now. That just complicates or can complicate the water chemistry. The treatment chemicals that we select. So yeah. It's much more complex issue than I think we thought it was back in 1994 when we looked at it the first time, but the hope is that with this pilot study as Gabe mentioned is that hopefully by the end of the summer once we get through the first phase of the pilot study we'll know enough information based on some paper studies and some what they call bench scale testing to be able to make that decision on the type of chemical and the pilot to be used to fine tune operational targets, but that's speculation at this point. We'll see where we're at, at the end of summer and if we get the results we hope for out of that bench scale testing.

**Fish:** Let me add a couple of points. You have the slide that's up. The short answer is the recommendation coming to council is to actually begin the design contract work and all the

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preparatory work even before the pilot is completed and as we have heard testimony if with we can narrow down the range it's not like the difference between a vw, a Cadillac, an rv, they can design a facility that would be flexible enough to meet whatever the ultimate conclusion. But I will just by way of context remind my colleagues that in 2014, when the bureau came to us and said we think we should do a corrosion control study, I went back and reviewed the testimony on that. A number of community members came and were sharply critical of the bureau for undertaking the study for wasting ratepayer dollars in the study for anticipate ago problem that doesn't exist and the like. At the time the bureau said, we want to get ahead of this, and at some point when the reservoirs are disconnected and we have a different system we want to have the data to be able to test and come back with a recommendation. Once upon a time under our regulatory agreement the goal was to have everything disconnected by 2020 and 2020 was going to be the triggering date to do testing. Well, as it turned out, we met the deadline of disconnecting mt. Tabor and we are well ahead of schedule in disconnecting Washington park. If you recall, we did some I think this may even have predated me. You probably know more than I do about this, Dan, we tested at Washington park of actually taking it off line without disconnecting it to see what would be the impact on our system. It acts as a shock absorber in part. We learned we could disconnect it. We initiated the ultimate study and were criticized by some for spending rate payer dollars but did it ahead of, well ahead of there being even a national conversation about water quality. When we were in full compliance with as we are today with our permit. And we have accelerated our work because of the disconnect of Washington park which allows us to test the intended and unintended consequences on our system with a system completely disconnected from our reservoirs. The recommendation today is to seek authorization to actually move ahead with a design contract ahead of having the final results. I guess that's my longwinded way of saying there's -- they have been operating with I think an appropriate level of urgency not wanting to make a decision that has an unintended consequence to our system that's irreversible.

**Saltzman:** Assuming we had a construction contract issued in the fall of 2018 how long would it take to have something online?

**Cheek:** 18 to 24 months.

**Saltzman:** For something that strikes me as relatively simple, adding a chemical, relatively low budget, 15 to 18 million, that seems like a long time. That's just my feeling. We don't have to debate it any further.

**Wheeler:** Any further questions before we take public testimony? Great. If you could just hang out while we take some public testimony.

**Moore-Love:** We have Scott Fernandez and dee white, and I understand someone else has come in wishing to testify.

**Wheeler:** Great. If you could state your name for the record, try to keep it within three minutes we would sure appreciate it. I won't hold you to it exactly, but as close as possible.

**Scott Fernandez:** I do have a question before I start.

**Wheeler:** The lights have to be on.

**Fernandez:** I do have a question to the water bureau --

**Wheeler:** Name for the record.

**Fernandez:** Scott Fernandez, Portland. Question for the water bureau. You're talking about using carbon dioxide. Generally, when it reacts with water it becomes acidic. How is that going to benefit the water system?

**Wheeler:** Why don't you give your full testimony and we'll have them address any questions you might ask.

**Fernandez:** Okay. Over the last 20 years I spent many terms appointed by mayors of the city of Portland to be on the water quality advisory committee and later with the Portland

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utility review board. We went through this process with lead and corrosion many times. We saw according to the auditor's reports a lot of negligence of the distribution system maintenance. We saw auditor's report showing over 25,000 hours of deferred maintenance that would allow the system to be not as clean as it could be. The distribution pipes and stuff. We requested that Portland water bureau do increased unidirectional flushing and they decided not to do that especially during the process of the big pipe being made. But what we see in our system right now is that the pipes that we have are currently filled with a lot of biofilm. Because it isn't being managed and maintained properly along with microorganisms. And sediment in there that we have seen microorganisms pop up a couple of years ago that the media brought to our attention. Microorganisms that shouldn't be there. Sewage sourced enterobacteria. What's important is that I think that we're putting the cart before the horse because -- when we have the system starting at Lusted Hill we have ammonia meeting with chlorine. Chlorine coming down from the Bull Run center of chlorination. When it meets with the ammonia to form chloramine as it goes through the system it begins to decay. Chlorine is utilized by the biofilm and microorganisms and leaves ammonia quite often all by itself. That begins the nitrification process. Ultimately the Portland water bureau has over time imposed what they call shock chlorination. I have a paper on your second page talking about unidirectional flushing which they are doing starting now in the north and northeast portion of the city but we have seen over the many decades that this has not been a routine process in neighborhoods around Portland. It's a hit and miss type deal rather than a sequential utilization of the benefits of having their unidirectional pipes being cleaned. With the shock chlorination increasing, we have seen ammonia increasing in parts per million so to speak. Then we get an acidic leaching because there's so much chlorine coming through. Over time I have gotten many calls from the community asking why their chlorination is so high and because of the taste of the water and because of the chloroform coming up through the gases of the -- through their shower and stuff. This is because of the nitrification that takes place binding with ammonia. We see about halfway through the chlorine reacts with water and rapidly hydrolyzes into hydrochlorides and hydrochloric acid during the shocking portion. I'm familiar with this because in my graduate work in eastern Washington dealing with ground water and cisterns which are covered reservoirs when we would clean those cisterns we did the same process. It gets to be very tedious and very unhealthy but we could scour it out very quickly. But this situation still allows us to acidify our drinking water through this shock chlorination. We see also at the bottom of the paper that I have many, many different types of chemicals that are going to be added, all changing the taste and the flavor of the water and the consistency of it and it's going to really impact negatively the brewers and other people. My point is that we can go back to start at the beginning. It's important that we start in a unidirectional flushing of the system. Starting at the hill, take it sequentially through the system in our city both east and west side, so that we scour out all this biofilm and microorganisms and sediment so we don't have high chlorination reactions that come up and do the shocking of the chlorination process. This has been a problem for years and it has been totally ignored or a lot ignored by the city of Portland. This is why we have some very public health problems today.

**Fish:** I want to because you've taken the trouble to be here today, I want to make sure I understand the full extent of your testimony. The question that is before council is a number of corrosion control treatment options and you saw the power point there were some pH and alkalinity adjustments as corrosion inhibitors. Is it your professional opinion if we make changes in unidirectional flushing for example we would not have to do any of those proposed corrosion control treatments? Is that your view?

