



CITY OF
PORTLAND, OREGON

**OFFICIAL
 MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20TH DAY OF SEPTEMBER, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.

Commissioner Eudaly arrived at 9:51 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Senior Deputy City Attorney; and Elia Saolele and Adam Cuellar, Sergeants at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
1025	Request of Mimi German to address Council regarding crosswalks, KKK and cops (Communication)	PLACED ON FILE
1026	Request of Joe Walsh to address Council regarding communications (Communication)	PLACED ON FILE
1027	Request of Floy Jones to address Council regarding Portland Water Bureau issues (Communication)	PLACED ON FILE
1028	Request of Jimmy Whittenburg to address Council regarding control of the City by developers and builders, traffic congestion and speeding (Communication)	PLACED ON FILE
1029	Request of Scott Farestrand to address Council regarding the homeless and tolerance (Communication)	PLACED ON FILE
TIMES CERTAIN		
*1030	TIME CERTAIN: 9:45 AM – Approve funding recommendations made by Children’s Levy Allocation Committee for September 1, 2017 – June 30, 2019 (Ordinance introduced by Commissioner Saltzman) 30 minutes requested (Y-5)	188601

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<p>1031</p>	<p>TIME CERTAIN: 10:15 AM – Authorize a contract with Stantec Consulting Services, Inc. in the amount of \$3,325,000 for the Corrosion Control Improvements Project (Ordinance introduced by Commissioner Fish) 45 minutes requested for items 1031 and 1032</p>	<p>PASSED TO SECOND READING SEPTEMBER 27, 2017 AT 2:00 PM</p>
<p>1032</p>	<p>Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor in connection with the Corrosion Control Improvements Project for an estimated amount of \$11,000,000 (Ordinance introduced by Commissioner Fish)</p>	<p>PASSED TO SECOND READING SEPTEMBER 27, 2017 AT 2:00 PM</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Ted Wheeler</p>		
<p>1033</p>	<p>Appoint Jon Coulimore and Greg Kohn to the Electrical Code Board of Appeal for terms to expire September 19, 2020 (Report) (Y-4; Eudaly absent)</p>	<p>CONFIRMED</p>
<p>1034</p>	<p>Appoint Vernie Santos to the Plumbing Code Board of Appeal for term to expire September 19, 2020 (Report) (Y-4; Eudaly absent)</p>	<p>CONFIRMED</p>
<p align="center">Commissioner Amanda Fritz</p> <p align="center">Portland Parks & Recreation</p>		
<p>1035</p>	<p>Revise ordinance to correct the fee schedules for tree permits (Ordinance; amend Ordinance No. 188415)</p>	<p>PASSED TO SECOND READING SEPTEMBER 27, 2017 AT 9:30 AM</p>
<p align="center">REGULAR AGENDA</p> <p align="center">Mayor Ted Wheeler</p> <p align="center">Bureau of Police</p>		
<p>*1036</p>	<p>Amend contract with Envirolssues Inc. in the amount of \$35,000 to provide additional police review board facilitator services (Ordinance; amend Contract No. 30003585) 20 minutes requested</p>	<p>RESCHEDULED TO SEPTEMBER 27, 2017 AT 9:30 AM</p>
<p align="center">Office of Government Relations</p>		
<p>1037</p>	<p>Authorize a contract with Squire Patton Boggs (US) LLP, for federal lobbying not to exceed \$198,000 a year (Ordinance) 20 minutes requested</p>	<p>PASSED TO SECOND READING SEPTEMBER 27, 2017 AT 9:30 AM</p>
<p align="center">Office of Management and Finance</p>		

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<p>1038 Amend and repeal Citywide Accounting Administrative Rules relating to capital asset accounting (Resolution; repeal FIN 6.09, repeal and replace FIN 6.11 and amend FIN 6.12) 20 minutes requested</p> <p>Motion to amend Exhibit B Compliance to keep last sentence, but remove the word “annually”: Moved by Fritz and seconded by Fish (Y-5) (Y-5)</p>	<p>37316 AS AMENDED</p>
<p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Office of Neighborhood Involvement</p> <p>*1039 Amend Marijuana Regulatory License Procedure and Requirements business regulations (Previous Agenda 1013; amend Code Chapter 14B.130)</p> <p>Motion to adopt Eudaly 9/13 amendment #1 to subsection .040 E.4b to read “b. A new application is required.”: Moved by Eudaly and seconded by Fritz. (Y-5)</p> <p>Motion to adopt Eudaly 9/13 amendment #2 to subsection .050 A.6 to add “and received final inspection approval”: Moved by Eudaly and seconded by Fritz. (Y-5)</p> <p>Motion to adopt Eudaly 9/13 amendment #3 to subsection .050 A.9 to add “If ownership of the licensed entity changes by 51% or more, a new application is required.”: Moved by Eudaly and seconded by Fritz. (Y-5)</p> <p>Motion to adopt Eudaly 9/20 amendment #4 to add ordinance findings 7 and 8: Moved by Eudaly and seconded by Fritz. (Y-5)</p> <p>Motion to adopt Eudaly 9/20 amendment #5 to add ordinance directive b to urge State to amend its rules: Moved by Eudaly and seconded by Fritz. (Y-5)</p> <p>Motion to add emergency clause because it is in the public interest for businesses to be licensed as quickly as possible: Moved by Eudaly and seconded by Fish. (Y-5)</p>	<p>188602 AS AMENDED</p>

At 11:41 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20TH DAY OF SEPTEMBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Commissioner Fish left at 3:00 p.m., 4.

Commissioner Saltzman arrived at 2:06 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and John Paolazzi and Elia Saolele, Sergeants at Arms.

The meeting recessed at 3:05 p.m. and reconvened at 3:11 p.m.

		Disposition:
1040	TIME CERTAIN: 2:00 PM – Proclaim September 24, 2017 to be First Annual Salmon in our City Day (Proclamation introduced by Mayor Wheeler and Commissioner Fish) 1 hour requested	PLACED ON FILE
1041-1043	TIME CERTAIN: 3:00 PM Central City 2035 Plan items continued from September 14, 2017 hearing. Only those who previously signed up and have not testified yet were able to testify. No additional oral testimony was taken. Written testimony may be submitted until 5pm, September 22nd. For more information see project website www.portlandoregon.gov/bps/cc2035	CONTINUED TO OCTOBER 18, 2017 AT 2:00 PM TIME CERTAIN
1041	Adopt the Central City 2035 Plan; amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Willamette River Greenway Inventory, Scenic Resources Protection Plan, Zoning Map and Title 33; repeal and replace prior Central City plans and documents (Previous Agenda 1022; Ordinance introduced by Mayor Wheeler) 2 hours requested for items 1041-1043	
1042	Adopt the Central City 2035 Plan Action Charts, Performance Targets and Urban Design Diagrams (Previous Agenda 1023; Resolution introduced by Mayor Wheeler)	
1043	Adopt the Central City 2035 Plan Green Loop Concept Report (Previous Agenda 1024; Resolution introduced by Mayor Wheeler)	CONTINUED TO OCTOBER 18, 2017 AT 2:00 PM TIME CERTAIN

At 3:52 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **21ST DAY OF SEPTEMBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4. Commissioner Fish left at 2:50 p.m., 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Senior Deputy City Attorney and Roger Hediger and Adam Cuellar, Sergeants at Arms.

The meeting recessed at 2:47 p.m. and reconvened at 3:31 p.m.

<p>S-*1044 TIME CERTAIN: 2:00 PM – Waive certain zoning code standards addressing use, street-facing facades, and timing of Historic Resource Review to authorize relocation and placement of the Morris Marks House on property located northwest of the intersection of SW Broadway St and SW Grant St and maintain Historic Landmark status for the structure (Ordinance introduced by Commissioner Eudaly; waive Code Section 33.120.100.A, 33.120.232.B.1 and 33.140.A) 45 minutes requested</p> <p>Motion to accept substitute ordinance: Moved by Wheeler and seconded by Fish. (Y-4) (Y-4)</p>	<p>Disposition:</p> <p>SUBSTITUTE 188603</p>
<p>1045 TIME CERTAIN: 3:30 PM – Consider the proposal of Sarah Radelet of Strata Land Use Planning and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Low-Density Multi-Dwelling to Neighborhood Commercial and the Zoning Map designation from Residential 2,000 to Neighborhood Commercial 1 for property at 5901 SE Belmont St (Hearing introduced by Commissioner Eudaly; LU 16-292724 CP ZC) 45 minutes requested for items 1045 and 1046</p> <p>Motion to tentatively adopt Hearings Officer’s recommendation: Moved by Fritz and seconded by Eudaly. (Y-3)</p>	<p>TENTATIVELY ADOPT HEARINGS OFFICER’S RECOMMENDATION; CONTINUED TO SEPTEMBER 27, 2017 AT 10:50 AM TIME CERTAIN</p>
<p>1046 Amend the Comprehensive Plan Map designation and amend the Zoning Map for property at 5901 SE Belmont St, at the request of Sarah Radelet, Strata Land Use Planning (Ordinance introduced by Commissioner Eudaly; LU 16-292724 CP ZC)</p> <p>Motion to tentatively approve ordinance: Moved by Fritz and seconded by Eudaly. (Y-3)</p>	<p>PASSED TO SECOND READING SEPTEMBER 27, 2017 AT 10:50 AM TIME CERTAIN</p>

At 3:50 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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.

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9:30 AM

Wheeler: Good morning everybody this is the September 20 meeting of the Portland city council, welcome everyone. Good morning everybody. There it is, I have got it, welcome to the September 20 morning session to Portland city council. Karla please call the roll.

Saltzman: Here **Eudaly:** **Fritz:** Here **Fish:** Here **Wheeler:** Here

Wheeler: The purpose of council meetings is to do the city's business including hearing from the community on issues of concern. In order for us to hear from everyone and give due consideration to matters before the council, we must endeavor to preserve order and decorum of these meetings. To make sure that the process is clear for everyone, I want to review some of the basic guidelines, which I hope will help everyone feel comfortable, welcome, respected, and safe at the meeting and also to ensure that the decorum is maintained. There are two opportunities for public participation. First we have an opportunity for people to sign up for communications, to briefly speak about any subjects that they wish to address. These items must be scheduled in advance with the clerk's office. Second people may sign up for testimony on the first readings of reports, resolutions, and ordinances. If you sign up your testimony must address the matter being considered at the time. Please state your name for the record. We don't need your address, if you are a lobbyist, council rules require you to disclose that information. If you are here representing an organization, please identify that organization. Individuals have three minutes to testify unless otherwise stated, when you have 30 seconds left the yellow light will light up and when your time is done the red light will come on. Conduct that disrupts the meeting, for example shouting or interrupting other's testimony or interrupting during council deliberations will not be tolerated. People who disrupt the meeting face ejection from the meeting. If there is a disruption I will issue a warning that if any further disruption occurs, and anyone who is disrupting the meeting will be subject to ejection for the remainder of the meeting. Anyone who fails to leave the meeting after being ejected will be subject to arrest for trespass. If you want to show your support for something, thumbs up, if you don't hear something you like thumb's down, the bottom line is this. It is a shocking day if you agree with everything everybody says, so let's just be respectful and consider it an opportunity to learn when we hear perspectives and views that are difference for our own. So without further adieu Karla please call the first Communications item.

Item 1025.

Wheeler: Good morning.

Mimi German: Good morning. This is a letter mayor to you. Dear ted, we're done. Our relationship is over. I can't go on pretending that one day you will find your balls. You won't. You can't. The cops took them and they won't let you have them back. You are emotionally paralyzed by fear and I can't be in a relationship with a guy who fears the cops so much that he won't agree to fight for a crosswalk with a proper light on Fessenden, a street just itching to take the life of a kid or a woman in a wheelchair. I can't continue on

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with this abusive relationship where in your powerlessness you create fear for those more vulnerable than you are to the cops. Shame on you, ted. I don't fear you. I don't fear the cops. You are all a bunch of abusers who need to get run out of town. #Hashthugs. You are thugs. You would rather spend \$200,000 keeping me out of city hall than putting an ada, ramp, and elevator at city hall to show your might and muscle over those in need. I get it. I've been punched in the gut by your decision since January. Day one of your charade as a mayor who ran on a platform to house the houseless and create police transparency. You abused our houseless with your games and injure and kill our community with your cops. This sadistic nature comes out with the lies you tell. I tried to connect with you and people were freezing to death last winter, you showed us then that you were a coward and worse a coward with a microphone that did nothing more than tell the abused that you were going to help them. They died waiting for help. You were afraid to move. You cannot go back and you can't stand still. If the thunder don't get you then the lightning will. And the kkk fiasco it started with your refusal to talk about the Nazi cop krueger, that's where your fear sets in we should be afraid of the kkk but that fear should charge us forward to get them out of our city. You would prefer to give bus passes to white supremacists so the members of our community end up slain on the transit system. Your attempts have been feeble. The side of you that fanes strength speaks out but the abuse side of you runs away. You are weak. You are powerless to the cops. They know that. We know that, and you know that. But you try to keep a good game face with the Portland liberals who do love you so. Look what I did. Look what I did. Well, we are looking, and you have done nothing positive. You even lied to the families whose kids were shot by cops pretending you would find the truth when all you did was give the cops \$4 million on top of their raise for target practice. Man that was cold. You have stolen money directly to house the houseless and allowed sweeps in the houseless instead. This is abusive, so ted I am sure you will accept this dear john letter. You have seen me as the problem all along, you've laughed in my face, you have thrown me out the door, my friends out the door and sprayed them with pepper spray, you've lied and chastised and accused me of doing wrong, but I have never been your problem. I have only held answers to your problem but you chose to beat the hell out of reality and twist this into a scene from Gotham in batman and robin and you are the joker. All these deaths are on you. The suffering is on you. There is more, but I will email it to you.

Wheeler: I think that I get the point. Thank you. Good afternoon.

Item 1026.

Wheeler: Good morning.

Joe Walsh: Good morning. My name is joe Walsh I represent individuals for justice. I would look, ask for extra time under the ada since I am struggling with speech. For the record my name is joe Walsh and I represent individuals for justice. Sometimes I run into people who ask me why I get so angry at these meetings. Here are just three minutes of my reasons. All five of you think you know more than the people of Portland and vote against us often. The last mayor and you Ted Wheeler react to a confrontation by using a gang of cops and G4s thugs against the very people on the street trying to bring comfort to the most vulnerable among us. All of you campaign using sugar words but after being elected, you care only for the next election betrayal is very high here. Often when we want to talk about a current event we can't because you have shut down any important discussions by presigning and communications may take up to six weeks to finally get to speak. We have asked, suggested, and finally demanded that you spend a week or a month on the road hold a different city council meeting at a different part in the city say at 7:00 p.m. This would allow the participation by the working people you have \$258 million by a bond measure and you were doing nothing until the media did a story of you, even

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lack of attending the meetings. Shame on you ted wheeler. We have thousands of people on our streets. The other day a person asked me an interesting -- the other day a person gave me an interesting compliment, said something like this. Joe, I used to think that you were a little bit crazy but then I started to pay attention to the city hall and now I know why you are so outraged. You can pass me off, but remember what comes after me is a lot worse than a 75-year-old veteran who believes in non-violence. The young are much more aggressive than we are and it would be wise for you to listen to what we say. We ask nothing of you except to do your jobs. I have two more requests for your consideration. When a person gives opinions we would like them to state for the record if they take any money from the city, state, federal government, we would like to know who is being paid and by who. Nonprofits should acknowledge that they come before you to make themselves unemployed. They work to solve and resolve the problem and not perpetuate it. I had to omit a word that explains very smart, decent people doing stupid and evil things. The word is martunamas and this council is full of martunami. Thank you for your attention.

Wheeler: You bet. Thank you. Next item please.

Item 1027.

Wheeler: Good Morning.

Floy Jones: Good morning Floyd jones with friends of the reservoirs. Just a couple of items. I came here on July, or July 19 when you were voting on the procurement item that allowed the contracts to be brought up to \$500,000, and in essence \$750,000 because most water bureau contracts do increase by 25%. Which they are allowed to do without bringing it back to council. On that date I also read to you verbatim from the utility board document that said that most projects brought to the utility board are major projects or bra fata compli and when I was not able to respond after I left, commissioner Fish, you represented to two of your colleagues, and to the cable tv audience that I misrepresented that statement from the utility board. I read verbatim. I sent you all an email so that the utility board subsequently sent you that very letter, and it was subsequently published in the tribune. I think that it's very sad, the water bureau is, has a long history of attacking citizens you know, who don't support these major projects, and it's really sad to see if the commissioner is following the suit. I also wanted to speak about the august 2 vote to add chemicals to our water. It's really only in an Orwellian world that the water bureau can represent that there is a public process. We have had big public processes in the past. In a downtown room, the Portland utility review board room filled with water bureau p.r. and absent any public isn't a public process. An online board where water bureau employees are the main people who submit comments is an in meaningful public process. We are on a countdown, those of you who were here years ago when we had this hearing, and we kept hearing about the ticking clock. Yes, we are now to the end of the bull run water and for no good reason. Since that hearing I have asked twice to present me with a document that shows or just not a document, but to tell me whether they have sent to you and sent to the utility board information that substantiates their hypothetical benefits from filtration. They presented that to you, and I remember your laughing saying isn't this convenient that the numbers add up to \$100 million? It is not yet answered. It's a simple question, did you send information to the utility board or to city council? And then in august it was not just that vote that was a bad vote. You voted to give again ch2m hill another, now they call it not an infrastructure master plan, they call it a supply plan. This is a 2000 report ch2m hill and they outlined their list of projects for which they wish to receive future contracts. Now they are going to get them again, and they have changed names so this afternoon or later this morning, you will see the semantics, Jacobs has bought out ch2m hill, they are not new companies, the same corporations, and that are getting all these contracts. The middle class is suffering. You need to do something to lower the rates, at the last utility

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board they said no we're not going to make any changes to our budget to accommodate filtration, that's not what they told you when they were here. So you need to take a look at that.