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**Fernandez:** My position right now is that's a big part of the problem that we have with the corrosion. Because it's not clean. Like we heard before, they are -- there's scaling going on. That happens with the biofilm and microorganisms that are there. If we can remove that end of it and at least start with the sodium hydroxide that we have now we could look at that process and see how that is doing because it would be improved water quality and less acidity being implemented into the water from the chlorine going through the chlorine shocking which we have exposure time and time again over the years. If we can eliminate that part of the equation we're in good shape going back to the sodium hydroxide I don't agree with a 9.0 ph level. I think the 8.2 to 8.5 is okay. We also see it from the water quality reports that they are 7.2 to 8.2 so we're in a pretty good zone at that point. I think if we experiment with the going back to the sodium hydroxide with a clean system that we will have good results.

**Fish:** Thank you, sir.

**Wheeler:** One of my teachers once said chemistry would come back to bite me. That time has officially arrived. Let me ask you a question. I do appreciate you being here today. It was sort of a hassle coming to testify so I appreciate people who made that effort. As I understand the directional flushing and what you're saying about the bio elements in our water source, it seems to me these are not necessarily mutually exclusive. Would that be a protocol you would recommend, directional flushing?

**Fernandez:** Absolutely.

**Wheeler:** Thanks for your testimony. Any other questions? Stick around for a few minutes. Your question about co2 and acidity I will have them answer that.

**Dee White:** Hello. I'll have a bunch of questions as well.

**Wheeler:** State your name for the record.

**White:** I'm dee white. I live in southeast Portland. I'm just going to read my testimony because I'm not -- I'm terrible presenter. This contract should not be approved in its current form. The last task in phase 2 should be amended or deleted before this contract is approved. You can find this task outlined on page 10 of the contract. Well, anyway, it's here. Got the contract here. The contract reads, develop full scale facility plan, the land use study shall include preparing the land use application leading the public review process. A finalized land use application narrative and finalized wildlife conservation plan a permitting strategy coordination of landscape documents, further meetings with Multnomah county, meetings with Portland water bureau in preparation for and participation in a public hearing. This is just plain wrong and so unfair to the ratepayers. There's no justification or need for a new facility even presented in this contract in the ordinance or the community impact statement. There no mention of a land use application or wildlife conservation plan in the ordinance or the impact statement. This is not -- so much for transparency here. Vaguely defines scope of this contract goes beyond corrosion control project to a full blown land use process. According to the contract, and this is to be completed before the final design and approval of a new facility even begins. I wonder if it's even legal. This is a pork barrel legislation crafted for the benefit of water bureau contractors and not the ratepayers. This embedding of plans for a new facility on a proved land use application and wildlife conservation plan is poor policy and irresponsible governing. The final task in the contract is highly questionable with regard to spending ratepayer money wisely. Where is any input from the pub on this? Are they even aware this contract includes an approved land use application? There's clearly a need to reduce the lead in our drinking water as soon as possible as ordered by oha and epa. Letters to the water bureau clearly state that the water bureau is to increase corrosion treatment using current facilities. In a letter to the water bureau dated November 4, oha stated we direct the water bureau to take the following interim actions. Increase corrosion treatment, using current facilities. In a letter

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dated January 24 of this year, oha approved the action items proposed in the interim plan and they stated, these interim measures reflect best management practice to reduce lead at taps with the infrastructure currently available. In 2012 and 2013 around \$5 million was spent in facility expansion in anticipation of adding fluoride to our water. Fluoride was voted down but the expansion plans were completed. Had this expansion plan been considered publicly, no. I urge you to not abuse your powers. Mayor wheeler, you pledged to govern the city with honesty and integrity. Commissioner Fish you pledged full transparency with water bureau policy and contracting, please move to withdraw this contract for further consideration and amendment for the sake of principal governance. Please fix our dangerous water quality problems without unnecessarily burdening the ratepayers with more debt for new infrastructure that has not been thoroughly vetted. I want to add, you know, this slide up here, the design contract for July of 2017, the construction contract of fall of 2018, that's nowhere in this contract. It's a preliminary design. They want a preliminary design and do a land use application and wildlife thing on a preliminary design. On the oha site, the schedule you filed, begin improved corrosion control facility design in January 1 of 2019. When did this change? It changed since I have come -- anyway. I just -- I think that the main focus it seems to me of this whole study is to build a treatment facility. That has not been vetted. It's not -- you all -- they didn't hardly discuss the corrosion pilot plan. It's mainly about building the treatment facility. So I have questions but I guess I'll wait until the public testimony is over.

**Wheeler:** Thank you very much. Sorry, I forgot to turn my mike on. Thank you. Stick around, Scott. Was there any further public testimony?

**Moore-Love:** No. One more person over there.

**Wheeler:** Good afternoon. State your name for the record.

**Julia Degraw:** I'm Julia degraw, the northwest organizer with food and water watch. I'm relatively new to this issue. I got notified about it last week. I'm getting myself up to speed. I guess I have a question following that testimony wondering if I misunderstood that infrastructure is for corrosion control it's not for a brand new treatment facility.

**Fish:** We're going to bring the water bureau team up to answer your questions and their questions.

**Degraw:** I mostly wanted to make a statement. So for those of you who may not be familiar with water watch we're a national organization with satellite offices throughout the united states and in Oregon we work on a variety of issues, making sure people have access to healthy food and public water are two of our major priorities. We have thousands of supporters in the Portland area. I just wanted to say that obviously we have offices in Michigan and throughout the country and we consider water to be a major issue. Lead was the impetus for congress to finally draft clean water act that would really finally adequately fund helping people deal with their lead issues even at the household level. I was really happy to hear what commissioner Fish had to say about rational solutions. It would make sense to replace pipes in people's homes. We want to make sure we're working toward being able to ensure that people are guaranteed safe drinking water and that lead is not going to be there knowing that we have constraints on that idealized world I think it's really imperative we do what we can to mitigate exposure to lead in our drinking water system and upon initial review of this corrosion control the pilot program seems to make sense. I'm a little bit nervous about -- I have forgotten what it's called, the one that would coat the lining of the pipes make me more nervous than simply adding something like baking soda to our water seems like a less dramatic solution. I urge the city to look at the most cost effective ways to do this that are the most fair to ratepayers and that help ensure that Portland residents have access to as close to lead free water as possible and that we can work together toward the ultimate goal of getting congress and being able to fund a public

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water system to the point we can guarantee people lead free, safe water. I think that's all I have to say.

**Fish:** Thank you. You going to stick around?

**Degraw:** Yes.

**Fish:** Mayor, why don't we bring back the team.

**Wheeler:** Come on up.

**Fish:** You want me to take a crack at the questions?

**Wheeler:** I think the first question was one of co2 into the supply. That would create nor acidity, why are we trying to create more acidity?

**Fish:** Mike, why don't you be the traffic cop and direct who should answer the question. Reintroduce yourself, restate the question then give your best shot.

**Cheek:** I'm Michelle cheek. The question I believe is why would we be using carbon dioxide when it's an acid. It would reduce the ph of the water. Carbon dioxide would not be used alone to treat the water if that were selected we have not committed to anything at this point. That is the purpose of the treatment pilot to look at all treatment options out there. The one that not only reduces lead but also takes into consideration the other items that we have looked at that were listed such as cost, discharge issues, and impacts on other water quality regulations. In summary carbon dioxide would not be used alone if it were selected. It would be used in combination with other chemicals which typically you see if you add enough of one chemical such as soda ash to get the alkalinity to the water that you need often increases the ph, and you need to bring that back down.

**Wheeler:** The second question according to my messy notes is related to the question of land use. There was a question of whether you have embedded an environmental study and a land use change in the context of this particular proposal and if so, why.

**Fish:** Let me break it up. I'm going to take a crack. Mike, let's go upstream a little bit to start with, the basic question, that you've asked us to approve a contract with confluence engineering group to do a pilot project. What's the scope of that contract?

**Cheek:** The scope of that contract is to do the treatment pilot which includes bench scale testing and then pilot testing to determine the appropriate treatment option for the Portland water bureau and based on that selection to develop a facility plan that can then be carried forward into design. As part of that, land use planning, that can be a very lengthy process. There are multiple considerations in the land use application. One being wildlife conservation planning and due to the different land use overlay zones in this area so there's lots to consider there as part of that land use application. It can be a very lengthy process. In an effort to try to condense the overall schedule we included land use as part of this application to be able to get an early start on that. That will not commit us to designing and constructing anything.

**Stuhr:** Something to add to that, you have to understand where this is, it's at our facility basically up in the forest and we have to do land use planning and we have to do the wildlife evaluations in order to get a building permit.

**Fish:** With respect to what Dee White pointed out under task p2 t5 to develop a full scale facilities plan a finalized wildlife conservation plan permitted coordination of landscape planning documents, meeting with the county etcetera if we are to green light you forward to developing a facility as part of our corrosion control treatment, these would all be required in order for us to get a building permit and actually build something?

**Stuhr:** Absolutely.

**Fish:** Mayor?

**Wheeler:** We still go through the usual process. No circumstance up navigation of the process here.

**Stuhr:** Absolutely not.

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**Fish:** The third question I have on my list, Mr. Fernandez in his testimony and he was kind enough to give us the written testimony with attachments, has a section on unidirectional flushing. You heard his testimony. I don't want to misstate it but I think one. Questions is to what extent would a different approach to flushing our pipes either directional flushing, things of that nature, to what extent might that object I have confederate the necessity of going down the path of enhanced corrosion control?

**Bradway:** I think some of this comes back to the picture we showed you with the test results, that one of the things we looked at with our water quality corrosion study that led up to this decision was are there hot spots, some areas in town that see higher levels of lead. That was the case unidirectional flushing would be one potential solution we could have approached for this. Not that it isn't a great program to help with water quality in general but not for this issue. Our studies show uniform corrosion constitutes 50% of the lead makeup in drinking water systems. Irrespective of unidirectional flushing the scale on the pipes, the biofilm issues, that is just a matter of chemistry of a corrosive water eroding or corroding the lead in a system. So that is why we are going with this approach.

**Fish:** If I can follow up, mayor, we heard in this hearing concerns raised by public health organizations, by neighborhood activists, by long time water bureau followers, mayor brought craft brewers into the conversation, what is your anticipated consultative process going forward if we approve this contract in terms of engaging stakeholders as you evaluate different options and narrow the field of potential options so that we are assured of having all that community feedback before a final decision is made about any particular treatment options?

**Solmer:** I'll start that and then I believe Michelle has more information about what's included in the contract. I will say that the fourth tab in your binder and this is also available to the public talks about this stakeholder outreach we are done so far to bring this to you. That will continue throughout the life of the project and if we move forward to design and construction through that process as well and Michelle can talk more specifically about what that looks like. As part of the contract.

**Cheek:** Repeat the question. [audio not understandable]

**Fish:** The issue has been framed and we want to make sure all the stakeholders have a chance to weigh in on whatever final recommendation you make about treatment and we have considered the full range of impacts on public health, on industry, and on -- as has been explained carefully, the public.

**Cheek:** That is one of the considerations in selecting the final treatment alternative is the impact on industrial and sensitive users and brewers. So that will not be -- that is certainly one of the many things that we'll be considering in selecting the final treatment alternative.

**Wheeler:** Commissioner, if I may, I'm not sure this was raised by the public testimony but it's a question I have. Just to be crystal clear, when you're completed with the pilot project, if you make the determination that you wanted to go forward with the facility it would still have to come back to city council and go through a full public process.

**Bradway:** Yes, sir.

**Wheeler:** Thank you.

**Solmer:** Mayor, I know you wanted to be clear. I understand there's some public discussion. The way that we have oriented this schedule is to start the pilot now, to go through that point so that we can determine which suite of chemicals, what that would look like, to come back to this council for the full design process that will come back to this council in its full form but you added one thing that I wanted to make clear, that we in an effort to move through this process as quickly and expeditiously as possible, we're planning to come back to this council with that design with initial information from the pilot. I don't believe that the pilot will be all the way completed nor would it be, need to be, to

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start the design process. We would have enough information that you could determine whether --

**Wheeler:** To translate this into idiot speak so I'm crystal clear, there's no shovel in the ground on a facility until you come back to this council in a public session. Is that correct?

**Solmer:** Not even a design contract.

**Wheeler:** Thank you. I could move this forward to second reading.

**Fish:** I recommend we set it over for second reading next week and then we may present some additional options to council at that point.

**Wheeler:** Very good. I would be open to that. Thank you all for your presentation. Thank you to those who testified publicly today with that we're adjourned until tomorrow, Thursday, March 2, at 2:00 p.m. We're adjourned. Thank you.