Wheeler: Very good. Thank you. Appreciate you coming in. Next item please.

Item 1028.

Wheeler: Good morning.

Jimmy Whittenburg: I'm Jim Whittenburg from Portland mainly for about 50 years. I have been a few years at other cities around the country about six other ones. I had forgotten that I had signed up for this. I am leaving tomorrow at 8:20 on the amtrak, and I will not see you folks again so you will be through with me for good. But I have a few things to say before I go. The last mayor was running for office, and he said I love this city on the back of it, and I have never heard any of you say I love the city, maybe you have, but I never heard it. If I was a commissioner I would get everyone morning and say I love this city and I can hardly wait to get to work for it. As much as I am being paid, as much acclamations I get from people in the city you should love this city. This should be your crowning thing every morning. That's why I have always loved this, but Charlie, he did some things that I didn't like, but at least he said I love this city, I wish that we could all do that. That's my wish for you. Secondly I found in my closet cleaning out my apartment to be vacated, some things which are really great, a cartoon here, and kind of entails my life and this is my best friend in Seattle where I am going to stay tomorrow night. And this is tom potter, one of my really good friends who I helped in his election campaign. I invited him to my house and we had -- we made cheese and fondue together, and I really love that man and his wife. Finally I have just got a few reasons why I really choose Seattle over Portland to retire, and I made it up in Montana because of my health what now I'm falling a lot I fell three times this week and tore up this shoulder and elbow and right hip. I am losing my balance all the time now. But the bus system is dangerous in the cities. We can see people died recently. We need to figure out some way to make it a safer system to ride. So security office, it's direct monthly payments to your bank account or you cannot get a check any more, what kind of baloney is that? They threatened to arrest me when I protested up there and he brought the police in and good lord, what kind of public agency is this? Mayor I like all of you guys. There is none of you I don't like, I would tell you if I didn't like you. You would be the first to know, so that is the way that I operate. You always will know where I stand. Finally the treatment of mental health, the newspaper, four days a week, it is a one-horse town, with the lack of professional sports, no baseball or football, again, and the infilled housing. It's getting so filled up, on the east side, that I can barely get to the grocery store with my walker. I have to ride around by a bus, it's a dangerous place to be. I hope I get out of here before I get run over. Milk is a terrible street, grand are terrible streets trying to cross, Broadway is really bad, Broadway and Weidler are really bad streets and those are the ones that I frequent. Those are the ones that maybe, I may be killed on.

Wheeler: Safe travels. Thank you sir. Next item please.

Item 1029

Wheeler: Is Scott here today? Karla, have any items been pulled off the consent agenda?

Moore-Love: I have had no requests.

Wheeler: Please call the roll.

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

Wheeler: Aye. The consent agenda is adopted. First time certain it up, please.

Item 1030.

Wheeler: Commissioner Saltzman.

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Saltzman: Thank you mayor the Portland children's levy has been in the enviable position of receiving more revenue than anticipated from our property tax collections, and we have invested that money in additional programs, and we are pleased today to shine the spotlight on a few of these programs that are new to being supported by the Portland children's levy. Since 2002 the levy has strengthened the community by helping thousands of children from birth through college reach their potential. We have done this through increasing children's access to proven programs that provide positive early development, school engagement and academic achievement, high school graduation assistants and family safety and stability services. We are thankful that the Portland voters have chosen to make children a priority each time that the levy has come before them. Creating it in 19 -- in 2002, and overwhelmingly renewing it in 2008 and again in 2013. We are gratified by the community's confidence that the levy is empowering not just children but parents and caregivers to be more skilled at advocating for their children in their classroom and lives. Today the children's levy director, Lisa Pellegrino is here to ask the council to approve two new year investments and after school programs made by the levy's allocation committee which is the governing body from September, the investments will run from September this month through June of 2019. These investments will provide safe and high quality after school academic programs for students throughout the city. We are pleased we can accomplished this with a 5% administrative cap so 95 cents of every dollar goes directly to proven programs and the levy receives high grades from the independent audits and I will turn it over to our director Lisa Pellegrino.

Lisa Pellegrino: Is this good? The green light was on. Good morning everybody. Nice to see you again. I am Lisa Pellegrino, as Dan Saltzman introduced me, the director of the children's levy and as Dan noted the allocation committee made the decisions we are asking you to approve and to remind everybody about who sits on the allocation committee. Commissioner Saltzman is the chair and the representative from city council. Deborah Kafoury is the chair of Multnomah county and sits as the elected representative from the county commission. Julie Young is the city appointed citizen rep that sits on the committee, and Serene Stoudamire Wesley is the county appointed citizen rep that sits on the committee. And last Mitch Hornecker is the appointee of the Portland business alliance who holds the fifth seat on the committee so that's the group of people who are, who made the decisions that we are asking to you approve today. As commissioner Saltzman said these additional grants were made because we had more revenue than anticipated, and that revenue accrued over time. The committee came together and has made a variety of allocations you approved and this latest set, they decided to, to run a grant round for additional after-school programs because after-school programs are the most requested. We get six times the request for the level of money that we offer for after-school programs whenever we let grants for after school, so it's the, the typical ratio was 3-1, after school 6-1, so it goes to show that there is tremendous need out there for after-school programming and tremendous demand. The committee elected to pilot a two-step process in making the grants they did a letter of interest process where grants, prospective grantees could submit a letter of interest and, asked to submit a full application. We received approximately 23 letters of interest, and 13 were asked to submit full applications. The committee decided to pilot this process because the levy's funding applications is a pretty heavy lift for many organization, it takes a lot of resources to complete it so this allows people to test their idea and gives the committee a chance to have longer process to consider the possible grantees. So of the 13 applicants the committee reviewed they submitted applications that were scored by volunteer reviewers. The committee looks at the scores that the reviewers present and they also consider the geographic location of the programs, the population served, the needs addressed, and whether or not it is culturally specific and after

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considering all applications they agreed to fund seven of them, and there is the list of them and also attached to your paperwork. We have a number of them here ready to present and tell you a bit about their programs. Go and see the full list of everybody. I am happy to answer any questions about the process if there is any questions, and otherwise we do have folks here to tell you a little bit about the things that were funded.

Wheeler: Colleagues? Looks like you are off the hook for now.

Pellegrino: The programs are more fun.

*****: Thank you.

Saltzman: And now we'll be hearing from four of these new after-school programs. El programa Hispano Catolico, reap, Kairos pdx and Latino network. So I would like to invite el programa's program coordinator Adrianna Lopez who will be introducing some of their participants. Welcome.

Adrianna Lopez: Good morning everyone. I am the coordinator for the EI Programa mentoring. First of all I am going to say thank you so much for giving us this opportunity to partner with the city on this program. We have this program for several years, and we are working with the high schoolers and middle schoolers but this time we have the opportunity to serve the elementary kids so we are grateful for that. On top of that with tuition and the environment, it is important for us to be recognized by the city, and say there is a need and a population that meets the services in support. So I don't want to talk a lot about what I do, but I do want to introduce a couple of people that have received the services and will be receiving the services and.

Saltzman: Bring them on up.

Lopez: The first one, Pedro so he can introduce himself.

Pedro Fartan: Good morning.

Saltzman: Good morning.

Wheeler: Good morning.

Fartan: I want to say thank you very much for giving me the opportunity to speak about this program. I, myself, am a product per se of after school program support from programa Hispano I started in high school trying to fit in and trying to figure out what to do after school. I had a lot of choices, some of them not so good, but I decided to mentor kids because I was given the opportunity to start coaching soccer. From there I started to get involved in a lot of ways, supporting academic enrichment activities through the programs, and got to a point that I believe in the program so much that my sister was also a part of the program. She went through herself and so now that I have graduated college and I've been able to keep giving back to the community, I decided to work for the organization one more time and really continue the values and the mission and open the doors to people like myself so now I get to do that on a daily basis for the students. So I want to make sure that let you know a bit of what's going on within the community. This is something very much needed. There is a lot of supporting for the students and there is also a lot of work being done so I really want to appreciate some of you on the room like Patricia for example works with a lot of kids, and a lot of families, and I think that this is going to get a great opportunity for the community to work with the families of the primary school level because it will be a lot of different things that they can be engaged in and a lot of understanding of new systems for those families so it will be a great opportunity. Help me, help my family and help a lot of kids, I know that graduating high school and continuing to go to college and give back some way or another.

Wheeler: Thank you.

Saltzman: Thank you.

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Lopez: So the next person is a mom, her name is reyna. We were trying to get a couple of students, but since it's at the beginning of the school year, we don't want to miss the classes.

Reyna/Interpreter: Good morning, my name is [inaudible]. [speaking in spanish]

Reyna/Interpreter: I am here to talk about my daughter in tenth grade and I want to let you know about the program and how important it is for her.

Reyna/Interpreter: She is very happy with the program, she has gotten so much better, she's very happy that she is in it and I want you guys to know that and to encourage you to allocate more funds for these programs because I want all students to have this opportunity that she is having because she's very, very happy to be in it.

Reyna/Interpreter: I was also told there is another program that they are going to be doing for elementary school children, and I think that that is wonderful. This is going to help the children with math and different things. I wish you would allocate more funds that all the children in the schools can participate in this program because I believe that would make a difference for the children, and I want you to know how important it is and how much it is going to impact all those families that are being supported through these programs in the school.

Reyna/Interpreter: And I think this is going to help the children, like children come in through the first or second grade and they don't know how to read or they are lacking in math skills and this will help them to support them so they have the skills they need to excel in school, just like my daughter, in tenth grade, she struggled and now that she is in this program that helped her to be a better student, and that is going to help all the students to do better in school.

Reyna/Interpreter: And my daughter, too, is in a program called abbot, the one in tenth grade, and that program as well as the other one, bridge, helped her and I think that those two programs together have really helped her to accomplish a lot so I really think that these programs will help the students to do better and thank you for your time.

Saltzman: Thank you.

Lopez: And I want to say one last thing that this is not only an after-school program. It is a culture-specific program and we work with the entire family and we have an impact in the entire community. Thank you.

Saltzman: Thank you Adrianna and el programa for being here, and next we have reaps Anderson DuBois and Kalie Self.

Anderson DuBoise: Good morning.

Wheeler: Good morning.

DuBoise: Thank you for your time. So I am Anderson duboise, this is Kalie Self and this is Lindsay Perez and and we run the reflections program at over five different sites, so in a sec we'll have Lindsey talk a bit about her experience in the program, but the reflections program is a school time program that promotes leadership. We are working to elevated our students into places of leadership so this is, or during the school day program, and kalie will talk about our after-school program in a second, but our motto is to prepare the next leaders of the future now. We will have Lindsay talk a bit about her experience.

Lindsay Chavez Perez: Good morning. My name is Lindsay Chavez Perez. I am a fourth grader at Oliver elementary. I've been in the reap program for about a year now. It has taught me so many things. Like to do better in class to respect, to always respect the others, and to have discipline, and I've been practicing my patience. Something that I did in reap and I always respect them, how did I grow. How you see me now. I respect my elders, and I've been very happy. I've been a role model for others. Thank you.

Saltzman: Thank you.

Fritz: Could we suspended the rules?

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Saltzman: Yeah, good job. [applause]

Duboise: This is our first time coming into city hall so that's part of what we do, offering opportunities for students to really stand up and extend their voice out, and those are the words that she prepared for you guys today.

Fritz: Maybe one day you could sit here or there.

Kalie Self: Thank you again for your time this morning. I am Kalie Self and I am the site coordinator at park lane elementary school which is in centennial school district. As a native Portlander I have noticed the migration of students of color from the inner city areas in northeast Portland into the centennial school district. So it's been a pleasure and honor for me personally to serve those students and to serve that community as a member of the community. Secondly I just would like to say that it's so encouraging for Lindsay to be here and to see democracy in action, to see the community activists and leaders speak on the things that they are passionate about. Lastly, I hope to see faces and genders like Lindsay, represented at your commission right now because we definitely have gaps in that and representation of students and people of color in this community. Last off I would like to say that we are so thankful to the children, the Portland children's levy for this additional funding. There is definitely a need in this community, and although we have made great strides with our reflections program which first and foremost is a disciplinary program so students who we see are often experiencing conflict whether it be in the classroom with their teachers or their staff, and what we're trying to do is to promote a restorative justice model, so that is to end the patterns and build leadership, and students, in students like Lindsay, and as you can see she's made a complete turnaround and she is here representing that growth and that change that we promote in students. So moving forward this extended programming is going to do lots for the centennial community. We are so excited to provide this extended programming to make culturally relevant programming a part of our daily after-school programming as well as providing not only academic supports but family supports. Providing opportunities for students to see leaders in their community that look like them, and can mentor them to the next steps, so again, I want to acknowledge that Lindsay is going to be a leader of the future, and for the next wave of leaders now and I hope to see her behind the desk where you are now.

Saltzman: Thank you very much.

Wheeler: And we look forward to it.

Saltzman: Thank you very much. Our next program is kairos pdx and we have Zalika Gardner principal from Kairos pdx. Welcome.

Zalika Gardner: Good morning everybody, I'm Zalika Gardner I'm the co-founder and the director of education at kairos. I want to tell you quickly some things about our program and then I have other people there that are going to come up and share it as well and we do definitely come in gratitude, we're four years old so we are a charter school program, we serve currently kindergarten to fourth, when we are full grown kindergarten to fifth grade. We are working to anchor the Albina community we are 73% kids of color, mostly african-american and mixes thereof. Parents are specific about their choice to come to kairos. Our mission is to close the achievement gap that exists here in the city around race, and to that end so academically we have some innovation and things that we do in the program itself, one of them is to really attend to the whole child, so we do believe that academics needs to be you know, rigorous, full of relationships and all those things that we know work for our children, but we also believe that in order for a child to come up strong and ready to lead they need to have a really firm foundation academically, socially, emotionally and culturally so It's really specific about teaching towards assessing for and working on growth in all those areas. And to do so we partner with families, and one thing that we have heard from the very beginning of our program is the need for that extended

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after-school care like it's just a very present need that we, with our current funding model we're not able to make happen for them. So we are really grateful that through the children's levy, we're able to now begin to make that happen and we're excited that we are able to do it within the context of stem, which is where we're heading because we really do believe that it's the achievement gap is really based on an opportunity in wanting to make sure the opportunities are available for all children in our city and in our school. So I have Lydia who is going to share a bit as a parent, and Catrell, who is going to share as a community member, and we come in gratitude and thank you for supporting the program.

Lydia: As she stated my name is Lydia, my daughter has been in kairos since kindergarten and I have had the opportunity to watch my daughter become a leader. She's in 3rd grade now. We went to Florida last year on vacation, and my daughter was intrigued because the humidity, because she had never left Portland, besides going to Seattle and different places like that but to go down south and the humidity was like overtaking her so she thought that she would pass out. She eventually figured out that she wasn't I told her to start breathing or she will pass out. She was more intrigued with all the animals that were everywhere. She was able to catch a gecko and able to explain everything about this gecko like from the feet being sticky so it could stay on the tree, and that's the reason why the feet are sticky so it can climb up the tree. She explained everything, and I want to say that that's because of kairos because she is a leader at kairos. She's not only a leader at Kairos, she's a leader in her community. I can honestly say I appreciate what my daughter has learned. I am also the chairperson for the family council for Kairos and I serve on that particular platform because I want to see our families grow, and I want to make sure that our children are included in everything that all children are included in everything that all pps children are included in because we are a part of pps. Even though we are a charter school, we are still a part of the Portland public school district as well as this program will help me as a working parent be able to make sure that my daughter is somewhere safe, somewhere where she can continue to learn about science and things like that because that is what she loves to do, not only does she catch a gecko, she caught a frog. She was attempting to catch a snail, and I was like ok you are done. [laughter] you have done enough catching of the animals. So the fact that, that she can be who she is and explore science and do different things like that, not just science and math and English or anything that she wants to do, at kairos they teach our children that they can be anything that they want to be in this world. So I want to say thank you for allowing us to be a part of this, but also thank you for funding this program and for allowing the children of color to be successful in school, as well.

Saltzman: Thank you.

Catrell Light: My name is Catrell light, and I am just pleased to be and see something that is being supported that is really a good, outstanding program. How do I know? I work with kids for over 40 years. Now don't, don't tell anybody but it's been over 40 years, and I think that I know what a program, a good solid program is. I am real pleased that you decided to fund them and I hope you continue to, to fund them. Also I want you to know that I am not paid by anybody. So I am here of my own volition.