**At 3:27 p.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.

**MARCH 2, 2017 2PM**

**Location: The Portland Building**

**Item 216.**

**[TECHNICAL DIFFICULTIES]**

**Saltzman: [Saltzman Continued]** excessive speed is a factor in nearly half of the fatal and serious injury accident crashes on our streets speed matters in another way too. By lowering – we could dramatically increase the likelihood that a person survives a crash, for example by reducing speed limits by just 10 miles per hour from 40 to 30 miles per hour we increase a person's chance of surviving a crash by 100% and that is why I have brought this proposal to city council to lower the speed limit on outer division from 35 to 30 miles per hour. We must use the authority granted to us by the state to set an emergency speed which we will do for up to 120 days. We are all aware how dangerous our streets can be last year 44 people died on our streets 5 of these people died on se division and one tragic night last December we lost two Portlanders. One of the fundamental principles of vision zero is that traffic deaths are not inevitable we can do something about them, we can reduce them, we can get to zero. Today we have a opportunity to take a step in that direction, but our commitment to a safer outer division street doesn't stop with today's action, this change is part of a larger initiative to make outer division safer for all Portlanders. On Monday we will turn on speed safety cameras on both outer division and 122<sup>nd</sup> avenue and in the coming months we will invest in a number of infrastructure improvements on outer division over this year and next year 2018. We've also begun a sustained community outreach and communication effort to connect with the communities that depend on outer division including many immigrant and refugee communities to give them the tools they can use to be safer to get from place to place. It is this type of approach comprehensive, responsive to community needs that will get us to zero so thank you and we will start off with a panel of bureau of transportation representatives who will give us an over view of the actions we are taking here today, then we'll have some invited testimony from commissioner Jessica Vega Peterson Multnomah county commissioner, Noel Mickelberry from Oregon walks, Lori boisen from the division midway alliance and Duncan Hwang from apano, I'll turn it over to director Leah treat to kick it off.

**Leah Treat, Director, Portland Bureau of Transportation:** Thank you so much again Leah Treat I'm the director of the bureau of transportation and I'm joined to my left by Carl Snyder who is a supervising engineer in the bureau and Margi Bradway who is the division manager for transportation and safety. Thank you so much for allowing us the time today this is something that we're really excited to see in front of you and hopefully you all will pass this emergency ordinance today. I am really very excited to working under the direction of commissioner Saltzman in our few short months together he has shown much dedication and passion for vision zero and is constantly looking for ways to take immediate action to work on street safety so thank you so much for your leadership. As commissioner Saltzman mentioned last year was one of the deadliest years that Portland has seen in decades 44 people died on our roadways last year and that was the largest number we've seen in decades so it's very troubling especially since we have adopted the vision zero framework it means we have a lot of work to do. Five of the deaths last year were on outer division and

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four out of those five deaths were pedestrians so our most vulnerable users are more at risk. Last year we had a particularly terrible night on December 7<sup>th</sup> we had two pedestrians killed within hours of each other on outer division and to make it worse those two locations was where we had two fatalities in prior years and those were children of our advocate group Oregon and Washington families for safe streets so we had pedestrians killed in the exact locations where we had children killed in years before. So this really is a terrible night, so immediately following those deaths we tried to bring together community leaders and the city to engage in a dialogue of what we can do what were immediate short term, midterm and long term actions we could help take to identify improvements in outer division and tanks to you the city council in December of last year we got an immediate funding of \$300,000 to work on outer se division for multi-cultural, multilingual outreach, education and signage and these funds are going to be paired with our multimodal safety project and also as commissioner Saltzman mentioned are going to be paired with the installation of speed safety cameras. And I'll mention again speed safety cameras have been deployed on Beaverton/Hillsdale highway for several months, after we put in the speed safety cameras we saw close to a 95% reduction in top speeding within 30 days so they are very effective and we are very hopeful these cameras will have a similar effect on these corridors. We also just had last week a community listening session out in outer Portland commissioner Saltzman joined me last Thursday to talk to the Chinese community about concerns with speeding and difficulty walking with their kids to school and within the community and it was a very good meeting and the first of many to come about engaging people in east Portland on how to improve safety. So the ordinance before you today declares an emergency speed on outer division and this is truly a very important step to sending messages that we are determine to reduce speeds to save lives in addition we are preparing to submit a permanent request to odot who has the authority for the roadway for speeds after 120 days to have the speed reduced to 30 miles an hour on a permanent basis. That concludes my testimony and we're prepared to take your questions thank you.

**Fish:** First of all, Dan thank you for bringing this forward so expeditiously and your passionate leadership around vision zero. Madam director could you just walk us through what is the – we all understand the 120-day window that we have what is the mechanism for bringing odot into the conversation and how does that play out.

**Treat:** I only know of a high level that we submitted an application to odot and they review it and if they don't approve it we can appeal to the state speed board, but I'm going to ask Carl to give us more information on that.

**Carl Snyder:** Yeah what Leah said is basically correct we submit a application to odot requesting a speed zone change they do a study and then either concur with our recommendation for a change in speed or deny it and as Leah said we can appeal that decision to the Oregon speed control board.

**Fish:** And follow up question you 120 days is probably not a long enough time to get all the data you want, but is it a sufficient time for us to have a interim sense about the positive impact of a lower speed on that roadway in terms of advancing our petition to the state.

**Snyder:** I believe it's enough time we've collected quite a bit of before data and we are positioned to collect some data here after a couple months of this being in place. We're hoping that it will lower speeds enough so that we'll feel comfortable submitting it to odot and we believe that they all it'll meet their criteria that they use to eventually issue a permit of reduction.

**Fish:** Thank you.

**Margi Bradway, Portland Bureau of Transportation:** I think we're also very hopeful that the automated enforcement effort out there will also drop speed significantly odot does consider the 85<sup>th</sup> percentile speed which currently on the corridor is 40 miles per an hour the

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lower the 85<sup>th</sup> percentile speed the more likely they are to agree to lowering the speed so we're hopeful that will also lower it.

**Wheeler:** May I ask how did you pick 30 miles as opposed to 25 or 20?

**Treat:** So as you go from west side of 82<sup>nd</sup> the speed limit is 30 miles an hour there so its keeping it a continuous speed limit. There we also are working on looking at a longer term change to drop the speed limit down to 25 miles an hour as we're looking at bringing on the brt line at outer division. So on a longer term basis we're looking at dropping it lower, but right now because of the 85<sup>th</sup> percentile is at 40 we don't think we're going to have the justification to drop it lower through the state speed on a more permanent basis. So after 120 days we have to make a case to odot to drop the speed lower and when they look at what the 85<sup>th</sup> percentile is traveling that's what they are going to approve and we don't have the infrastructure changes in place other than the speed cameras to drop speeding so we don't think we're going to have enough justification for a lower speed limit.

**Wheeler:** So as you look out into the...

**Snyder:** Maybe I can clear that up for you. So odot's typical practice is they won't lower a speed lower than 10 miles per hour from the 85<sup>th</sup> percentile speed so if the 85<sup>th</sup> percentile speed currently is 40 or above they won't lower it to 25 they would feel that's an unreasonable speed given the roadway conditions and the way people are driving on the road way. So if we can get the speeds near 40 or a little bit the 85<sup>th</sup> percentile speeds near 40 or slightly below 30 would be a reasonable speed and we feel that odot would concur with that based on past request and their sort of current practice.

**Wheeler:** Help me get into the odot mind for a minute if we may go there. So I know Seattle just past a citywide speed limit and their initial proposal was 25 miles per hour and they looked at all of their data all of their information heard broad public input and then went down to 20 miles per hour based on the data, they made a data driven decision. Help me understand why we need to be going even 30 miles an hour in an urban area, what is their argument? What are they telling you when they say no we're not going to go down more than 8 from the 85 percentile.

**Bradway:** I can take this one, we did an effort where an administrative effort where we argued to odot that we need to look at the alternative speed zone methodology that we Carl and I brought before the board. First of all, you when you in the odot mind you have to go into the Salem mind set to which is really the mindset that setting speed is based on cars, the currently methodology does not let you take in account people walking on the roads, people walking on the roads, transit its very based on vehicles and so that's a different mindset that's what you asked I'm trying to get you into a different mindset.

**Moore-Love:** Excuse me just a moment we're having technical difficulties we are not being broadcast on the internet.

**Wheeler:** Who's working on that?

**Moore-Love:** Pcm, open signal is working on that.

**Wheeler:** Why don't we and I'm very sorry to this, but we do have an obligation to be broadcasting so why don't we take a few minutes break and see if we can get the technical issues sorted out.

**At 2:23 p.m. council recessed.**

**At 1:27 p.m. council reconvened.**

**Wheeler:** All right we apologize for the break hopefully people at home can now see us again in all our glory. Just to re tee up that question, since we may have lost it in the technical glitch, I was asking about the odot perspective on this issue. I was trying to understand why there might be any reluctance on their part to reduce speed limits and we were just in the process of great insights.

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**Bradway:** I was telling the mayor I used to work at odot at one point, so there were some jokes about getting into the odot mind set, but I really believe they really look at it from a state system and if you look at the history there's lots of legislative history as well as statutory history about the need to keep consistent speeds across the state. The 1936 supreme court, you know, opinion on this, which is a long time ago, was about set ago speed trap in a small town. That was the moment, actually 1941 when the Oregon speed zone board was created by the transportation commission. When that board was created they said our rule is to make consistent speeds across the state. The landscape has changed a lot since 1941 but the laws have not. So we welcome this type of questioning. We agree with you that there should be more local control. In fact, it's one of our action items in the action plan is to seek more local control over city owned roadways.

**Wheeler:** So I will just put my usual no sequitur of the day out. I agree in standardization at the state level for example noticing and posting and signage size and things like that to prevent the hi-jinx, if you will, that you're talking about, but when it comes to actual speeds in the community I assume we want to be data driven based on our own experience in our own community and you obviously support that. Thank you for that elaboration.

**Fish:** Mayor -- [audio not understandable] [no audio]

**Bradway:** Good question. Full disclosure, the courts are listening so I may get this wrong. There are people in the room who know the split, but there's a split in approximately 50% of it goes back to the state then it comes back to us and it's divvied up beyond that.

**Wheeler:** They are nodding yes behind you.

**Bradway:** Oh, great.

**Fish:** When we make a change like this, I presume that the cost involved is changing out the signage or not? What is the cost to city and to...?

**Treat:** Under the emergency ordinance we bear the responsibility for the signage. We will bear that cost. Other than that, that's the cost of implementing it.

**Fish:** [no audio]

**Treat:** We are hopeful that we will have a decision from odot before the 120 days is over. We have to my knowledge never had a decision handed down within four months but we have been working in advance with them so they know this is happening and we will be submitting the permanent request. I hope this creates additional urgency for them to consider our request faster.

**Fish:** [no audio]

**Treat:** Those are good questions. I hesitate whether -- asking the legislature to extend the 120 days because one representative has introduced a bill to give the city authority to manage its speed limits. One I think the timeline on introducing legislation has passed. I think it was Tuesday night you had to get your bills in. But I we're exploring the option if we don't have the authority settled with odot by the end of 120 days if we can just declare another emergency.

**Saltzman:** Bring up our invited testimony. Since we have three chairs we're going to start with Multnomah county commissioner Jessica Vega Peterson, Noel Mickelberry from Oregon Walks, and Duncan Hwang of Asian pacific network Oregon.

**Saltzman:** Asian pacific American network of Oregon.

**Wheeler:** You have to make sure the light is on when you testify and if you would state your name again for record.

**Jessica Vega Peterson:** Thank you so much for having us here today. For the record I'm Jessica Vega Peterson, a Multnomah county commissioner for district 3, which is basically east Portland. So I want to thank you for the opportunity to testify in this issue. I want to thank commissioner Saltzman for bringing this forward. This is an issue that is critically important. We know for far too long there have been too many deaths and accidents

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happening on east Portland roads but the action you can take today is something that we also know is going to save lives. So it's very important that we're considering this. My district that I represent is actually home to two-thirds of the 30 most dangerous intersections in the city. So from Burnside to Stark to Division to Powell from Foster and Holgate, from 82, 92, 122, 162, all of these areas contain some of the most dangerous intersections we have. We need action on this issue. But I'm not here today just as somebody who represents a district. I'm also here because I live in this area. I live right by David Douglas high school. This is where we go for walks, where my kids ride their bikes. I'm here also as a neighbor and a mom. I'm very concerned about this issue. It was one of the reasons I got into office was to figure out what we needed to do to get more sidewalks, to get more safe streets in my neighborhood. Even today my daughter is asking when is she going to be able to ride her bike to the library by herself. But unfortunately we know that a lot of times people who have strollers are pushing those in the street because they aren't the sidewalks. The bike paths are used a lot of times with people on motorized wheelchairs who need to get around from one place to another. A lot of resources are needed but this is a good step in addressing one of the most critical issues, the fact that people are dying and being seriously injured on this stretch of Division. I think that reducing the speed we know is going to have a positive impact and it's working in partnership with some of the investments that we have already made in terms of infrastructure. In terms of the cameras that are reducing speeds, making sure people are driving safely. So I commend all of the work that you've done, the partnership that you've done with this city and the work that done in partnership when I was at the state on this issue. I am also willing to give you as much help as I can. Just in terms of the legislation that representative Nosun put forward this is an emergency 120-day change in the speed but we need something more permanent. I'm hopeful we'll be given local authority to make these changes on a more permanent basis. I just want to sum up. There's a lot of people here talking about this issue, but as someone who has gone to more than my fair share of vigils for people who have died, who have worked with neighborhood groups, trying to get safer streets, again I want to urge you to go ahead and consider and pass this today. And know you have my partnership going forward in everything we can do to invest in Portland streets and making it a safer place. Thank you.