Wheeler: Thank you.

Light: And I will turn this over to Syd.

Syd Birk: Good morning, I am Syd Birk. I've been in education in Portland since 1969. I retired from Portland public schools in 2003. Since that time I've done a little teaching at Concordia, and mount hood community college, training you teachers and doing some diversity work. When I heard about kairos I was excited because one of the things that has been sort of a passion is how do we close what is known as the racial achievement gap? And then they call it the opportunity gap now, but it's been there at least since 1968 that I

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am aware of and Kairos has that as a mission. On the way in today I asked one of the parents standing there, what is it that you like about this program? And he said, he just sort of gestured with his hands, and he said this. It took me a few minutes and I said what? He says I like the fact that my child can come to school and see other students that look like her and this has been something that we really need to do. Have schools designed for kids who are generally underrepresented in education. They are good students but not well represented and I think that Kairos works on that. There is one other thing that I would like to throw in here, and that is so often we like to discipline kids, and what we call discipline generally means punishment. Kairos is trying to avoid that definition of discipline, its training, it's education and it's helping children learn to be successful. So thank you.

Saltzman: Thank you. Ok and thank you Kairos and congratulations, and then lastly we'll hear from the Latino network executive director Carmen Rubio.

Wheeler: Commissioner while they are coming up if I could make a comment with regard to Kairos, I know there is discussion about the location of Kairos, and I want you to know that I have sent, or am in the process of sending a letter to the school board expressing my support for the continued location of Kairos at Humboldt, so I want you to know we are investing in this program, the results of the program are very good. I don't want to see the school board do anything inadvertently that would derail the good progress that you have already made. We have talked a lot about this achievement gap, and it seems that it would be the wrong time and the wrong thing to do to uproot this program. So I want you to know that I stand with you and I will be working to encourage those on the school board to stand with you as well. Thank you. Good morning.

Carmen Rubio: Good morning mayor and commissioners my name is Carmen Rubio, and I am the executive director of Latino Network, and I am here with my colleague Joel Cesnaros who is our director of school-based programs at Latino Network, and our mission is to transform the lives of youth and families in communities in Oregon. We do this through very high quality programs and dedicated staff, and most of our staff are bilingual, bicultural and have a strong belief in the community self-determination. We are in two counties and in 35 schools and we serve nearly 6800 youth and adults a year and my team and I believe that this work is a privilege and an honor for us to do every day. I want to begin by expressing my appreciation to the staff of the children's levy and the allocation committee for the tireless hours that they put into this work, and we know that this rigorous process ensures that our tax dollars are funding the highest quality and most effective programs. So we are incredibly honored to be considered among the company of the people that we heard today, that was really wonderful. One of our core values is our dedication to complete an equitable education. We currently have programming across the county aimed at preparing youth for success and become college and career ready through culturally responsive and culturally specific programming and innovations. Through our programs we are working with students from pre-K to 12th grade and our data shows that we are facilitating long-lasting and positive change. For example last year 98% of the 12th graders enrolled in the after-school programs, graduated and were enrolled in college or career technical programs. And so today PCL funding will allow, the Latino Network to deepen its commitment to youth across the city especially in the high opportunity areas of east Portland. Our after-school project focuses on young students with, and a number of them being English language learners and particularly those attending kindergarten through third grade across the three schools. And so I will turn it over to my colleague Joel to talk a bit about the specific interventions and the outcomes that we expect.

Joel Cesnaros: Thank you again, Joel Cesnaros, so our program is going to focus like Carmen said in our after-school program setting with K-3, and in particular promoting the executive functioning skills which are the building blocks for the cognitive and social

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capacities of lifelong learning, in order to achieve this goal our program will pivot on the nationally recognized curriculum second step, and second step promotes self regulation skills, social, emotional competence and school connectedness and participants. Youth participating in the program will receive the four core components of the second step which are developing skills for learning, teaching empathy, emotional management and problem solving strategies so what we know is if we can help the students self regulate and be able to have those basic building blocks they will achieve academically. Our goal is to use instructor data as well as teacher data in order to measure effectiveness of the program, and we plan to reach 60 students per year with 20 students at each school site.

Rubio: So that's a bit about our program. If you have any questions we are open to those but we want to say thank you for, for investing in this really critical service. This truly is giving opportunities to our most vulnerable children. So thank you.

Saltzman: Thank you carmen and Joel. Appreciate it. I want to thank the program participants who came here to testify about how these programs are transforming lives, and this investment, you are about to vote on represents \$3 million invested in seven high quality after-school programs and we are very grateful for the work the programs do on behalf of children and families in the city of Portland and I would urge the approval.

Wheeler: Could I ask one more question, Lisa? Could you come back up for one moment please? So Lisa during the public testimony on prior matters, the question came up about the salaries and expenditures of nonprofit organizations. Could you tell us when the selection committee is discussing various nonprofits, what is the conversation around things like overhead? Do you have standards? Do you have comparators or how do you address those issues?

Pellegrino: We limit, so each grant proposal, you know, submits a budget along with a proposal to the staffing that they want to cover, to be able to deliver the program. There's usually is also an administrative cost to delivering any program and we limit that administrative cost to 15%. So that's the upper end, not everybody takes that full 15%. So sometimes that is an element that reviewers will note is that this program can be delivered and perhaps cheaper. So it weighs in but I would not say it's necessarily decisive since where he set a cap on how much they can claim.

Wheeler: And it's my understanding that you don't necessarily just hand over grant money, there is a continual conversation about these types of issues? There is an engagement process?

Pellegrino: Oh, yes.

Wheeler: Could you describe that briefly?

Pellegrino: Yes. So each contract is negotiated and each budget has been approved for that so that goes through a staff vetting process before we make the grant. Then people have to collect a lot of data, most of which is not very fun for them but they do anyway. So we track five major metrics for all programs. We are looking at are they meeting the goals for the number of kids they reach? Are they meeting the goals for the level of participation that we are expecting? So we want students to show up for this program, it's not enough that they came twice, right, so we are tracking the level of attendance. We are tracking the outcomes so every grantee sets outcomes for the program and they have to have a way to measure it and we give them assistance in figuring out how to do that. So they have to report on us annually about outcomes and we asses that. And we also look at the staff turnover because that's an issue the program quality, in addition we provide other supports for quality improvement in each of the program areas so folks have access to some assistance to improved quality as on a day by day youth development program delivery or how you coach staff to be a good supervisor so you retain your staff, those kinds of supports. So we are monitoring that and reporting that on an annual basis to the allocation

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committee that looks at all of those grant assessments and before we renew a grant or consider it again we would look at that cumulatively.

Wheeler: Thank you I appreciate that clarification. Colleagues, any other questions while she's up here for now? Very good, and thank you. Public testimony.

Joe Walsh: Good morning, for the record, my name is Joe Walsh I represent the individuals for justice. We totally support this program. Obviously, if you know anything about us, but there was a question that came up, and this is a question, we listened to sessions yesterday and we realize that you are going to have a problem down the line, somewhere with the federal government and the funding. We are concerned that these programs that are outstanding and again, let me say that we love this program. If that happens, then the feds start to cut the funds. We usually criticize you for having too much in reserve, but we are cautioning you that that's going to happen one way or the other. Either we are going to have a financial disaster, with this group in Washington, or it's just going to happen because mother earth is just really mad at us at the moment, and these expenditures are hurricanes and earthquakes, is going to get to us, so we're concerned that if you create these programs and you fund them and you expand them, please take it with the feds, that the feds may cut your funding, and what do you do then? Are you going to guarantee these kids a continuation of the program? We would fight you tooth and nail before we let you cut these programs, but often you don't pay attention to us. So I am just cautioning you. I haven't heard anything today that gives us any feeling that you are thinking in those terms. Good program. New funding. What happens if this jerk up here pulls funding from the feds? And it's going to happen. We know it's going to happen. We just don't know how bad it will be, but it ain't going to be good. So we would just caution you, congratulations on the program. It's a wonderful program. You should be proud of what you are doing. I often criticize you as I did this morning. However when you are right, you are right and I have often said that over the ten years, and you are right on this one. You should be proud of it, but please have a plan b because we are in for a really difficult three years.

Wheeler: Good morning. Sorry.

Lightning: Good morning. My name is Lightning I represent lightning super watchdog x. Now maybe -- I didn't hear you properly commissioner Saltzman. The grant total allocation is \$1,032,000. I think you stated \$3 million.

Wheeler: You are right, I am wrong. Sorry.

Lightning: Just for a correction there. Issue number two is that I really like the choices, so I absolutely approve of all of the grants, and I know you will do very well. One of the questions that I have is not separating myself from the picks, is I noticed some of the numbers here of \$210,000, some as low as \$100,000. I wasn't sure how you would actually determine how to allocate towards each group from the grant process. So that was just kind of a question to me because I saw some people on the lower side of the \$100,000, so it was kind of a concern to me. Also if I heard properly I thought it was stated that there would be a 5% administrative cap, then I heard somebody else state no we calculate that in at 15%. Maybe I heard that wrong also, but, so I heard two different percentages so it was just a little bit confusing to me because when I heard 5% I said that's really good, that's really amazing that you can do that. Another thing I'd like to see possibly is I know a lot of younger kids in school some people that have a real creative ability and may not want to follow the structure of the schools, and I didn't know if you had a program that kind of you put them into these grants given out to where kind of for more of a creative process type of style of young kids that they can actually have certain kind of courses to be tailored towards the direction that they might be going in the arts or maybe in you know, of more creative direction, so I didn't see anything in here, maybe what I am

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trying to say is kinds of An entrepreneur, innovation type education direction. It may be some of these different groups are the grantees, you do provide that even at a young age which I think is very necessary to understand, not everybody is going to go to Harvard, such as mayor wheeler, or mit, commissioner Saltzman or Harvard as commissioner Fish. Which I am not putting Harvard down by any means.

Wheeler: I will.

Lightning: You did attend there if I am correct.

Fish: A got a better education at northeastern.

Lightning: So that's more than fair but I want to have that creative style of individual in the city of Portland make sure that they have the opportunities, after-school courses so they don't get left behind, which obviously a lot of them do and they end up not completing their education. Thank you.

Wheeler: Thank you sir.

Saltzman: If I could -- go ahead. Go ahead and take a seat but you raise a good question. I want to clarify that yes, today we're asking you to invest a million dollars in new money. The allocate committee is sitting on another almost \$2 million that we'll be bringing forward those recommendations later this fall. The administrative cap, the 5% administrative cap applies to the children's levy program itself, the administration of the children's levy, the 15% cap applies to the organizations that we fund. Good point, good catch.

Wheeler: Very good, Colleagues, any further questions, commissioner Saltzman? Anything else?

Saltzman: Nope.

Wheeler: Please call the roll.

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

Fritz: Thank you commissioner Saltzman for your continued diligence on this and its truly a legacy project and resulting in 98% graduation rate, that's pretty impressive. Aye.

Fish: Thank you for an outstanding presentation, director Pellegrino and thank you particularly for bringing the stories from the community forward cause I think it's important for people to see the lives that are affected by this program. I continue to think that Dan this will be your singular legacy on this council. Aye.

Wheeler: I think that it's great and I once many years ago had the privilege of serving on the allocation committee, and needless to say that I thought people were very, very engaged, and I thought that the vetting was intensive by the staff prior to it coming to the allocation committee. The allocation committee asked lots of probing questions, so I feel like the reason it's easy for us to vote yes on this today and the results of these organizations are good because we have that vetting process that lisa and her team and the volunteers on the allocation committee could provide to the process, so it's very well structured in my opinion to make sure that the programs that are the programs that are the most worthy rise to the top, and therefore it makes it easy for us to have these conversations. I absolutely vote aye. The ordinances is adopted. Thank you all for coming in and thanks for the -- Dan I thought it was a great group of people providing testimony today. Thank you. Karla would you mind reading the next two items together, please 1031 and 1032.

Item 1031.

Item 1032.

Wheeler: Commissioner Fish.

Fish: Thank you very much and colleagues I apologize for the timber of my voice. One of the medications that I am on which is a steroid, which is going to prevent me from playing professional football, has the effect of suppressing my voice, and Mr. Walsh is nodding and perhaps nodding in part because different people have different opinions as to

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whether I should continue on this indefinitely to lower the decibel level from this chair, so, but it has the effect of suppressing my voice. Colleagues the Portland water bureau has had corrosion control as part of our water treatment system since 1997. While the water bureau remains in compliance with the environmental protection agency's lead and copper rule, today's proposed council actions will improve the corrosion control treatment system. The proposed project is part of a compliance schedule with the Oregon health authority, and is planned to be completed by April 30, excuse me, 2022. We have an all-star panel that I would like to introduce. Celeste King from procurement services, Teresa Elliott, the chief engineer of the Portland Water bureau, and Michelle Cheek, senior engineering, Portland water bureau. They are going to give us a presentation about a competitive design contract and a proposed competitive solicitation for the project. Welcome.

Teresa Elliot, Portland Water Bureau: Thank you. I am Teresa Elliott, and I am the chief engineer of Portland water bureau and I am primarily here as moral support and to help answer questions. Michelle is going to do our presentation, and then Celeste is going to talk about procurements part, and then we'll be available to answer questions.

Michelle Cheek, Portland Water Bureau: Quickly, Lindsay has left but more power to that lady for sitting up here and talking in front of you. This is very intimidating. Even as an adult and professional. I am here with an update on the corrosion improvements project and in support of that get your approval for a pte design contract and the also an alternative procurement process for the construction. The corrosion improvement process will design and construct a new corrosion control treatment facility, which will also include support facilities, including a new utility water pump station, and associate piping and support systems to make the treatment facility operational.

Wheeler: To put you at ease can I start off by thanking you for something that may seem small but it's not. Thank you for actually doing the overheads in type that people can see. We've been putting out the word, I think Mr. Walsh, who first raised this issue a number of weeks ago, and you are amongst the first to actually implement it, so thank you for that. It's a great standard.

Cheek: I would love to take credit for that but I will -- Gabe is the one that --

Wheeler: Pass it on.

Cheek: Yes, thank you.

Wheeler: There is a lot of people at home who struggle to read this slide because they are too small and I do as well. I will confess that so we appreciate that.

Cheek: Sure.

Cheek: So in March of this year we were at council to talk about the corrosion improvements project, and in early March you gave us, or you approved our request to move forward with the contract for the corrosion control treatment pilot, so we have kicked off that work, and it's underway, and then on April 5 we completed our water quality corrosion study, and submitted that report to OHA in accordance with our compliance deadline and we presented the results of that to council in early March. In April of this year we also released the RFQ for the design consultant and the contract that we are here to get approval for today as a result of that RFQ. In mid May OHA approved our modified schedule for improved corrosion control treatment which accelerated our schedule by five months and then in June, at the end of June of this year we submitted our pilot study plan to OHA again in accordance with our compliance schedule. So current project activities that we are working on, we are here today to get your approval for the pte design contract and.

Fritz: Could I just interrupt you and this is a bit of a negative, could you say what the acronyms mean? Thank you.

Fish: On this one.

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Cheek: Ok. Pte, professional technical engineering services. I use these so often I forget what they actually mean and cmgc is construction manager general contractor. Yes. So upon approval of the pte design contract today we will begin some early design task on the corrosion control treatment facility, that are required regardless of the treatment alternative that is selected, so things like geo technical work, surveying work, surveying of existing facilities to figure out how to integrate the future facilities with the existing facilities and then at the end of this year we'll be implementing improvements to the lead hazardous reduction program as part of the interim lead reduction program that was submitted to the state, we are working with the Oregon health authority to evaluate the education component of the lead hazard reduction program and any recommendations that come out of that will be implemented as a part of the improvements to that program. So future project activities. We are currently well on our way to meeting our future compliance deadlines. July 31 of 2018, we will be submitting our recommended treatment alternatives and the results of our pilot study to oha and then immediately thereafter begin detailed design of those recommended treatment improvements. April 30 of 2020 we are required to submit our treatment plans and specifications for that facility to oha, August 1 we are required to begin construction of the facility, and then April 30 of 2022 is when those facilities are required to be online and operational. The project budget for the project is \$19,916,000, and that includes the design contract and the cmgc contract estimate, and also pwb management and staff involvement time. The design contract that we were bringing forward today is for \$3,325,000, and the cmgc contract estimate is \$11 million, and the total project estimate has a low confidence level given that we have limited design done at the time.

Wheeler: Can I ask a top line question. So between the cmgc and the design contract, 11, 12, 13, 14,325, what's the rest that gets you the 19.9?

Cheek: Yes. That's pwb management staff involvement time and also some contingency given the low confidence level of the project.

Wheeler: Very good and what typically do you put into contingencies? 10%. What is the contingency?

Cheek: Low confidence levels up to 50%, possibly greater. Given the lack of detail that we know at the time about this.

Wheeler: So this is very much than conceptual at this point? So these are numbers, basically ballpark numbers? At best?

Cheek: Correct, I think technically the description is an educated guesstimate.

Wheeler: And then you have come back as you refine the guesstimate with more detail?