**Wheeler:** Thank you, commissioner. We appreciate it.

**Duncan Hwang:** Good afternoon. Duncan Hwang with Apano. I'm also on the Vision Zero task force. Last December two residents were killed on our other Division. They were both actually members of the Asian American community. Mr. Siong was a recent immigrant from China and Mr. Wu, a refugee from Burma. Back in December we heard powerful testimony regarding the tragic circumstances of Mr. Siong's death where he was walking home after work and was tragically killed. In December in response to these tragedies city council passed an emergency ordinance and PBOT has advanced the number of projects that would address safety in our Division. I'm here today to support reduction of speed on our Division to 30 miles per hour. We know there are strong community support for this measure. Back in December after Mr. Siong was killed one of our residents went out and started petitioning for speed reduction as just an immigrant neighborhood activist and collected a few dozen signatures from neighborhood residents to have speeds reduced on our Division. Last Thursday, February 23, we also hosted a community forum that was referenced previously and about 40 Cantonese speaking neighbors came and attended. Despite a sense of uneasiness attending public forums due to recent immigration issues at the federal level our neighborhood still came out to support traffic safety in our community. So in attendance we had a number of PBOT staff also commissioner Saltzman and director Treat came as well. It was just powerful to have you there so I thank you for coming. It was

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great to hear that the city and our leadership really express condolences to the community for those losses and presented the array of interventions that are going to make our streets safer. We're also able to present input on what's needed to make our streets safer reducing speeds was definitely up there along with continued infrastructure improvements and I just wanted to highlight a few of the comments that we heard. One resident was actually a recent immigrant from china and grew up in the countryside and had not seen like a red, yellow, green traffic light until she immigrated to the united states. Other residents expressed that this was really important to be heard as part of a healing process. And another resident said in this instance it felt like the city cared. So I would encourage council to continue to take action on improving safety in outer division and to take bold interventions in terms of reducing the speed and improving our infrastructure. I think aside from direct impact of saving lives the process that we have kind of undertaken here has really also begun to build more trust and legitimacy for our government agencies in terms of their responsiveness to community needs. I just wanted to thank our council and pbot directly for that as well. Thank you.

**Noel Mickelberry:** Good afternoon I'm Noel Mickelberry. I'm executive director of Oregon walks, the states pedestrian advocacy organization. We work to make sure walking is safe, convenient and attractive for everyone. Outer division has been on our radar for a long time, and through the vision zero action plan process we saw that it's one of the most dangerous corridors for every user but as you have seen last year it was particularly dangerous for pedestrians and speed is a huge factor in that as commissioner Saltzman brought up. Division has also been on our radar for other reasons. We hear from our partners a lot about concerns on the ground. It's one of the most active corridors in the city with the busiest bus stop at 82 and division. If you've ever driven or walked along outer division around 3:00 when school is getting out there are kids and families all over the place with really fast-moving traffic and division is serving as a barrier between communities. We also work with a lot of family members who have been directly impacted by unsafe conditions on division. So we know there's a great need and we're really heartened to see some of these improvements that have been proposed by pbot. We have also unfortunately seen that piecemeal change doesn't always work. Last may rapid flashing beacon was installed on 156 and division after four people were killed at that exact intersection. We were hopeful for renewed attention to this corridor. Unfortunately, it wasn't enough as one of the five people killed last year was again at this exact intersection. That makes five people at 156th over the last five years. Like the rapid flashing beacons speed change isn't going to be enough but it's a necessary step. The suite of activities that pbot has proposed from working with apano and community groups on the ground, education, infrastructure improvements, enforcement cameras as well as speed change we're hopeful to see meaningful change on outer division. This is the point where we really need council leadership to ensure we don't lose any more community members to preventable crashes and it's really the time for swift action. Also to not forget the needs of both division and the many roads in east Portland that are similar to division when there isn't an emergency. We know what creates an unsafe environment on our streets. Vision zero encourages us to be proactive, to make some of these changes before we have any more fatalities on our roads. Thank you, commissioner Saltzman, for bringing this forward, look forward to your support. Thanks.

**Saltzman:** Our last invited testimony is Lori Boisen from the division midway lines.

**Lori Boisen:** Thank you. I'm Lori Boisen, I'm the district manager for the division midway alliance. We are from one of the city's neighborhood prosperity initiatives dedicated to revitalizing the commercial corridor and improving livability between 117th and 148th avenues. First I would like to thank you, commissioner Saltzman, director Treat, and pbot

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for your continued commitment to the outer division safety strategy. Thank you for providing council this additional tool to use to achieve a safer division street for residents and businesses alike. I would like to provide new council members a few demographics of the midway district. We serve 150 businesses within our boundaries from 115th to 78. Within a half mile radius of our district are over 16,000 residents. Our area is located within the city's only majority I always get this wrong minority-majority census tract. For example, park and west Powell Hurst elementary schools have a 68 and 57% minority-majority rate with 100% free or reduced lunches in both schools. The diversity of our community is most felt with the mid county health clinic at 127th and division. The reason why we have so many such a diverse community and so many new Portlanders living in our area is every immigrant or refugee who comes to the state of Oregon must go through the mid county health clinic for an assessment. Once that's done they choose their home health clinic and over half who come to Oregon choose mid county health clinic. Most people's home clinic is within a five-mile radius of where they live. I'm here to urge you to enact section 9 of the ORS 810.180 which will allow this emergency speed limit of 30 miles per hour on outer division street. I will work with the city to permanently reduce that state speed limit at the state level we would love to see it down to 25. During our visioning process we had residents and businesses identify pedestrian safety improvement as the number one issue to address the division midway area. In 2014 we were able to reduce the speed limit five miles per hour. We want it reduced further. I really just can't imagine you aren't going to approve this. [laughter] so I just want to say thank you very much for supporting east Portland and safer streets on outer division.

**Saltzman:** That concludes the invited testimony.

**Wheeler:** Thank you, commissioner, and everyone who has testified so far. I don't know if the commissioners have any further questions. Do we have people signed up?

**Moore-Love:** I show five signed up. The first one is Craig Rogers. The second one I'm sorry I can't read the name. I think it's Kim, maybe, last name starts with an m, and Jim Whittenburg.

**Wheeler:** Just the usual rules if you could keep it about three minutes we would appreciate it. If you can state your name for the record and none of you qualify but if anyone does happen to be a lobbyist, we need to know that. If you're representing an organization, we would appreciate hearing that. Is the light on there? Great. Go ahead, please.

**Craig Rogers:** Good afternoon.

**Wheeler:** That's better. Very good.

**Rogers:** Council, thank you for being here so I may share my thoughts on this project. I feel very it's very important. I'm Craig Rogers. I have lived in east Portland since 1970, and that influences my opinion here. I actually this situation reminds me of a Chinese proverb that goes when is the best time to plant a tree? 20 years ago. When is the second best time to plant a tree? Now. That's the way I feel about this. This should have been done 20 years ago. I often refer to the streets division being one of them, Burnside, Halsey, racetracks. I have done that for many years. Refer to them as that. I learned from our mayor today that Seattle has passed something where apparently they dropped it down to 25 miles an hour. I have told significant people within the city of Portland I would be happy if I woke up tomorrow and the speed limit was 25 miles an hour. I'm a guy that loves my car. Nonetheless I'm very objective and that's the way I see things. [audio not understandable]

**Rogers:** Thank you, commissioner Fish. I have watched a mother with a child in each hand, three, four years old, la-dee-dah, the kids are having fun. The mother is in terror, holding on to their hands, crossing with the light and there's a big, huge intersection at 122nd and Stark. It could be any of them up and down there. Right now we're focusing on

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division I acknowledge that. Want to stay on the subject, but you're talking about smoothing the process in the future. So that actually involves more than division. So any money that is set aside I want you to keep your eye on it so it's there for future projects. Thank you for your time in sharing my thoughts.