Cheek: Correct.

Wheeler: And at what stage do you do that? What are the points along the line to get towards more confidence?

Cheek: So in each of the design milestones, we will be completing construction estimates or new estimates for the construction, and also the cmgc contractor will be brought onboard early in the design process and we'll be giving us a guaranteed maximum price for the construction phase of the project early on, and celeste will, or somebody from procurement will be coming back to council to present that.

Wheeler: And just so I understand that on the cmgc portion of that, if -- we will agree on the design parameters, and then after the construction if there is any cost overruns they eat it not us. Is that correct? Or how does that work?

Cheek: Yes. That is generally correct provided -- I mean they are providing a guaranteed maximum price based on a specific scope of work.

Elliot: So if I may commissioner, Teresa Elliott chief engineer. A guaranteed maximum price is what we bring forward as the construction contract and as long as nothing has

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changed in the scope of work, if the price is overrun they eat it. If there is something that the city or bureau added or if there's major differing site conditions outside of the scope of the contract, then the language of the contract says that we will negotiate a change.

Wheeler: So the beauty of cmgc is that you have the maximum, the downside is we need to make sure the upfront work is sterling, right? That's where the protection is for us.

Elliot: And it's also the other protection is by bringing the contractor onboard during design we have the ability to remove the risks because we can do exploration stuff in advance and the contractor is more aware of what's being designed and what's being built.

Wheeler: That's helpful. Thanks for that. That's helpful for me to understand. Thank you.

Cheek: And that covers my slides, and so I will turn it over to celeste and I think a lot of this we covered already.

Celeste King, Procurement Services: Ok. Good morning commissioners and mayor, I am celeste king, the procurement supervisor in the construction group. So the city attorney has reviewed and approved the findings as they are attached as exhibit a. Finding them in compliance with the requirements set in ORS 279 in city code. This project will benefit by being outside the standard low bid process by having the ability of all parties to work together on the design elements, significantly early in the project. Having the construction contractor brought in early will likely result in a better project. Another benefit would be working together on sequencing and scheduling to maintain continued operations and meet waters compliance deadline. Water and procurement will work on developing the subcontractor and supplier equity plan for this project and agree that we will aspire to exceed the standard goal in maximizing the participation. The dmwesb utilization goals will be one of the evaluating factors in the request for proposal process, which is not available to us in the standard low bid process. The dmwesb goals will also be included in the contract negotiations. Today we are asking for approval for the ordinance to authorize an exemption from the competitive bidding process and authorize the use of an alternative contracting method, cmgc. In connection with the corrosion control improvement project in an amount of \$11 million. Thank you.

Wheeler: Thank you.

Elliot: Any questions?

Saltzman: Where will this facility be located?

Elliot: We are looking at our Lusted Hill facility. It's not in the watershed itself but up in the, basically it's used as the agricultural area in Clackamas/Multnomah county.

Wheeler: Very good.

Fish: If you will stick around in case there are any questions?

Wheeler: Public testimony?

Moore-Love: Yes, three people signed up.

Wheeler: Good morning, Dee do you want to start today? Thanks.

Dee White: My name is Dee White and once again the water bureau and the city of course is going to approve this. It is putting the cart before the horse. You are going to build a treatment facility to dump a bunch of more, a bunch of chemicals in the water and have to dump more than you need to because you haven't flushed the pipes and flushing is best practices, it was recommended in the black and vetch corrosion control study that they are being informed for this next corrosion control study that they are doing, and black and vetch one of their suggestions was to flush the pipes, and we brought it up at the budget meeting and you had -- flushing pipes is best practice. You all do seven miles a year that makes it so with 2,700 miles of pipes here, that means that the pipes don't get flushed but every 75 to 100 years and there are probably some that have never been flushed. That's a major reason why the watered is corroded, the major reason we have got lead is because the water corrodes the pipes and there is bile film on it, there's scale. It's all -- the water

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bureau instead of doing the maintenance, they are so far behind in maintenance that they are going to build new fancy glamorous projects that are way overpriced. There was \$5 million spent back in 2013 on an expansion at Lusted Hill and the design and I don't know if it was constructed, I don't think that it was but the design, \$5 million given to an engineering firm for an expansion was that not looked at? Plans were made, \$5 million was spent, all this -- I don't know if you have ever been to Lusted Hill and like we don't know if it's going to go up at Lusted Hill, you will have to do a wildlife survey on the last contract. The public doesn't know anything about this. You all -- you don't know where you are going to do it. You do know but you are not going to let the public know. The last -- in the fall, well, last year the EPA and the OHA, we exceeded the lead action plan, the action level. No level of lead is safe but the EPA, gets above 15 the EPA comes in and says that you have got to do this. Well this hasn't been mentioned, either. The test, you know, you all threw chemicals in and you said you were going to raise it to 8.0 or 8.2. The results come in, and the latest test from the last quarter action level is 14.75. Right below the action level. The p.h. is 7.9. Good lord. Has that three minutes gone by? Can I read one more thing?

Wheeler: One more thing.

White: Mister Rogers says life is deep and simple and what society gives us is shallow and complicated. This is so much like what the water bureau, everything is complicated. Everything and it's so simple.

Floy Jones: Good morning. Floy Jones, friends of the reservoirs, and I have only had an opportunity to briefly look at this black and vetch report from April 2017 it's about 400 pages, but it brings up issues we talked about for years. I served on the water bureau budget committee, I often pushed for flushing of our system on a routine basis, and that was ignored. I will give you a story from 2004 which I think represents how all these projects go. The water bureau had a public meeting out at the community center on 106th off of Stark, and they were pushing all these big build projects, and the water bureau employees were milling around before the session, and lamenting the system was so simple, they go to the conferences, and they come back and everybody was having fun. The end of the session I asked the director, why is it that you spend so much money on consultant studies and yet the auditor said you need to do these maintenance projects. You are not following them, his answer was design is glamorous and maintenance is boring, that theme has continued out in all these years, 16 years of looking into the water bureau issues. The water bureau number of employees used to be historically 425 employees. Then when Randy Leonard got into this big let's raise our rates, starting with 17 point whatever it was, and every year big rate increases, it expanded, we're well above 600 but you don't allocate the staff enough staff to be doing this, you know, uni directional flushing which needs to be done routinely. And that's part of the report that the p.h. that we put in the water would be more effective if there were not the biofilm, and it talks about that in this report. The other issue is cancer-causing nitrification, we said you eliminate those open reservoirs and we are going to have nitrification, EPA documented it for decades that's the problem and they said we failed to address that in the EPA It2 rule. Awwa talks about that, it's talked about in this in this black and vetch report. I continue to go to the wholesale customer meetings and I don't understand why the water bureau and the wholesale customers are not together down there at the Oregon Health Authority and talking about this together. Every meeting was just there last week. You are going to do this, build this plant and you are going to create problems for all of these outlying areas because everybody has all these water sources. I don't know if you can intervene, you know, I have done public records with the health authority before and it's not that it is health authority necessarily pushes these time schedules, it's the water bureau, wants

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these time schedules, if everybody met with Oha together we might end up with a better result. I think you need to reallocate the funds and put it into maintenance instead of designing and building.

Wheeler: Thank you, good morning.

Joe Walsh: Good morning for the record I am Joe Walsh I represent individuals for justice. We support everything that was just said. One of the things that stunned us was low confidence. No project should go forward with a low confidence rating. None. It should be automatically stopped. Until you get to reasonable or high confidence. We know what we're doing, that's the area up there, we know what we are doing, not low confidence. You are talking about a lot of money, about millions of dollars and it always sounds in the presentations that we got this under control. We got this figured out, and almost every project doubles, why is that? Why does that happen? You can answer, why does that happen? Every project that goes through this council, if it's underbudget and on-time you stand there and have a cocktail party and celebrate. That's how unusual it is. Does it happen? Yes, it does. Does it happen often? No. It would be interesting to do the statistics on it and I would like to see the statistics on low confidence. How about that? Let's do a statistical analysis on low confidence on a \$10 million project if we had to raise the fees and commissioner Fish, it's.

Jones: Could I take a couple seconds of your time?

Wheeler: No this is Mr. Walsh's time.

Walsh: I can give her my time.

Wheeler: Fair enough.

Jones: I just want to make one more comment on the alternative procurement contracting because that happens a lot, again over the last ten years. In the document submitted to you it says this does not support favoritism but again go back and look at every time they do this. It ends up being the same corporations getting the contracts so, you know, it may help them in designing and carrying out project but ends up with favoritism. You can go back and see CH2M Hill, CH Global, and like I said earlier those names have changed now because they were bought out this summer by a bigger conglomerate, but that's another big issue that needs to be looked at.

Walsh: And let me hitch on that. We have a consensus here that we would like to see the minority contractors get more business. We all say that and again when you say it it's all sugar words because it does not mean anything when you do this stuff. You have to go out and get minority contractors and work at it. Not just take \$10 million and throw it out there and say, well, this guy over here has all of the facilities. He can do it real easy, or she can do it real easy. You have to work at it and that's what we're saying we object to this, and we are on the record to object to it and please in the future don't say nobody objected. We did. All three of us.

Wheeler: Very good. Is that it for the end of the public testimony on this item?

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

Wheeler: Could we have staff come back up and we'll go through some of these issues? If I could and I won't remember all of them but the comment was made why would we start on this if we don't have reasonable or high confidence. Could you explain?

Elliot: I would be happy to. Back in --

Fish: Introduce yourself.

Elliot: Teresa Elliot chief engineer. I believe in 2008, maybe 2009 city council adopted an ordinance on what kind of confidence rating that they wanted to be applied to all contractors and ordinances coming to the city council. If the project is in planning or the beginning of the design it is considered to have a low confidence rating. If it is at 100% design and going out to bid it has a high confidence rating, which means that it has still a

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plus or minus 20% contingency. A low confidence has plus or minus 50% contingency according to your confidence ordinance passed by city council.

Wheeler: Thank you. That's helpful. The comment was just made with regard to minority contractors, could you state what the commitment is?

Elliot: During our alternative procurement project we negotiate with procurement and the contractor to set what the goals are. We always look at what the current city goals are for mwcsb participation for both the contractors and for workforce, and then we work to make sure that we exceed those, the current ones for the alternative projects that we have going forward right now is 22% for mwesb participation and 12% of that going to minorities, at least 5% going to women, and 5% going to anybody else. I don't anticipate the goals ever dropping below those so I am expecting it to be at least those numbers.

Wheeler: Very good, thank you, colleagues any further questions before we move these? Commissioner Eudaly?

Eudaly: I would like to know how to get on the invite list because I have not been invited to a single city council cocktail party all year.

Elliot: I haven't, either.

Wheeler: Very good, with regard to item 1031 this is the first reading of a non emergency ordinance it moves to second. With regard to item 1032 this is the first reading of a non emergency ordinance it also goes to second reading.

Elliot: Thank you.

Wheeler: Next item, 1036 has already been removed. Is that correct?

Moore-Love: Yes, but we should read the title.

Wheeler: Go ahead and read it.

Item 1036.

Wheeler: This has been moved to the 27th of September, so we are not discussing it today. Next item please.

Item 1037.

Wheeler: Colleagues the city has benefitted from having a on the ground team in Washington D.C in order to get in front of our delegation, the administration and work groups like the United States conference of mayors. Having a presence in d.c. is essential for the city to make sure not only our friends in the congressional delegation know our priorities and values but that the current trump administration continues to know that Portland as well as other cities stand as engines of ideas and our nation's economy and Portland and our communities won't be trampled by this administration's divisive brand of politics. I have appreciated the work of Vicki cram in particular and her team to represent the city's interests. She does fantastic work and I look forward to continuing our work with her. I have had the opportunity to go back and meet with our delegation and I found Vicki's help vital to the success of those meetings that I have had in d.c. Thanks to Elizabeth Edwards and her team for being here. Nils Tillstrom is here. Carey Pfaffle I don't know if she's here, but thanks to her for running a thorough process. Elizabeth, all yours.

Elizabeth Edwards, Interim Director, Office of Government Relations: Thank you, Mr. Mayor. Commissioners. For the record Elizabeth Edwards interim director with the office of government relations. You've covered a little bit of the background. We have obviously dedicated staff here in Portland that work with our Oregon delegation and locally but having that presence on the ground is incredibly important to advocate on behalf of the city's interests and it's really not just about congress or key committees or the administration or federal agencies but as you highlighted also the national organizations that share the city's values because it's not just about the federal government, it's about national politics. That's why it's so essential that we have a knowledgeable, strategic physical presence in Washington d.c. So before you today we are bringing an ordinance

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too allow the office of government relations to enter into a contract for federal representation, our current one expires in October and just a way of background our current contract is with Squire Patton Boggs. We extended it, it was going to expire at the ends of August and we extended it through October in order to allow for a more robust procurement process. Starting in April this year our office worked with procurement services as well as the mayor's office in order to issue a request for proposals. We were looking for responses from individual or firms that have demonstrated experience working with the federal government and representing other cities or municipalities. Unfortunately this April rfp didn't produce sufficient responses for a competitive procurement process and so we canceled that rfp, and we reissued updated and reissued the request. In July with the help of procurement services an evaluation committee comprised of four city employees, a mix of council offices and bureau representation as well as one external member of the public from the excellent minority evaluator program. After review and discussion of the proposals, the evaluation committee ultimately determined that Squire Patton Boggs provided the best proposal and awarded it the highest score. The contract is for three years with the opportunity for a single extension for an additional three years. The amount is not to exceed \$198,000 per year and the funds for the contract already exist in the government relations budget so no additional funds are required. I would also like to echo thanks to Nils Tillstrom and Carey Pfaffle for helping shepherd this process through and with that I'll close my remarks and happy to answer any questions.

Saltzman: How many companies proposed or responded to the rfp?

Edwards: We ultimately had three viable proposals come forward. It's an area where of lobbying that doesn't have a wealth of folks practicing in that area.

Wheeler: Commissioner Fritz.

Fritz: Well I appreciate the robust process in going back out since we didn't get it. I was also very happy to see the contract awarded with Victoria Cram's being our representative. I'm getting old enough people start retiring hither and yon. So I'm just wondering I don't know what Ms. Cram's plans are, but supposing she were to decide not to continue working for the firm, what would be -do they have viable alternatives?

Edwards: Commissioner Fritz, yes, as part of the proposal it's not just Vicki but she's supported by a whole team of folks. So there's a bench there, but Vicki is our primary point of contact.

Fritz: I have been very impressed with how successful we've been at the federal government. So thank you.

Wheeler: Very good. Is there public testimony on this item? Very good. Good morning.

Lightning: Good morning my name is lightning I represent lightning super watchdog x, president trump, are you going to give federal funds to the state of Oregon? Do we have lobbyists in there that can communicate to you in a reasonable manner to ensure that we get those funds? We have a lot of city commissioners in here that think that stopping the city in its tracks hurting the overall city economically is going to send a message to the current administration, but I think the current administration is going to send back a message and say we're going to stop your funding like we're going to do North Korea and we're going to remove half of you from out of your seats and you know my question here is this that we have two senators that really speak out against the current administration or they speak out against somebody who has been elected as the president. Now in my opinion if you're going to do that, make a stand, make a stand like North Korea, be willing to lose everything economically, be willing to stand there and say "I don't like you" and it doesn't matter. Make that stand, stop all the federal funding coming to the city of Portland, make your stand. We have lobbyist that we're paying \$200,000 a year to try to create ways to get that funding. Are the current senators right now working alongside the lobbyist? Or

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making it difficult for the lobbyist to obtain any type of funding from the federal government? What is their job? What are the jobs of these elected officials here? Anti-trump? Anti-sessions? Anti-federal grants? Make your stand. Be willing to make your stand like north Korea. Be willing to take your whole economy down like north Korea and remember one thing. These elected officials here when you do that you're not going to be sitting in those seats and I have a statement to all of you that think you can negotiate with the current administration in the manner that you think you have up to this point. Guess what. What is he doing with north Korea now? What is he doing at the united nations right now with north Korea who made that stand. I ask any of you elected officials what is he going to do with north Korea? That's what he's going to do with the city of Portland. These lobbyists don't have a chance to get any money. They don't have a chance to get anything. They don't have a chance because when you go in to negotiations with the same mind set as Kim Jong-un, who is a complete idiot, an idiot, who should be removed, if you go in with the same mind set you're going to see what happens to Kim Jong-un and his regime in the same way that trump administration will come back and let you know. We will destroy you economically. We will destroy you military and you know let me ask you something, mayor wheeler, since you're here.

Wheeler: I'm always here. Easy to find on Wednesday.

Lightning: Do you think you'll help these lobbyists get any money from the federal government by denying the right to go over and sit at a meeting with Jeff sessions? Just look at his face and say you know what --

Wheeler: This is off topic but excuse me.

Lightning: No it is not off topic because they go and lobby for money with these same people.

Wheeler: Excuse me. Okay. If you let me talk -- I will actually answer your question.

Lightning: Fair enough.

Wheeler: Number one I disagree you say I don't like. This isn't personal. I profoundly disagree with this administration's policies vis-a-vis sanctuary city, and I'm not putting that out there as a statement of value. I'm putting that out there as a point of law. The attorney general can have his opinion with regard to sanctuary city but guess what. The federal courts including a judge in Chicago appointed by republican Ronald Reagan agrees with us and disagrees with the president and disagrees with the attorney general. I stand on the principle of law. For me as an elected official, that is what I'm going to continue to do. So guess what. I believe both we will stand on that principle and I believe we're entitled to those federal funds and we will continue to fight for them and this firm which works across the aisles, I don't know Vicki's politics are and I don't care, but I know she has a lot of clients who are republicans as well. We will continue to work with her to fight for the funds that we believe we are entitled to and uphold the law which is what we are obliged to do but thank you for your testimony. Any further --

Lightning: If I might respond real fast, I respect your debating back and forth in a reasonable matter.

Wheeler: I always appreciate yours as well. Thank you.

Lightning: We need to understand what these lobbyists' positions are. They are representing us, they are representing how much money we're going to get and when we negotiate and see what north Korea has done with the current trump administration it's a lesson to be learned. It's a lesson to understand whoever is the president we need to go in there and negotiate in a reasonable manner which will benefit the city, not bankrupt it like north Korea. Lesson to be learned. Lesson to watch. Thank you.

Wheeler: Thank you, sir. I appreciate it. Any further questions or comments on this one, folks? Thank you, Elizabeth and Nils, for coming in. This is the first reading of a

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nonemergency ordinance. Commissioner Fritz, at the bell.

Fritz: Just before you gavel I'd like to associate myself with your remarks and thank you for speaking on behalf of the entire council.

Wheeler: Very good. I shouldn't presume to speak on behalf of the council but I know we have had these conversations and so I took that liberty and I appreciate your stating that. This is the first reading of a nonemergency ordinance. It moves to second reading. Thank you. Next item, please.

Item 1038.

Wheeler: This just goes to prove that we cover all kinds of topics interesting to the mundane, all equally important. Colleagues omf periodic reviews and updates city code and administrative rules to reflect current practices and requirements. These three accounting administrative rules pertain to accounting of citywide capital assets. The content and structure are revised to provide clarity and improve usability. As a practice omf brings revisions of administrative rules to city council for formal approval and we have two wonderful people here to tell us about it. Good morning.

Michelle Kunec-North, Office of Management and Finance: Good morning. Thank you, mayor, council. I'm Michelle Kunec-North with the office of management and finance with me today is Michelle Kirby, the city controller and we have a resolution to amend and repeal a set of city-wide accounting administrative rules. This is impacting three financial administrative rules. All that provide guidance to financial staff about the appropriate way to account for capital assets across the city. We are making a set of changes as mayor mentioned primarily for usability and clarity. Most significant changes are to financial 6.11. That administrative rule has been repealed or with this proposal would be repealed and completely replaced. Much of that is because of structural changes, improved clarity and incorporation of what was 6.09 relating to computer software, which we now consider a capital asset and have included in that larger 6.11 policy. Then finally, financial 6.12, disposal of capital assets, had some less -- sorry, more minor changes for clarity throughout that administrative rule. Michelle is here to say a few words and also to answer any specific questions you might have about these changes.

Wheeler: Very good.

Michelle Kirby, Office of Management and Finance: Good morning. Michelle Kirby, city controller. Not to confuse you with the two Michelle k show here. The city is required to follow generally accepted accounting standards as set forth by the governmental accounting standards board or gasb. The accounting admin rules provide guidance as to the appropriate accounting practice and procedures for the city to use and it also reflects best practices. As Michelle mentioned, the admin rules discussed here today pertain to capital assets and it's important to note that there have been no recent changes in the accounting standards pertaining to capital assets. The revisions presented here today restructure the content, add clarity to items that were deemed a little confusing based on bureau questions and feedback. These capitalization rules are very complex. The numbers are large on our balance sheet, and revisions presented here and there's also accompanying procedures and examples, are meant to be a useful tool for city financial staff and decision makers. So I would be happy to answer any questions.

Wheeler: Commissioner Fritz.

Fritz: Thank you mayor, first of all, why is this ordinance coming -- this resolution coming to us? Is it the office of management and finance doesn't have the authority to make its own administrative rules?

Kunec-North: In this case actually the chief administrative officer does have the authority to adopt changes to these rules, but it's omf general practice if there are more significant changes being made to bring them to council for review and approval.

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Fritz: Excellent practice, thank you and great answer. Second question, in exhibit b there's a change from monitoring to compliance, in monitoring to compliance. The existing rules require annual reports to council on non-compliance of disposal of capital assets. I don't remember hearing one, Have those reports been provided and if so when? And if not is that because there have not been any instances of noncompliance so for some other reason?

Kirby: The reports that would come to your attention would probably be like significant nature. Comparable to like an audit finding which we haven't had over the last couple of years.

Fritz: I don't think I have had one at all in the eight years I have been here. So, but that's because you are checking to make sure everything is in compliance.

Kirby: Right. One of our performance measures is to have zero audit findings and so we do monitor ahead of time and work with the bureaus, provide them guidance and tools such as this to keep things moving smoothly in the way they are supposed to be.

Fritz: So as the city controller which I think is one of the best job titles ever is it your responsibility to let the council know if you find something out of compliance?

Kirby: If it was of a significant nature.

Fritz: Ok, under the new rules, how will the council or the commissioner in charge be aware if a bureau is out of compliance of the rule because it changes it from requiring the reporting to not requiring the reporting. That's in exhibit b there's a sentence struck.

Kunec-North: So you're specifically referring to the last sentence of that monitoring section?

Fritz: Correct. It's changed from monitoring to compliance and it deletes the controller will report all instances of noncompliance annually to the chief financial officer and city council.

Kirby: Well -- I work closely with the chief financial officer and the city auditors on a regular basis. So the reporting mechanism would come through not specific to this admin rule but as part of the overall financial audit of the city, where we present the findings and they include reports on internal control.

Fritz: Right, that's exactly what my chief of staff said but cafr is usually about three inches thick and it's not something I'm necessarily going to dive into. Would it give you heartburn to keep that sentence, maybe even just remove the word annually, that the controller will report all instances of noncompliance to the chief financial officer and city council?

Kirby: It would not cause me heartburn.

Fish: Second.

Wheeler: We have a motion on the table from commissioner Fritz, a second from commissioner Fish. Any conversation on that issue?

Fish: I want to echo the sentiment of my colleague and friends and I think actually I'm sorry the cfo is not here to field a couple of these questions because I think what commissioner Fritz is getting at is an accountability tree. Since we have established an independent cfo whose job it is to report to the cao and directly to council, I actually think that and the independent budget office have transformed in some ways our work. I think it's important to know that the cfo feels that this language is satisfactory so that we get a referral if there's a significant accounting problem.

Fritz: I agree, commissioner Fish, since we have had the independent cfo reporting to all members of the council Ken Rust has given me lots of information on the cafr in very detail so I'm confident the incumbent of that position would we're looking for another one. I just feel more comfortable if we on exhibit b, page 1, if we just keep a slightly amended version of the controller will report all instances of noncompliant to the chief financial officer and city council.

Fish: Can I add a legislative intent? Since potentially the chief financial officer is watching

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this, this is going to go -- this is a resolution. Excuse me. No. I withdraw it.

Fritz: It is an administrative rule, so is it turns out.

Fish: I think it would be appropriate for the cfo to let us know in writing if this does not accomplish the goal you have established.

Kunec-North: Just to let you know, these changes were reviewed by ken rust, the cfo, by tom Rinehart, the chief administrative officer, and by the city attorney's office.

Fish: Good, I move the amendment.

Wheeler: Very good. Is there any public testimony on this item? You can cool your heels and we'll get right back. Thank you very much.

Fritz: Thank you. Good morning.

Lighting: Good morning my name is lightening. I represent lightening super watchdog x. One of my biggest concerns on the capital assets of this city is I would like to see the auditors do an audit every year on the capital assets. I want them to be watching the valuations that are being put into place. I want them to be watching the transfer of the assets, and what I'm talking about also is that when we're talking about, say, one bureau from the water bureau and we transfer a property over to, say, parks and recreation, now let's just say that property was donated and we have a certain low value on the donation. It should be in my opinion not transferred over to the other bureau at a market value. Now, there have been times when that has happened and why I say that is if we already own the property once, I don't want to see the public paying twice for the property if it transfers to another bureau. That's my biggest concern. I do not ever want to ever see the public paying twice for the transfer of an asset. That is through the accounting process to understand when these properties were delivered, what was the cost at the time. What was the appraised value at the time. What was the transfer of the property over at the time and again, my biggest concern and that's why I think it needs to be audited every year even if we have to hire an independent auditor above the auditors to audit this because I think that the values on the capital assets have to be watched the closest of this city. We need to know every property that we own. We need to know what name the property is in. We need to know who is donating these properties. We need to have an analysis to where we can go down and look at every asset when it was bought, how much it was paid for, when it was delivered, who donated the property, what is the purpose of the donation. I want to be able to analyze everything on every capital asset right down to every number. Number to have a clear understanding and that comes down to the accounting process done properly. That has to be put in the books properly and when they are transferred to a grant, at zero dollars, I want to be watching that very close to understand what the motivation is for that, making sure current policies are followed properly and understand these commissioners don't have free rein on capital assets. You don't own them. You work for us. You are our elected officials. Let me tell you something. Those are the public's property and you don't give them away without our authorization and I want to see data. Thank you very much. Audit everything on capital assets year after year. Thank you.

Wheeler: Thank you, sir. Is there any other public testimony on this item? Any further questions?

Fish: I move the amendment.

Wheeler: Commissioner Fish moved the amendment, commissioner Fritz already seconded it.

Moore-Love: I had it the other way commissioner Fritz moved.

Wheeler: I apologize. Please call the roll on the amendment.

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

Wheeler: Aye. The amendment is adopted to the main motion. Any further discussion? Please call the roll.

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

Fritz: I would just like to add into the legislative intent thank you commissioner Fish for clarifying if it turns out that the current city financial officer is concerned about the amendment which I just made, it was clarified that the chief administrative officer does have power to change these administrative rules, so to the extent it then needs to be further changed I would expect council would be okay on that and that both our current financial officer and our current administrative officer would be very prompt as they always are in telling us about it. Aye.

Fish: Aye.

Wheeler: Aye. The resolution is adopted as amended. Thank you. Next item, please.

Item 1039.

Wheeler: Commissioner Eudaly.

Eudaly: Mayor, thank you. A couple weeks ago we had the first reading of this item. We shared concerns about the wording of the language around the 1,000 foot rule. We had a little confusion and came back with amendments to align our language with state language and the confusion was that in -- sorry, in the rules, the 51% change in ownership exists. So in order to reflect state language we still do have to spell that out. We're coming back without changing those three proposed amendments but with an additional two amendments to clarify the city's position. I have staff here from oni to answer any questions. Should I read those amendments now?

Fritz: Does this change from last week?

Eudaly: The three amendments from last week have not changed at all. They align our language with state language, which was the goal. Then the two new amendments are what I'm about to read that clarifies the city's position on this issue.

Wheeler: Could you please read those into the record?

Eudaly: So amendment number 4, the city has an interest in ensuring marijuana retailers can operate, make infrastructure improvements and sell their business to another business owner even in cases where a new school opens within 1,000 feet that marijuana retailer. Eight, the city commits - sorry this is a subsection. The city commits to reexamining and potentially changing its cannabis regulation if changes to Oregon revised statute or Oregon administrative rule are made that affects cannabis businesses. Amendment number 5, add to now therefore the city of Portland urges the state to amend the rules to permanent licensing marijuana retailers to continue to operate and renew their state license when a school opens within 1,000 feet of the retailer even if the ownership of the business changes by 51% or more.

Fritz: Second.

Wheeler: For both of those. Commissioner Eudaly moves, commissioner Fritz seconds. What we will call Eudaly 4 and Eudaly 5. Greetings.

Brandon Goldner, Office of Neighborhood Involvement: Hello. I'm Brandon Goldner the coordinator of the cannabis program.

Christina Coursey, Office of Neighborhood Involvement: Christina Coursey, program assistant.

Goldner: We're here to just answer any clarifying questions but I think commissioner Eudaly explained that quite well. The intent is to just to follow the state rules. Sounds like there's some desire from council to see the state amend their rules in the future and the purpose of these amendments is to just reflect that intent that if the state were to change the rules in the future that Portland would reevaluate its regulations and may move to change them when that happens.

Wheeler: Commissioner Fritz.

Fritz: Thank you, mayor and thank you commissioner Eudaly. So these last two

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amendments came out of conversations I had with commissioner Eudaly and our chiefs of staff noticing that the piece about changing the ownership by 51% by state administrative rules right now requires a new application. So there's no way around that and so the final two amendments are trying to change those things. So it's actually kind of a smaller question. Do you have any sense when the state is going to start referring to it as cannabis rather than marijuana?

Goldner: Commissioner Fritz, great question. I apologize I do not know.

Fritz: Well I know nobody might know, but from my learning about the program and I know within the city we have been urged by those in the business to call it cannabis rather than marijuana because of the derivation of that second term. So to the extent that we can continue to use the word cannabis in our ordinances and such I would appreciate that. Thank you.

Goldner: Absolutely and just a clarifying point that even though we call ourselves a cannabis program you'll find in our code language we often refer to marijuana businesses because the term marijuana is defined by state law. Just to clarify that.

Fritz: Thank you.

Wheeler: Any public testimony? Sorry, commissioner Eudaly.

Eudaly: I was just going to move that we add an emergency to this so that we can enact these changes.

Fish: Second.

Wheeler: Commissioner Eudaly moves that we add an emergency clause, commissioner Fish seconds.

Fritz: May I just state for the record that the purpose of the emergency is so that the businesses can get licensed as quickly as possible and that's in the public interest.

Fish: Mayor can I just point of order my understanding just regular order is we would vote on the amendments first and if it is amended then we have an ordinance which would otherwise go to second reading so that the sixth amendment offered is an emergency clause on the main ordinance which would allow us to adopt it.

Wheeler: That's correct. In other words the votes are final votes on the amendments and on the ordinance as amended provided that we adopt the emergency clause.

Fish: And we first vote on Eudaly 4 and 5.

Wheeler: That's correct. No. All of them, correct? We left them open. We didn't take the votes last week. Very good. Great. Any public testimony? All right, good. Please call the roll on Eudaly -- I'm sorry, who moved the emergency clause? Eudaly 6, the emergency clause.

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

Lauren King, Deputy City Attorney: I apologize. I think we need to vote on the amendments first then the emergency clause last.

Wheeler: Is that right? Very good. Okay. Let's call the roll instead on Eudaly 1.

Saltzman: Aye.

Eudaly: Thank you, Brandon, thank you Christina for your fast footwork and everything that you do for the office. Aye.

Fritz: I'll make my comments on the final vote. Aye.

Fish: Aye.

Wheeler: Aye. Amendment 1 is adopted. Amendment 2, please. Please call the roll.

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

Wheeler: Aye. The amendment 2 is adopted. Please call the roll on amendment 3.

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

Wheeler: Aye. Amendment 3 is adopted. Please call the roll on amendment 4.

Moore-Love: I had four and five together.

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Wheeler: That's fine. Call the roll on 4/5.

Moore-Love: We did that. Am I getting it backwards?

King: Was only up to three. I thought the roll was on the first three introduced last week and then two were introduced today.

Wheeler: I have do the emergency before 4 and 5?

King: No, do the emergency at the very end.

Wheeler: Got it.

King: There were three amendments introduced today, actually.

Wheeler: 4 is two clauses, five is a separate clause as I understood it.

Moore-Love: I have three motions. First was last week numbers 1, 2 and 3. The second was from today, number 4 and 5. Then the next one is the emergency clause. Now we need just the final vote.

Wheeler: We have not added four and five. To be clear, what we just voted on was Eudaly amendments 1, 2 and 3 which were introduced last week but not voted on. Now we're going to vote on what I have called and which I will stick with Eudaly amendments 4 and 5 as described on the information here as commissioner Eudaly read them.

King: Yes. That's my understanding as well. Those amendments -- [speaking simultaneously]

Wheeler: Very good. Eudaly 4. Call the roll.

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

Wheeler: Aye. Eudaly 4 is adopted. Please call the roll on Eudaly 5.

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

Wheeler: Aye. The amendment is adopted. Now Eudaly 6, the emergency clause.

Moore-Love: I don't have this many motions.

Wheeler: Here's what I believe the record is. We put on the record last week three amendments. Eudaly 1, 2 and 3. Is that correct?

Moore-Love: Correct. As one motion.

Wheeler: Then commissioner Eudaly read number 4, add to council finds the city has an interesting in ensuring marijuana retailers can operate, make infrastructure improvements and sell their business to another owner even in the case where a new school opens within 1,000 feet of that marijuana retailer and section 8, the city commits to reexamining and potentially changing its cannabis regulations if changes to Oregon revised statute or Oregon administrative rule are made that affects cannabis businesses. I have that as Eudaly 4. Eudaly 5 I have as add to now therefore 2 the city of Portland urges the state to amend its rules to permit licensed marijuana retailers to continue to operate and renew state license when the school opens within 1,000 feet of the retailer even if the ownership of the business changes by 51% or more. Is that correct?