**Wheeler:** Thank you.

**Kem Marks:** Good afternoon, Mr. Mayor, commissioners. I'm kem Marks with the rosewood initiative, one of the other mpis in east Portland. I have been previously on the division high capacity transit steering committee and will be on the trimet citizen's advisory committee for the high capacity transit project as well. I also live near division and work on division -- work worked on division for 2.5 years. Rosewood initiative is strongly in support of this ordinance and urges the city to consider expansion of the ordinance if not now in the soon-to-be near future because it only takes a look at the vision zero map to see there are only a couple of the arterials in east Portland that are not high crash corridors. This reduction in speed is one of the key elements of saving lives for pedestrians and bicyclists in east Portland. However, we have to remember a few facts as well. These roads are built for speed. Speed limits are only going to be so effective. They are a major part but they will not be effective completely if we do not deal with the designs of these roads. People constantly go 10 to 15 miles above the posted speed limit, and often without even having a clue that they are doing that. The reason is again; these were built for speed. They were not built for pedestrians or bicyclists. Without making major changes to the infrastructure in all -- on all of the arterials, we would just be moving the problem from division to stark to glisan to halsey, to wherever. We have to look at division. It's the worst case scenario right now, but all we will be doing is moving the problem if we don't look in a more regional, holistic manner. Thank you.

**Wheeler:** Thank you. Sew.

**Jim Whittenburg:** Mr. Mayor, commissioners, good to meet you finally. I woke up this morning hearing the news -- Jim whittenburg. I'm sorry. I'm a retired pharmacist. I recognize this area where you have to go up. Pharmacists used to look down at people. I woke up listening to the radio this morning and then I turned on the tv, and I found out that on 43 and Hawthorne they are going to put in some street changes which I have been praying for at least a half year now, and maybe 20 years to have it happen is that this is done in 1998 what you have before you. I came to city hall and they weren't interested in this at all. Finally, I got to talk to Charlie hales. He told me about they sent me to the city this building to meet with the Portland department of transportation. I tried to get them back then to change the streets but and put in street enhancements but it cost too much money. Recently I made up this sign myself, it was \$100, I remember the two signs, and started standing out on the street trying to slow down the traffic which is going 40 or 50 miles an hour down Hawthorne from the top of the hill on 33rd. I didn't get much response except for the occasional finger once in a while. I understood what that meant. They were not going to slow down. No matter how long I stood out there they would just laugh at me as being stupid. Finally, on 82nd I went to a meeting recently macg held over there for the ohsu clinic and listened to the doctors talk about the traffic and the problems they have. We drove back down division from 82nd, and I was amazed how much it had grown in the 20 years that I have not been there. It was just -- like double what it was, business ass long there, people trying to get across the streets. People trying to get across Hawthorne by the Baghdad theater there. Down on 22nd where I live it was impossible to get through there. Many people getting hit at those intersections. I chose 30 miles an hour because that's what most streets were, their lowest limit was to slow down to. I hope they could get it down to 30 we could do something at that speed, at least not get hit so hard when we get hit. I wasn't hit myself but I came very close on Broadway where I live. One woman came

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with her cell phone and got mad at me and shook her fist at me when I wanted to get across the street. I got across the first lane. Fortunately, I looked across and she was speeding up when she went through the 17th and Broadway intersection. I just feel terrified of the roads today. I think I'm going to end my life probably there before some other way, stroke, heart attack or something. Anyway, give us a break, us old people. We're trying to get across the street, you know. We can't afford cars any more, big limousine, we can't afford the whole traffic situation in this town. It's unbearable and I'm terrified. I never used to be that way.

**Wheeler:** Thank you, sir. We appreciate your testimony.

**Moore-Love:** The last two are Jessica Engleman and Kim Stone.

**Wheeler:** Good afternoon.

**Jessica Engelman:** Hello. I'm Jessica Engleman. I am co-chair of Bike Loud PDX, I'm on the board of Southeast Uplift part of our district is outer division however I'm not speaking in that capacity today. I have been doing work with Bike Loud PDX about two years now. When I first started working with the group which is an all-volunteer group, it felt like a waste of time a little bit to spend -- it was my hobby basically to try to convince city council and pbots to, you know, try to save some lives and make it so that those of us who want to get around the city by means other than single occupancy vehicle could do so. I am very heartened that I feel like the message is finally getting through. It's sad and unfortunate that it's only after people die I think that the attention is paid, but better that it happens before more people die. I'm very supportive of the emergency measure as a first step. I think as cited today, 30 miles an hour on a 120-day basis is not enough. I'm a strong believer of 20 is plenty, especially because when I was taught how to drive when I was a teenager I was taught you can do up to ten miles an hour above the speed limit and you're fine and I think that's how a lot of people drive. As commissioner Saltzman said there's a huge difference between fatality rates if you get hit at 30, 40 miles an hour or if the street is marked at 30 and you have been taught plus 10, that means 40. But 40 is better than 45 I suppose. I would encourage you to look into it as has been mentioned a few times, representative Rob Nosun, who is my representative, I'm very proud of him for putting forward so many positive measures in the legislature this year. This would give the city of Portland more authority so that we don't have to deal with ODOT and their 1950's ideals in terms of what they think the roads should look like. I feel like I'm fourth in line and that's not even including the invited testimony of a lot of transportation advocates who we do this in our spare time because we feel it is important, and I'm just very grateful that you are finally taking this matter seriously and I hope that momentum continues forward. Thank you.

**Kim Stone:** Thanks for giving me the opportunity to speak with you today. I'm Kim Stone. I'm a founding member of Oregon and Southwest Washington Families for Safe Streets. I'm here as a mother today. My family and I live near the crosswalk at 156th and Division and on a beautiful day in October 2013, our lives were changed forever when my youngest child and only son was killed in the crosswalk at 156th and Division. He was crossing the street to catch a bus, waited for the only approaching car to stop for him. Started across the street. I believe he didn't realize there was a car coming up behind the woman who stopped, saw her stopping, which he testified to, decided to change lanes because he was focused on getting to the gas station up the street. He hit my son Joe going 35 miles per hour and Joe was just a step or two from the median. Joe's body was thrown and landed 70 feet east of the crosswalk. As you can imagine, he didn't hang on very long. He died the next day. 35 is too fast. At the time Joe was hit the speed limit was 40. It was since lowered to 35. It's still not enough. I'm overjoyed that commissioner Saltzman, you brought this forward to lower the speed limit to 30. I pray that we can make it permanent. I also pray for

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infrastructure changes in the future such as tree lined medians down the middle. I think that will also help slow people down. I appreciate you having me here today and listening. Thanks.