King: We figured out the mystery. 4 and 5 were read together but there was only one motion and one second for 4 and 5. So if we can get a second -- a motion for amendment 5.

Fish: So moved.

Eudaly: Second.

Wheeler: Very good. Fish moves, Eudaly seconds. 5 is on the table. Please call the roll on amendment 4.

Fish: No, 5. [laughter]

Moore-Love: We already did 4.

Wheeler: Oh, my god, I need a cocktail: Please call the roll on amendment 5.

Moore-Love: I have a roll on that one as well.

Wheeler: Did we already vote on that? Good. We have one more. One more. Which is the emergency clause. Please call the roll.

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Moore-Love: I already have we did a roll on that.

Fish: It can be redundant.

Wheeler: Let's be redundant roll. [speaking simultaneously]

Saltzman: Aye. **Eudaly:** Aye. **Fritz:** Aye. **Fish:** Yes.

Wheeler: Aye. That amendment too, is adopted. Now the main motion. Call the roll.

Saltzman: Aye.

Eudaly: Thank you again, oni staff, for your hard work on this. It's been quite a year and I'm very pleased with the progress that we have made. As we heard from industry people when we introduced this they are as well. Aye.

Fritz: Well, colleagues, less to add our two new members to the council this year feel that this is strange, no, this is pretty much how every one of the cannabis discussions went in the fall of 2015 and 2016. I lost count of how many hearings we had never mind how many amendments and votes we had. And we're all trying to do the right thing, we're trying to support this new, emerging business and to treat cannabis businesses to the extent practical and appropriate the same as any other business subject to the Oregon liquor control council, et cetera. This particular package I appreciate commissioner Eudaly bringing it now because it's similar to what we did with medical and retailers in the fall of last year. And what we're trying to do is to make these businesses that locate within -- that are already located where a school then moves in within 1,000 feet any other nonconforming use would be allowed to change ownership so we're encouraging the state to change that regulation. So proud of this program. It was fascinating to be in charge of much of the discussions on it. Thanks to not only Brandon and Christina, also to Teresa Marchetti, Victor Salinas and Amalia alarcon De Morris who with the council at the time including mayor hales and commissioner novick noodled through endlessly about this. I feel really proud and happy that we're doing so well. I read on the Oregon health authority press release about the cannabis education yesterday that there are more cannabis outlets in Oregon than there are Starbucks. Which is quite startling to me. I do think we need to do more education on the dangers of youth using cannabis. Of course they are not supposed to until they are 21 but even up to 25 it can be damaging to brains and we need to continue to get that information out. Thank you also, commissioner Eudaly, for having your staff in development services working on this. It's great that partnership continues and Mitch Nickolds and Mieka Keenan I know have done a lot of work on this. And I'm glad that although we're allowing the businesses to open sooner they do need to be in compliance after one year, which makes me feel more comfortable. Thanks to the cannabis policy oversight team. One of my favorite acronyms, and Claire Adamsick in my staff and just everybody who has been involved. This has been a very positive process and I hope it's going to continue to have positive outcomes for our community. With just a small mention of the tax which of course is going to fund really great things right in our community. Aye.

Fish: Karla, first thanks for keeping us on the straight and narrow. Thanks to the mayor for scrupulously following Robert's rules. This has been a good discussion. I think the underlying message is this council is committed to streamlining the regulatory process and cutting red tape and I appreciate the collaborative way we're doing this and I appreciate the leadership from the bureau and the commissioner in charge. Aye.

Wheeler: Glad this is over: [laughter] thank you, commissioner Eudaly, thanks to your team and to the office for working so hard on these issues. I think this has been a really excellent collaborative effort and it is a great example of the city listening to the needs of the industry and the community. I know that there was a lot of compromise and a lot of discussion and a lot of wordsmithing and a lot of meetings where people sought that rational center and you found it. I'm very proud to support this amendment. Aye. The amendment -- ordinance is adopted as amended. Multiple times. Thank you. We're

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adjourned until 2:00 p.m.

At 11:41 a.m. Council recessed.

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

Key: *** means unidentified speaker.**

September 20, 2018 2:00 PM

Wheeler: Good afternoon everybody this is the afternoon session, September 20, 2017 of the Portland city council. Karla please call the roll.

[roll call taken]

Wheeler: Basic rules of the road during testimony everybody respect everybody else. Thank you. Please call the first item.

Item 1040.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor. I have a longish opening statement so first I want to apologize for the timbre of my voice. One of the byproducts of the treatment regime I'm in now is I'm on a steroid which means my cherished goal of once playing in the nfl has been dashed, but it changes the tone of my voice and it makes it sound worse than it is. I apologize but I'll do my best. Colleagues, it is a great honor to lead the bureau of environmental services. Today I get to acknowledge the successes of my team and to celebrate their community partnerships to restore and to protect salmon habitat in Portland. It's hard to overstate how important salmon are to our region. A key marker in how we're treating our environment. Salmon are our history. Integral to the life and culture of indigenous people. There our future as our city was built out we have made poor decisions in the past. We built culverts and eliminated habitat resulting in fewer salmon returning from the pacific. In 1998, steelhead were designated as threatened under the endangered species act and in 1999 salmon were too. It was our wakeup call and since then we have made significant investments in salmon recovery and in our urban watersheds. We're cleaning up the Willamette river, replacing culverts with fish friendly alternatives and prioritizing stream restoration. What we do locally matters. A lot. Portland is the key location for salmon recovery in Oregon and beyond. Every salmon headed to the bull run watershed eastern Oregon or even all the way to Idaho passes through Portland. Mayor, maybe you have another tolling opportunity. Twice in the average lifetime. Here's what we're doing now. By coordinating our efforts across city bureaus, we became the first city certified as salmon safe. We have gone beyond the letter of the law to restore salmon habitat and to improve water quality. I'm so proud of the leadership role of the bureau of environmental services and the Portland water bureau have taken in this work. The water bureau created a 50-year habitat conservation plan for the sandy river that helped meet regulatory requirements for our bull run water supply and the bureau of environmental services has made culverts passable for fish while leading Portland's work to protect endangered species act species. Mouthful. Perhaps our biggest success has been the restoration of crystal springs creek. The bureau of environmental services, the Portland bureau of transportation, the parks bureau and 21 other public and nonprofit partners like the Johnson creek watershed council and the crystal springs partnership, came together and restored crystal springs over eight years. Today salmon can now swim the creek's entire length. Crystal springs is a bright start and we have so much more work planned. We're working with our congressional delegation, the army corps of engineers, and odot to fund and break ground on five more projects including Tryon creek and the Columbian slough. The good news is

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that we're doing better than expected. Sooner than we anticipated. Salmon are now found in 125 miles of Portland's 300 miles of stream. That's almost half and nowhere are those streams healthier than in crystal springs. Today, mayor and colleagues, we're celebrating that progress with two actions. We're proclaiming September 24 the city's first annual salmon in our city day, and we're designating crystal springs as Portland's first salmon sanctuary. Two very proud accomplishments. Here to tell us more are Kaitlin Lovell, science integration division manager for bes, Ronda fast environmental program manager, and Emily Roth, senior planner at Portland parks and recreation. They will be followed by a panel of crystal springs partners including Judy bluehorse Skelton from Portland state university, Zac Perry from reed college, Karl lee from the crystal springs partnership and joe mitchoff, a fourth generation crystal springs resident and Dan Kent, executive director of the salmon safe. Later as we designate crystal springs as the city's first salmon sanctuary, the mayor will read a proclamation. Welcome, ladies.

Kaitlin Lovell, Bureau of Environmental Services: Thank you. Good afternoon. I'm Kaitlin Lovell. I manage the science integration division for the bureau of environmental services as commissioner Fish stated I'm joined today by Ronda fast, with Ronda Fast, who's our environmental program coordinator and with Emily Roth, the senior planner for Portland parks. We're part of an inter bureau team that included the water bureau, bureau of transportation and the bureau of planning and sustainability here to talk to you today about the start of salmon sanctuaries in Portland. Salmon have effectively defined the pacific northwest. We have big trees because of salmon. We have rich agricultural centers in our valleys because of salmon. We have clean rivers because of salmon and for the indigenous populations they were an integral part of their culture, religion and physical sustenance. Even initial settlers harvested those big trees and built a whole fishing economy on the backs of salmon. We would live in a very different place were it not for salmon. However, we are at risk of losing that identity. Salmon have declined significantly throughout their range including here in Portland. We have overfished them, blocked and degraded their habitat, polluted their water and eliminated their spawning grounds yet they still return. When in 1998 the first steelhead were listed the first of 13 listings this council declared that their role was going to be to aid in the recovery of the species. When they did that, people didn't think there was a lot we could do. In fact to this day there are a lot of people out there who think that there isn't really a lot of habitat to be saved and restored in urban areas. If you look at the maps, you can see where they come to that conclusion. Portland has 13 esa-listed species. Seattle has four. San Francisco has seven. L.a. and san diego each have two. So when you look at those numbers it's easy to conclude that there's something terribly wrong in urban areas and it's a lost cause, but in fact Portland has 13 esa listed species because of where we are located. We are at the confluence of the fourth and 19th largest river systems in the united states. The land above Portland -- these rivers drain the land above Portland to the tune of 250,000 square miles. There's over 1280 river miles above Portland. So every salmon trying to reach those lands and swim in those river miles are passing through Portland twice. So what happens here matters for the entire region. There's a lot that's out of our control and we can't lose sight of that. There are declining ocean conditions and in particular climate change that are a big driver for what the future of salmon looks like, but today Portland can stand tall because we have lived up to our commitment and are doing our part. Everything from restoration projects to how we do street maintenance, engaging the community in restoration activities, invasive species land management and acquisition. How we build and treat storm water on roads and impervious areas, all that added up to us integrating and institutionalizing this notion of building salmon recovery into the way we do business, that led us to become the first city to be salmon safe certified. However, where

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we have really advanced and what's really exciting is the energy and the scale and the scope of how we have been doing business more recently. This is just a snapshot of crystal springs by the numbers. 21 partners came together over eight years to result in almost half of the entire stream being restored, nine culverts replaced. We actually removed 33 acres of property private and public acres from flood plain. Those properties are no longer at risk of flooding.

Fritz: So can you explain why that is a good thing, doesn't that mean more is just flushing down somewhere else?

Lovell: We removed the flood plains, the private property in the flood plains by putting floodwaters in places it won't damage property, so we shifted the flood plain. In the process of doing that, all of that, we have rescued almost 61,000 -- over 61,000 different fish including salmon and trout.

Fritz: Where did you get those numbers from?

Lovell: Every time we do a project we go in and we actually physically rescue the fish. So those are hand-counted numbers. Each Fish is measured and identified and either placed it upstream or downstream to keep it safe while we do our construction projects. Similarly with the help of the xerces society and the community we have rescued 3827 native mussels, which are a new foray for us its really exciting. Mussels depend on the gills of salmon to distribute through the system. So this is very much a symbiotic relationship in this whole river system.

Eudaly: I have to ask how do you rescue a mussel?

Lovell: You have -- it's a cool process, in fact I'm going to go back. This picture that you can barely see but in the middle of all the people standing in the lake there, that's what they are doing. They have periscopes and they literally put magnifying glasses in the soil and see where there's movement in the soil and quickly reach down and grab it.

Eudaly: Oh. Thank you.

Lovell: They are very slow moving creatures. [laughter]

Wheeler: What do you do with them?

Lovell: Like the fish we either move them upstream or downstream to keep them safe while we're doing construction projects. This has been so successful odot recently adopted this process for their recent project on highway 99. When we do that and when we do it in this scale and with intensity and with 21 partners we create a culture and economy around restoration and really the results are measurable. We can test and see how the water quality has improved, how the habitat has recovered and how many trees we have planted but most importantly we rely on the salmon to tell us how we have done.

[video played]

****: We're looking at a pair of salmon -- firm colored. The female looks like she has a white tail. That's the result of her scales picking [audio not understandable] to build a nest for her eggs. Coho salmon enter the Columbia river and during the summertime and depending on how long their journey is up to the spawning grounds, they usually start spawning in late summer, early fall. Here the male is encouraging the female to keep working on the nest. [laughter] [audio not understandable] or to cover up the egg that the male has fertilized. She will continue to do this until she lays all of her eggs. Usually around 5,000 or so. After laying the eggs and building the nest to her satisfaction, she will sit on the nest, protecting it from predators. That could be other Fish or animals or humans. Now our second male has arrived in the vicinity of the nest and both the male and female vigorously defend it. Oftentimes the second male may be able to sneak in and fertilize the female's eggs. [laughter] after spawning, the coho start to break down. You can see the female's eye tissue already gone. Her [audio not understandable] once she

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expires her carcass will feed those that are newly hatched fry will be able to feed on. So [audio not understandable]

Fritz: That's wonderful.

[video ends]

Lovell: That was filmed by our fisheries biologist Melissa brown in crystal springs and what's really exciting is those eggs that were laid if they survive they will return as adults this year. To talk about that I want to turn it over to Emily Roth, who will talk about our activities on the 24th.

Emily Roth, Portland Parks and Recreation: How are you? Nice to be here this afternoon. Parks was the first city bureau to achieve salmon safe certification laying the groundwork for the city certification in 2016. This year will be our fourth salmon celebration at Westmoreland park. The original celebration was right after crystal springs was restored through the park in 2014. We saw salmon return at that celebration. At that time we also opened up the nature play area that mimics the stream, boulders and large debris now in the creek, both a wild success. This celebration is both for salmon and for the community. Our partners and tribal nations participate with the salmon bake, storytelling and watershed education activities. Finally, the salmon celebration is on the Sunday parkway route. We encourage everyone to ride their bike or walk to the park. We hope you can join us to enjoy nature in the city.

Lovell: This year we're also unveiling a new virtual tour that Ronda will describe.

Ronda Fast, Bureau of Environmental Services: So going live this week it's a new way for the public to experience crystal springs creek and to learn about crystal springs creek. In 2010 bes and the crystal springs partnership developed a wildly popular walking tour map guiding people along the length of the stream in the heart of the city, exposing them to the story of crystal springs and there's a long, wonderful story of crystal springs. To build off the success of this tour we received an innovation grant to test out the idea of developing this tour on the digital platform. With a consultant we explored platforms, developed content and put it together using story maps, feature and arc gis. Features on this web based tour are videos by capstone students from Portland state university, and a feature done on crystal springs creek by opb. Audio from experts, educators and advocate, many of whom are in the audience today and then photos and links to get involved as well. The idea was to tell the story of crystal springs from multiple perspectives in a way that's educational, compelling, accessible. It can be used either as a complement to the walking tour map on a mobile device or anywhere in the world on a desktop computer. We put together a tool kit so tours like this can be developed and used by other projects, other geographies, other bureaus so that is something we can carry forward beyond just crystal springs.

Lovell: That's really important here. Crystal springs is just the beginning of this story. We really wanted a way to celebrate our investments, to recognize the incredible community efforts that have gone into this restoration project and to build momentum for improved -- continued improvements. There are more crystal springs stories out there, but true to the Portland way we wanted to do it in a way that had this robust scientific vigor behind it so we decided that we would designate the best of the best streams as salmon sanctuaries. A salmon sanctuary is a result of public investments in restoration, rivers and streams in a city that have conditions for salmon to thrive. We chose the top ten criteria for salmon and they are criteria that we actually measure, so this is a quantifiable tracking tool. It will not only help us identify when a stream hits that bar, that high bar of being a salmon sanctuary, but also on the remaining streams to help us focus on those areas where salmon need us most. Today we ask you to designate crystal springs as the first salmon sanctuary and in the future the very, very near future, we get to look forward to other

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systems including oak's bottom, one of our highest profile restoration projects going forward next summer with Portland parks and the army corps of engineers trying to reconnect the oak's bottom wildlife refuge to the Willamette river in a way that not only benefits salmon, but turtles, amphibians, all of the native vegetation and help us get an upper handle on the invasive species in oak's bottom. Miller creek and forest park, a little known creek that very few people have visited but it has a direct connection to the Willamette that is passable by fish. We need to do more monitoring there to confirm that fish are getting up there. Then tryon creek as commissioner Fish mentioned in his opening remarks, we have authorization from congress, signed by president Obama in December of 2016, to replace this culvert and we're currently working with our delegation to secure funding for the appropriations process. Stay tuned. More to come. We're really looking forward to coming back to you on an annual basis with more success stories.

Fish: Thank you for the presentation. Kaitlin, Ronda, Emily, thank you. Grab a seat. We'll have you back if my colleagues have questions. Now I invite our stakeholder panel to come forward, Judy Bluehorse Skelton from Portland state, Zac Perry from reed college, Karl lee from the crystal springs partnership, joe mitchoff, a fourth generation resident, and Dan Kent, executive director of salmon safe. If you could all come forward. Welcome all Judy would you kick us off ? Whatever your sequence.