**Wheeler:** Thank you. We're sorry for your loss. Thank you for sharing your story. Is there any further public testimony?

**Moore-Love:** That's all who signed up.

**Fish:** I have a question to the sponsor and maybe director treat.

**Wheeler:** Commissioner? [audio not understandable]

**Fish:** In light of that testimony and other testimony we have heard, would it be appropriate for us as part of this ordinance director and commissioner, to offer an amendment that authorizes you to seek an additional 120 days at your discretion so you don't have to come back to council for that purpose? I think there was some talk there might be an opportunity to seek an additional 120 days. To give you the maximum options here, would you consider that an appropriate amendment to this just to have the council on record on that and delegate to the commissioner and the director whether to seek an additional application?

**Saltzman:** Sure. That would be great.

**Wheeler:** I'll second.

**Wheeler:** The amendment is on the table. Could I ask a question as well, commissioner Fish? You probably mentioned this and I just missed it. Did you say you were also going to do a data catch to try to ascertain -- I'm seeing Margi saying yes. We'll have some idea what the change in safety could be over that time period.

**Treat:** Yes.

**Wheeler:** In that spirit, commissioner Fish, I think it's all the more important to have that additional time frame. It will give us a more meaningful data catch.

**Fish:** The amendment which has been seconded would authorize the commissioner and the director to seek a second 120-day emergency period at their discretion.

**Wheeler:** Is there further comment or question regarding the amendment? Let me dispose of that first. Can you call the roll on the amendment, please?

**Fish:** Aye. **Saltzman:** Aye. **Eudaly:** Aye.

**Wheeler:** Aye. The amendment is adopted. Further questions or comments with regard to the main motion? Seeing none, Karla, please call the roll.

**Fish:** I want to echo what the community member said in thanking commissioner Saltzman for bringing this forward on an expedited basis and thank director treat for her deep commitment to vision zero and all the work that you're doing to implement the action plan. This is the second vote we have cast in kind of abbreviated time frame that has a direct impact on the lives of people we serve in east Portland. I'm proud that you have acted with dispatch and I'm proud to vote aye. Commissioner Saltzman said in his opening remarks that speed kills. I would add to that that I think there's no higher obligation that we have as a council than to try to save lives. I appreciate all the testimony today. It's been very powerful. As one of two council members that's lost a loved one to speed in a traffic fatality I will as I said last year continue to support every initiative this commission brings forward around vision zero because it's one of the top three priorities of this council. I thank you for your leadership, Dan Pleased to vote aye.

**Saltzman:** Well, as I said in my opening remarks, we have had entirely too many deaths in our city due to traffic crashes, pedestrian fatalities, bicycle fatalities. On division alone we had five fatalities last year. To my mind that makes outer division in particular not a traffic safety corridor, it's a death corridor for too many of our residents, and I'm bound and determined to do all I can with pbot, with the police, and with our residents who care about these issues to make division street safer. This is the first step by lowering the speed,

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using our emergency responsibilities, but as I said Monday we're going to turn on traffic safety cameras and then we have a number of capital improvements or infrastructure investments designed to also slow down traffic on outer division which will be rolling off in the next years. We are doing community outreach and education with groups like apano and others that are very important to the safety of our residents. I did want to just briefly mention in the time I have been transportation commissioner, a little over two months now, I have been talking with our police bureau too, captain krebs, who heads the traffic safety division, and I have come to learn on Thursday nights they do vision zero traffic safety missions. That's great to hear. It's Thursday. Maybe as soon as tonight they can start perhaps warning people of the new reduced speed limit on outer division and I hope they will do that and I appreciate their involvement as well. So thank you to pbot, bureau of transportation, Leah treat, and others who have helped me make this possible today. Aye.

**Eudaly:** I would just like to say there were no voices of dissent here today. During my campaign the foster Powell road was one of the most contentious questions in the campaign. Because of who I was running against there was a hope in the community I would be an advocate for speed and they were sorely mistaken. I am a car driver. I'm a bicyclist. I am a pedestrian who is often pushing a 100-pound kid in a wheelchair, so I'm painfully aware of the challenges of pedestrian safety on our city streets. I am a supporter of zigs zero on streets for people in general, was very happy when the speed was reduced on Rosa parks, which is in my neighborhood, from 35 to 30. It was shocking to me that we have roads that go straight through heavily residential areas that are rated at 35 miles per hour. I would be a supporter of a 25 mile an hour conversation because 25 seems to be the magic number where the odds of survival for the pedestrians exceed the odds of not surviving. Love to have a conversation with you about flashing beacons. I have a couple in my neighborhood that don't seem to do much good and one that does. When people would complain to me about the foster Powell road diet I started asking them how many extra minutes in your day is worth someone's life? And that usually ended the conversation. So I'm happy to vote aye.

**Wheeler:** So I could go in many different directions. I think I'm going to start off by embarrassing commissioner Saltzman. [laughter] he is our senior dean of the city council. I was shocked when I got here to hear that he had actually never been the transportation commissioner. I don't think he really knew what to make of it and I wasn't sure I knew what to make of it. I know he is embarrassed by praise but I'm going to give it to him anyway. I think he's done an outstanding job working with Leah and the transportation bureau on a whole host of issues although he had been here for a long, long time he got the first few weeks that I got, which was snow followed by ice followed by a foot of snow followed by more ice and it led to innovative solutions around igas, strategies, different potential investments in quick succession then of course when the snow and the ice melted we realized that our roads were in pretty rough shape and he and his team put together what I thought was a very robust response to a lot of the street damage and the potholes that existed. Here he is now in quick succession with the same leadership team coming forward on a real commitment to vision zero. I'm thrilled to call him a colleague on this. I look forward to working with you on vision zero and I know you guys have some great ideas coming forward in the budget process. My personal view is we should have a city-wide speed limit. This is yet another example where the state preempts us and therefore limits our ability and limits the tools we have in the tool kit to be able to address really important needs here locally. Everybody up here is committed to vision zero. That means we have to fight for the full tool kit to be able to do that. So with that I'm enthusiastically supportive. I appreciate everybody who testified. Commissioner Saltzman, what can I say?

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You rock. You're doing a great job. Leah, thank you and your team. I vote aye and with that the ordinance adopted as amended and we're adjourned.

**At 3:15 p.m. council adjourned.**