Judy Bluehorse Skelton: Thank you, commissioner Fritz; commissioner Fish. He was at our very first salmon celebration at Westmoreland park with your son. I'm Judy bluehorse Skelton. It's an honor to be here and excited to be part of celebrating salmon in our city. They have always been here and it's exciting to see everybody working together to ensure that they will continue to be here and thrive. That first salmon celebration at Westmoreland park was the culmination of so many partnerships coming together. The first time I took students down into reed college canyon to look at the habitat that Zac Perry was working on, we knew something was going on. The students said, can we learn at psu how to be a keeper of the canyon like Zac Perry is at reed? This was probably at least 12 years ago and we're closer to that now at psu's indigenous studies program then ever. Salmon are our brother. As the presentation indicated, indigenous people of this region, salmon nation, we're still very involved with the management and the ceremonies, the blessings and the traditional protocols for salmon so that they will continue to return to us. We carry a part of the salmon in our hearts and they carry a part of us with them. So it's a very exciting time. The native American community advisory council to Portland parks and metro has been meeting for over five years monthly and are part of the community that continues to get out in the field. I just came in from a metro site qualmish prairie where the community is meeting with scientists at metro talking about camas, cattail and oak savannah restoration around the city. This summer the native American youth environmental corps were actually at oaks bottom gathering mussels, learning how to do and use those techniques with parks, natural steward person Isabelle Lacorse, showing us how to gather and move them getting ready for the culvert. I think every fourth grader in Portland recognizes their identity as salmon people. They can tell you the life cycle of salmon better than a lot of us older folks and I applaud that the city is going to start with this day but we're already looking at how to make it salmon in the city week and salmon in the city month and maybe salmon in the city forever. Thank you for all of those who have been working to make this happen. Just another element of celebration, oxbow, which has been closed due to the fires, we are working with metro to revive native participation at their salmon celebration, the salmon homecoming, which will be October 21st and 22nd, 11:00 to 4:00 both days, with drumming. The ceremonies of returning as you saw the male and female after they sacrifice their lives so that the next generation can live and we will have those ceremonies

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as well. There are teachers who are all serving, we are all sacrificing our lives so that the next generation can live and I'm really honored to be part of this community.

Fish: Thank you very much. Zac Perry could, you give us a perspective from reed college?

Zac Perry: Yes, sir. Council, thanks for having me today. I'm Zac Perry, I'm the canyon restoration manager. I have been overseeing an active restoration of reed college canyon for the last 19 years. In the center of our campus is a 28 acre headwater forest where crystal springs emerges from a series of underground springs and provides our campus and surrounding city with the cleanest, coldest water source in the region. Reed college is dedicated to protecting this resource has made a commitment to being long term stewards of this waterway. Part of our goals is to ensure that this clean water resource leaves our campus within the banks of crystal springs creek as valuable as it has entered. We are committed to improving the functions of the surrounding forested habitat by removing invasive species and reestablishing native plant communities and will continue to adapt our management practices to accommodate for the ever growing diversity of native species such as beavers, otter, owls, frogs, steelhead, chinook and coho salmon. Reed canyon and the crystal springs creek that flow from it provides students and over 1500 public school children a year an opportunity to access safely a complex urban green space. For ecological based studies and a beautiful public area to recreate for the broader community. Beginning in 1999, reed college coordinated with your city staff and other local agencies to build a fish ladder in the center of our campus which now connects the spawning corridor for salmon to the upper springs source for the purpose of juvenile salmon rearing. We have also worked with your staff to build retention swales along 28th avenue to reduce contaminated storm water to enter the fragile fresh water system and worked with bes to introduce the first of a series of culverts at the western edge of our property to allow migratory species to reach the lake. The oldest natural occurring lake within the city limits built originally by beaver. I'm here today representing reed college and sitting amongst my peers to show support for the recognition of crystal springs creek to be identified as a salmon sanctuary and that September 24th be recognized as the first salmon in our city day. Thank you for your time.

Fish: Thank you very much. Karl lee from the crystal springs partnership.

Karl Lee: Thank you very much my name's Karl lee I'm the co-chair of the crystal springs partnership. I want to thank the city of Portland for their focus on crystal springs creek on behalf of the partnership and our partnership with the Johnson creek watershed council we're happy to be here today. Many of my crystal springs partnership colleagues are here in the audience. You know, our message is kind of our tag line is connect, protect, and restore. In pursuit of a five-minute talk I'm going to stick with the connect piece as the connect piece kind of helps sort of glue the whole thing together. We're connecting people with the creek. Tell you a little bit about the partnership. This is a stream that is accessible by transit pretty much a five minute walk from the 19 bus, the light-rail, the 75 bus, the 70 bus. We're in the city here and we have an amazing resource accessible to many, many people. We're not way out in the boondocks. We're right in the city. We have students that come help us. All kinds of access in the city. So we connect people with the creek and we're also educating people about what this place is. We're educating a connection among the wildlife in crystal springs creek. The salmon, they get the name today but it's like the whole village kind of concept because when you bring salmon up everything else follows. We're teaching people about how beavers and salmon interact wood in the stream building dams, providing habitat for the fish. How trees interact with salmon, again, wood in the creek and we're planting like crazy. The beavers are chewing down the trees like crazy but we're planting more. So we're helping establish that, cement that message that there's connections here. Spoken about before about the mussels. This is a huge success story.

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We went about with the xerces society rescuing mussels when the duck pond was removed and have done these projects as recently as a couple months ago we were in the dark with flashlights rummaging around under McLaughlin boulevard rescuing hundreds and hundreds of fresh water mussels. Again here again an education piece, odot, they were all set up to rescue the fish and this mussel thing just became -- it got on their screen and they said let's go for it. So they provided us some tools. We provided some expertise and it was hugely successful project. Another connection that the crystal springs partnership is doing is connecting places on the map to the watershed. As recently as a few weeks ago I was at a tabling event at a farmers market and I asked people if they were familiar with crystal springs creek. They say no. I said have you been to reed canyon? Have you been to the rhododendron garden? To Westmoreland park play area? Have you been to Johnson creek park? Heads nod. Those places people say, oh, that's the creek. That's the creek that's there. So we're trying to provide this view of that the creek is this linkage. The creek is the life blood that flows through these places. So we put together as Ronda mentioned the walking tour map and we're connecting the dots. We're taking people out, providing the self-guided tour and now the virtual tour is coming online. Another connection piece that we're providing is sort of the bigger picture. Your map up there shows it but we're going from crystal springs to Johnson creek to the Willamette to the Columbia river to the pacific ocean and the crystal springs partnership is throughout sharing that message that we have a unique place here and we have a gift to give and we have an appreciation for that stream. Future salmon sanctuaries next year, the year after that, year after that, whenever it is, they are all in that line. They are all due to benefit from the work done at crystal springs. Another final connection piece is that our history here and Judy mentioned this very succinctly, the salmon celebration, indigenous people have been caring for this long for a long, long time. Part of our gig is to help share that message through the salmon celebration. So we're -- we help with that education piece coming up on Sunday this Sunday, by the way. So we're not exactly done here. Many of the culverts are done. The big bulldozer type restoration work is done but I think a really compelling piece for us in this salmon sanctuary designation is that we're still working on this. Education is still going on. Restoration is still going on. Memory sort of fades about what we're doing and why we're doing it and we have to keep reminding people over and over and over again what it is we're doing, why it's important and why it really matters to the city. We're helping bring up salmon recovery city-wide. We have a ways to go. As Kaitlin pointed out you're the thunder there. As Kaitlin pointed out, we have some tasks to do. One has to do with stream temperature. A lot of these criteria that we meet very, very well, we have lots of water, the quality is very good. The temperature is problematic. We're still working on part of our goal and part of our continued education piece is to keep people informed about that and to find ways to reduce stream temperature through the activities that we're doing. So again, crystal springs partnership thanks very much. We look forward to sharing our successes over the next year and reporting back in a year.

Fish: Thank you Karl after a couple of panels we're going to call you for a special presentation a little later. Joe mitchoff fourth generation crystal springs resident.

Joe Mitchoff: I'm actually the third of four generations to live on crystal springs. My grandparents moved to the from the Brooklyn neighborhood to the banks of crystal springs in 1967. Growing up I saw pictures and heard stories of the early days of living on the creek. There were fond memories of the gravel creek bed with crawdads scurrying about and salmon bounding up the river in the spring and fall, banging their bodies against the creek banks. There were lots of them. My grandmother described crystal springs as a tale of two creeks after the Tacoma street culverts were installed. Downstream the water was fast moving and the creek bed was clear much like it is today. However upstream it was a

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different story, the culvert was small and hard to imagine the whole creek had moved through such a narrow tube so the fish couldn't swim fast enough to make the journey. Over the years the creek bed gradually silted in and salmon became a rare sight until they all but disappeared. When I was born my family lived next door to my grandparents so I grew up on the creek. It was always beautiful but I don't remember a time it wasn't mucky on the bottom. It didn't stop us from wading in it, but we always came home a huge muddy mess. I remember vividly during heavy rains the creek would back up all the time. Indication a log or branch was clogging the culvert and my grandfather and my dad took it upon themselves during our neighborly duty to clear it with a long metal pole with a hook on the ends of it. I still have the pole in my backyard and I'm grateful I don't have to use it these days. Growing up I recall my grandmother saying many times I hope I live to see the day they take that culvert out. Thanks to all the hard work and effort on the bes and all the partners, my grandmother got to see her wish come true. She was beyond thrilled that those culverts were removed in her lifetime. The transformations occurring on the creek have great benefits for salmon and people alike. My regular running route takes me along both crystal springs and Johnson creek so I have seen all the changes. On 21st avenue where a few years ago there was a duplex literally built on top of the creek that was prone to flooding there's now a natural area with cool rushing water and a family of beaver. When is was a kid Johnson park was a foreboding, forgotten place, often an illegal dumping ground. Now it's a safe and its natural haven in the middle of the city. Finally, when I was a kid the lake in Westmoreland park was surrounded by dense, tall bamboo, a really fun place to play hide and seek but it was always muddy and gross. Today with the restored wetlands it's a joy to run on the causeway over the wetlands and watch the changes that are taking place every season. I would like to take the opportunity to thank all the individuals and agencies involved in these improvement projects, especially Ronda Fast and Kaitlin Lovell. They are creative, dedicated people with a Zen-like patience for the challenges that came up in the public part of this process. I'm grateful to them for their perseverance and the commitment of city council to improve salmon habitat. In closing a really short story. Last summer we had our neighborhood block party on the creek as we always do and by good fortune one of my neighbors spotted a salmon lazily swimming upstream so we all stopped to check it out. It was exciting in part because of its rarity, but it's really encouraging for me to know that kids growing up in a neighborhood today won't be able to recall a time when there weren't salmon on crystal springs. So thank you and keep up the magnificent work for salmon and all of us.

Fish: Thank you very much. Finally Dan Kent, executive director salmon safe, to put it in a bigger context.

Dan Kent: Thank you, commissioner. What an inspiring story of place. Last October Portland became the first city in the world to complete a comprehensive assessment of its impacts in this watershed with a third party verification organization. That organization of course being salmon safe. Working side by side across the city over more than three years, salmon safe and our independent science team evaluated the operations of city bureaus with respect to impacts on the urban Willamette watershed. That meant assessing everything from storm water management at fire stations to how fire trucks are washed to bureau of transportation street maintenance practices. Even the products used in graffiti removal. It was a comprehensive and thorough audit of city operations. That work culminated last year with city council accepting the findings of our science team's assessment and committing to improve operations with an eye towards protecting downstream water quality and prioritizing restoration actions wastewater and registration across city bureaus. As Emily mentioned, this city-wide effort was inspired by more than a dozen years of restoration work by Portland parks as part of its long term salmon safe

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commitment and a lot of that work focused on Johnson creek and crystal springs. Today as others have noted we have seen the leadership of bes transportation and parks among other bureaus involved in the salmon sanctuaries effort, its an example of how the city is connecting the recommendations from our science team to strategically prioritizing salmon safe restoration opportunities city-wide and taking action with results on the grounds. We also see this effort like the bes watershed report card as an important step by the city of Portland for greater transparency and accountability in its environmental initiative and we applaud that. In our work with cities up and down the west coast we see what a leader Portland is on a whole host of environmental issues. Climate change being the big one, but working also on the ground proactively in actions like creating urban sanctuaries for imperiled native salmon. It's a creative idea and we strongly applaud the city's actions. So congratulations to Portland on this first salmon sanctuary. It's an important step forward in the city meeting its commitment and claim to being the world's first salmon safe city. Thank you.

Fish: Thank you. I'm going to ask the mayor now to read the proclamation and ask our partners to stay seated because the proclamation is directed to you as to anyone in this room. So mayor would you do us the honor?

Wheeler: Commissioner, if I could take the liberty of reading a brief statement before in support of your efforts and in support of the efforts of people here today. I often say how important the Willamette river is for the city of Portland. For too long we have turned our backs on this river but now we're reconnecting to it by cleaning it up and making it a renewed home for our iconic salmon. Portlanders are once again swimming in the Willamette and treating it like the treasure that it's always been. The city must continue to create a future that embraces and strengthens our rivers for both humans and for our salmon. The bureau of planning and sustainability plays a critical role in reaching this goal leading the way on climate change, the environment and helping us to build a resilient city. The climate action plan and supporting climate action plan preparation strategy include a variety of approaches that will reduce human impacts in our urban area while expanding an improving habitat in and along our waterways. The river renaissance established a vision for reinventing Portland's rivers and many of you here had a great deal to do with that renaissance. The bureau of planning and sustainability's river planning work continues to make that vision a reality. Nowhere is that more apparent than in the central city 2035 plan where the bureau of planning and sustainability has included sites for recreation, economic development, and habitat improvements along the Willamette river. Planning for the south reach of the Willamette will begin in the next year. We know that when we take care of our environment it takes care of us. We look to the salmon to see how we're doing as commissioner Fish noted, and today I'm proud to say that we're making strong improvements. We still have a lot of work to do, but examples like crystal springs and the efforts that you have all collaborated on make great strides in a short amount of time to ensure that salmon not only survive here but continue to thrive. So it is my honor --

Fish: Mayor, excuse me. For some reason I'm not able to read my notes, can we also recognize other commissioners who may wish to make a statement before the proclamation?

Fritz: Thank you. Thanks to all of you. Thank you, commissioner Fish. This has been an absolutely wonderful celebration of the where we have come from and where we're going. I hope you can find ways to get somebody to put the movie as a public service announcement on many channels to get opb to do the story, to get certainly channel 30 ought to be doing this on repeat loop over and over. So I want to thank all the partners. The environmental services, the army corps of engineers, trimet, crystal springs partnership, metro, Johnson creek watershed council, Audubon society I know there are

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others. All the neighborhood associations have been involved in this. My park staff, our park staff, Emily Roth, Sandra Burtzos, Lynn Barlow, Mart Hughes, Betsy redfearn, Cindy Wright, ale and Matthew burger, Elizabeth Kennedy Wong and formally Jim shulynn. There's really so many people who have been a part of making this so spectacular and indeed in addition to Kaitlin Lovell and your team at bes, it's important to recognize dean merit was a big part of this. I remember vividly when I was young and enthusiastic and idealistic going to a celebration in southwest where he talked about the ship of state of environmental services which has been going in the gray direction for such a long time and his determination to help turn that ship. In partnership with people like ivy Francis and Patrice mango, some still here at bes like Patti nelson, mark Wilson, amin Wahab and our partners formerly of parks and now at metro Mary rose Navarro. It's all of us and I think that's what makes it special that is lots of people have had a hand in this. So if I might in honor of the tribes who were the stewards of this land who now with the treaty of 1855 we are responsible for continuing do it in partnership with you. Thank you so much.

Fish: Commissioner Eudaly.

Eudaly: Thank you, everyone, for your hard work and for the lovely presentation earlier. I'm newer to this conversation than most of my colleagues and I just wanted to share a couple comments. One is one of my favorite parts of the salmon story is what salmon bring not just to the fresh water streams but to the adjacent eco-systems, which means land. I think that for some people because fish are something that we can't necessarily see and rivers are just big bodies of water, they may not realize that the loss of salmon doesn't just impact our river, it impacts our land, it impacts plant, animal and human life as well. The other comment I want to make is how excited I am to move forward on our new eco-roof policy because I understand that will also help the salmon. Congratulations on all your hard work.

Fish: Commissioner Saltzman.

Saltzman: Well, I just want to thank everyone who has played a role in helping Portland and indeed the northwest become an area that really speaks proudly of what it does for the salmon as they have done so much for us and continue to do every day and it's really emblematic of who we are as a people. I just want to thank all the people in the room today and all the people who are not in the room that have also played roles in the great work at crystal springs and elsewhere in our city. I'm really happy to be here on this salmon sanctuary in our city day.

Fish: Thank you, dana Because I keep screwing it up, we're going to do a proclamation from the mayor. We're going to do a presentation to our friends at crystal springs, and we're going to have mike Houck -- at a moment like this mike Houck must be here and Mike, to kick off a new annual tradition we have asked him to read a poem. That will be the sequence starting with our mayor.

[SEE OFFICAL PROCLAMATION IN COUNCIL DOCUMENTATION: Document 1040-2017]

Wheeler: Very good. Whereas wild salmon and steelhead have been a source of life, food, and ceremony for the indigenous people of this land since time immemorial; sustain nearly 150 species of fish and wildlife that depend on them; are an indicator of clean and healthy rivers; and are a symbol of a vibrant, resilient, livable city; and whereas wild salmon and steelhead in Portland were on the brink of extinction and remain in perilous condition in the face of continued habitat degradation, overharvest, competition from hatchery fish and other invasive fish, and climate change; and Whereas all salmon and steelhead in the Columbia river and Willamette river rely on Portland's rivers and streams to survive their journeys to and from the ocean; and since 2000, the City of Portland has committed to helping recover these wild salmon and steelhead; and whereas the City of Portland and its partners, residents and business owners have lived up to this commitment by investing in

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projects that help improve water quality and restore habitat in Portland's rivers and streams through the big pipe, foster flood plain natural area, culvert removal in Crystal springs, stream and wetland restoration in parks like Westmoreland park and Butterfly parks at Stephens creek and the salmon safe certification; and whereas the city of Portland envisions a future for salmon and steelhead by establishing strong land use laws under the comprehensive plan, acquiring and protecting remaining natural areas, and providing educational and stewardship opportunities for Portlanders; and whereas salmon are returning to Portland's rivers and streams; and whereas continual recovery in a climate changing future will require numerous sanctuaries of refuge that provide cold, clean water, suitable habitat, abundant food and shelter, and plentiful spawning areas safe from predation and competition; and whereas Portland will continue improving and restoring these salmon sanctuaries across the city's urban watersheds to support salmon recovery; and whereas together with our partners and the community, we will celebrate these successes in salmon sanctuaries at the Salmon celebration at Westmoreland park on September, 24, 2017. Now therefore I, Ted Wheeler, Mayor of the City of Portland, Oregon, the "City of Roses," do hereby proclaim September 24, 2017 to be First Annual Salmon in our City Day in Portland, and in honor of this day, do hereby declare Crystal Springs Creek to be the first Salmon Sanctuary.

Fish: May we suspend the rules?

Wheeler: So done. [applause]

Fish: If I could ask the invited guests to reclaim their seats and I'm going to ask Karl lee to keep your seat and Daniel Newberry, executive director of the Johnson creek watershed council, sir, if you would come forward. Gentlemen, crystal springs is a model public and private partnership. It's an example of the great things Portlanders can do when we come together. Colleagues, two groups made a significant contribution to this project by hosting event like creek cleanups, tree planting, salmon surveys and tours for school groups and international conferences. The Johnson creek watershed council held over 30 events with nearly 2,000 volunteers contributing over 8,000 hours in just one year. Truly remarkable. The crystal springs partnership, which is only a few years old, held six event with over 150 volunteers just last year. One particularly notable day, Philip Nosler an intern with the Johnson creek watershed council, discovered two new species of dragon flies. I'm proud to say Philip is now interning with the bureau of environmental services. Today, colleagues, in honor of this great work, the city council is proudly awarding the Johnson creek watershed council and the crystal springs partnership a \$5,000 grant to continue their stewardship and restoration efforts. Thank you, Daniel and Karl, for your help in making Portland home for wild salmon and for helping us restore our urban watershed.

Wheeler: The best part.

Fish: Would you present the check?

Wheeler: I would be happy to. Quick, run.

Fish: Kaitlin, would you come up for a second?

Wheeler: Gentlemen, use it well. Congratulations. [applause] wait until you see the credit card: Congratulations. Thank you, commissioner Fish.

Fish: Thank you, mayor. We're almost done.

Wheeler: A bandanna for each of you, 2017, hot off the press bandanna that we share with our volunteers and our lovely people.

Wheeler: Appreciate it. Thank you.

Fish: Thank you. Congratulations to all our partners. Mike Houck, would you please come forward? We could not kick off a new annual celebration without having our friend mike Houck here. A champion for urban green spaces and watersheds and mike has graciously agreed to read a poem. Welcome.

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Mike Houck: Well, mayor wheeler, commissioners, I hate to contradict you right off the bat but I'm not going to read a poem.

Wheeler: He's going to sing it excellent that's going to be great. [applause]

Houck: Actually the suggestion came about, I got a call from staff asking if I would be willing to come in and read a poem similar to what we do each year for the last 31 years for great blue heron week when we adopted the heron as our official city bird in 1986 I wrote a letter to William Stafford, who was then poet laureate for the state of Oregon and asked if he would pen a poem to commemorate the heron and he did and you're all aware of it, the spirit of place, it's one of the most moving things I have ever read. I said no to me reading a poem today for two reasons. First thing I did was ask if Judy bluehorse Skelton had been invited to speak cause if somebody is poetic it's not going to be anyone but Judy in my opinion. Second I'm not a poet and I couldn't think of something that was not generic. I think we need something specific to the place to really celebrate the return of salmon on Johnson creek and crystal springs creek. So what I'm going to suggest and again Judy brought up the potential for great a blue heron -- I'm sorry, salmon week, salmon month. I'm not sure if she had in mind salmon year but for the future, for next year I'm going to suggest we have three great authors in Portland. Robyn Cody, obviously Kim Stafford, and David James Duncan. What I chose to do is read a very brief excerpt from the river why, I don't know how many people on council or in the audience have the river y, but it's very inspiring. He dedicated the river why to the defunct Fairview creek and the diseased body of Johnson creek. He and I have had arguments, he moved to Montana to kind of get away from what's going on in the metropolitan region. I said there's no way David there will be issues there as well. I think it would be interesting to bring David Duncan back to Portland to show what's happened on crystal springs creek and Johnson creek and engage him in coming up with some inspiring pros if not poetry to celebrate. This morning by the way 8:00 this morning speaking to a group of conservation educators from around the country and describe what we have done over the last 40 years, this being one example. They said how do you keep going? How do you keep your energy up? Your optimism? I said come to city council today at 2:00 and you will find out why. I think we need to do this kind of celebratory action more frequently than we have in the past. So I'll be actually I think I'll paraphrase what I was going to read because we have been here quite a while. Just say that in starting the river why, he was basically suffering from writer's block, and his friend suggested he go out on Johnson creek, which he did, and he caught a steelhead. He actually caught a steelhead and as he was bringing the fish up three guys drove up in a van and they looked out at this guy who was actually in street shoes and street clothes but he had jumped into Johnson creek to land this steelhead, and they told him they had just been to the river and they got no fish whatsoever. He noted shortly thereafter the three guys were standing on a bridge over Johnson creek all trying to catch a fish. What I would like to read is very poetic, not a poem per se, but I think it relates to the video we saw. "He got into the stream and saw a male and female salmon spawning. She laid eggs so tender to the touch of a small child's fingertip would crush them, eggs the color of setting suns. The dark, fierce kite male passed over the suns, raining milk down on their chosen bed of pebbles. We were held, we three creatures, in the rhythm of love making. I realize they weren't making love to one another, they were making love to the very land and the water. I knew as we communed that they would soon die. Their clutch of eggs orphaned in a frigid gravel womb. What does it mean to truly love one's place upon the earth? There's fire in water. There is an invisible flame hidden in water that creates not heat but life. When I last rose from the water, thanked the prayer wheels that rivers are, thanked these prayer-like creatures that still somehow traverse the great wheels and set out for my own little red, little stream side bed where he lived on Johnson creek". I'm just going to suggest we try to

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get David back here or we could work with Kim Stafford, whoever, with the crystal springs creek stewards, with the city and come up with something truly specific to what's going on crystal springs creek. I just want to congratulate everybody for the incredible work they have done. It's amazingly inspiring and it does keep us going.

Fish: Mike I want to second your suggestion. We'll take it up. Thank you for the exclamation mark on a beautiful presentation. Mayor, that concludes our presentation.

Wheeler: Thank you, commissioner Fish. That was outstanding. Thanks to the bureaus, thank you to all of you who have been working so hard on crystal springs creek. This is fantastic. Thank you.

Fish: Take a three, four minute break?

Wheeler: Yeah why don't we do that, lets take a we'll take a quick recess.

At 3:05 p.m. council recessed.

At 3:11 p.m. council reconvened.

Wheeler: Folks, we are back in session. Let's continue the hearing for the remaining testifiers on the main part of the central city 2035 plan. Karla, can you read the ordinance and resolution titles and you'll notice there's a paragraph prior to the three titles if you could read that as well, please.

Moore-Love: Sure. Item 1041.

Wheeler: Could you read the paragraph prior to that?

Moore-Love: The central city 2035 plan items continued from September 14, 2017 hearing. Only those who previously signed up and have not testified yet will be able to testify. No additional oral testimony will be taken. Written testimony may be submitted until 5:00 p.m. September 22nd. More information on the project website is at www.Portlandoregon.gov/bps/cc2035.

Wheeler: Now you can read the three items.

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Item 1042.

Item 1043.

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Item 1041.

Item 1042.

Item 1043.

Wheeler: Today we're going to try to finish hearing testimony on the main ordinance and resolution for the central city 2035 plan. We're only going to hear from people who signed up on September 7th or September 14th. There will be another opportunity for public testimony on the central city 2035 plan on January 18th, 2018, after amendments have been introduced. Karla, let's call up the next people from the list from last week as per usual everybody has two minutes to testify. If you're a lobbyist per council rules we need to know that. Commissioner Fritz.

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Fritz: I was wondering mayor it doesn't seem like we have a whole lot of people and I do feel grateful for those who sat through the entire testimony last time. I wonder if we might give three minutes if necessary.

Wheeler: That would be a great bonus opportunity. Let's do it. For their three days of patience we're giving them an extra minute. Maybe we'll even be a little loose. That seems only fair.

Fritz: Thank you.

Moore-Love: We're starting from the September 7 original list.

Wheeler: Welcome back. Thank you again for your patience. We truly appreciate it.

Britt Conroy: Good afternoon. Thanks for allowing an extra day of testimony. Appreciate that. My name is Britt Conroy and I'm a Portland resident. In this chamber our city's priorities are set from limitless competing demands council members decide what projects and initiatives are funded, what challenges addressed, what problems will be solved. At its best it good governing marshal's resources from within and without a community to predict the most vulnerable and provide opportunities for those who are struggling. As this council secures money for transportation, whether from our city's cafr or through your requests for funding from your partners in Salem, you have the opportunity to invest in your stated priorities safety, livability, climate and reducing cost of housing and mobility. We're looking at what Portland secured from it's partners in Salem one would think that we have a \$450 million dollar single location fender bender crisis in this town. In fact we have a crisis of transportation deaths and we have a housing crisis made worse by insufficient transportation options particularly for those living in east Portland. Expanding urban freeways has never solved traffic congestion but investing in safer streets does save lives. Three dozen human beings die on Portland streets on average every single year. The rose quarter highway expansion project will cost nearly twice what last November's municipal housing bond raised, seven times the projected revenue of last years gas tax and it must be said will cost an amount equal to what the Portland children's levy will raise over 30 years based on that program's average revenue. I urge you to remove projects related to this highway expansion from the tsp and rtp, to implement value pricing to address congestion and avoid costly and unnecessary widening projects, to invest value pricing proceeds in providing mobility options for those most impacted by the tolls the state legislature has mandated and most importantly to codify transportation spending priorities that regardless of source of funds ensure the city gets the most mobility, equity, safety and climate benefits for its buck. Thank you.

Wheeler: Thank you.

Jackie Petersen-Loomis: Good afternoon. Mayor wheeler, commissioners Eudaly, Fritz and Saltzman, my name is Jackie Peterson-Loomis. I'm an historian and I appreciate the opportunity to speak on behalf of the Portland Chinatown history foundation of which I'm its executive director as well as a member of the stakeholder advisory committee of the new Chinatown/Japantown historic district design guidelines and a former board member and current co-chair of the art, history and culture committee of the old town Chinatown community association, I'm a Portland resident as well. As I know you all are aware the old town Chinatown community is a complex fabric of historic districts, properties, waterfront park and garden destinations and numerous arts, cultural and educational institutions. We're also home to a web of social service and low-income residents. A weekend nighttime entertainment district, a growing number of significant restorations such as the society hotel and overland warehouse combined restoration and infill projects such as the grove hotel, corporate offices of young businesses like movel and Airbnb and our first Starbucks due to open this fall. This description captures the history, energy and diversity of old town Chinatown and lays the ground for robust vision outlined by the city for this

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downtown waterfront neighborhood in the 2035 plan. In the plan Portland's planners and creators have not envisioned an extension of either the pearl or downtown but rather a culturally and visually unique historic neighborhood which could well become the city on the Willamette's most visited tourism destination of the future. We applaud the 2035 plan for our neighborhood and the accompanying zoning code adjustments and incentives which we believe have provided an equitable balance between protection of the existing and future cultural, education and historical resources and support for new construction for much needed housing and offices and for business growth of all kinds. We want to thank city planners especially for the welcome reduction in heights in the northern half of the new Chinatown/Japantown historic district running from northwest Everett to glisan between northwest 3rd and 5th. The reduction of building heights within the northern portion of Chinatown/Japantown from 450 feet which it used to be to a 100 and the recommended 125 feet is long overdue. In fact I was shocked to learn several years ago that such extreme heights had ever been approved for a national historic district by the city. All of Portland's downtown federal recognized historic districts have height limits of 75 feet, or in the case of southern the half of new Chinatown and a part of the new historic district in the pearl 100 feet. The historic buildings and all of Portland's downtown districts are rarely higher than four stories and in this environment even 100 foot building looms large. Challenging the site lines and noise levels of an otherwise sun lit highly walkable low rise historic streetscape. I thank you mayor and commissioners for your foresight in protecting our most valuable and most energy efficient assets, our current buildings that are already standing. Thank you.

Wheeler: Thank you. We appreciate it. Good afternoon. Thanks for your patience.

Emma Pelett: Thank you for hearing me today. My name is Emma Pelett and I'm a property owner at 109 southeast salmon street in the central east side. I love Portland. It's an incredible place and one of my favorite parks in Portland is the Shakespeare garden at Washington park where you have an incredible view of mount hood. It's amazing. I urge you to vote against the salmon springs view corridor because I don't feel that it's equitable to choose a view of mount hood that's only 36 feet above sea level and only visible 85 days out of the year. On a day like today you can't see the view at all. This will unfairly impact central east side and will really make it challenging for us to meet our economic goals and our employment goals. On that note I also believe it's the city's responsibility to educate property owners on who is included in this and who stands to have their property changed by this rule. As you can see on page 1 these are maps and these maps are all from the current city council amendment 2035 plan and this is from the august 29 draft date. So on the first map you can see my property is not included, but on the map on the next map you can see my property just to the left also not included. On the third picture, my property is still not impeding the view of mount hood. On the last page, you can see there's a map on page 46 from the plan that does show my property to be in the view corridor, but the following map does not include it. I would like some clarification on if my property is included or not because it's very confusing. Three of the four maps show that it's not but one does. Is my property included or not? I would ask that the city council if you do not vote no on the salmon springs view corridor to please clarify this and make the view corridor of mount hood follow the exact cuts of the view so that we can lessen the economic impact on the central east side.

Wheeler: Commissioner Fritz?

Fritz: Ms. Pelett have you had any conversations with your neighbors who are definitely in the view corridor?

Pellet: I have yeah.

Fritz: And what kind of feedback would they be giving us?

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Pellet: People are very concerned we spoke over a year ago, we all testified over a year ago, we had about maybe 15, 20 people testify and we all submitted paperwork. You heard from the lawyer that we hired then who also submitted on our behalf. People really feel this is going to be challenging for the future of the central east side. We won't be able to reach our density in the martin luther king grand corridor and it's going to be challenging to meet our numbers for employment in our district in the future if this view corridor is established.

Fritz: So, this would actually lower the heights in the view corridor is that correct?

Pelett: Yes, absolutely. It would make my property height from 175 down to 35 feet.

Fritz: Oh wow that's really low.

Pelett: Especially if my property doesn't impede the view at all. I feel like this is especially for the properties on salmon it's a real burden because we have the green loop that will be going in as well and that will be something that drastically changes our street. I personally am for the green loop, but I think it isolates landowners and puts unfair burden on just a few people.

Fritz: Thank you very much.

Wheeler: First of all, yes, there appears to be an obvious inconsistency in the charts. I even see joe back there shaking his head. We will most certainly clarify that.

Pelett: That would be wonderful.

Wheeler: Secondarily, this is an amendment I put on the table for discussion purposes because I have been hearing a lot about it. I know the planning and sustainability commission had very long conversations about this and ultimately they voted I want to say it was like 7-4, I believe, in favor of removing or not creating the view corridor and continuing with the density proposals in the central east side. I did say at that time I was inclined to take the recommendation of the planning and sustainability commission but I wanted to hear what people said and how strongly people felt about it. It is in that spirit that I wanted to hear testimony on it. But there's clearly an inconsistency here and it looks like joe right behind you there -- do you have an answer to this Joe today or is this something we can resolve and potentially get back to Emma on?

Joe Zehnder, Bureau of Planning and Sustainability: Joe Zehnder with the bureau of planning and sustainability. We need to follow up to get precise. Over the process we narrowed the view corridor. We think you have an old one, a new one and a new one that property is not in, but other properties do have the height reductions that we're talking about.

Fritz: So even though they weren't able to come today they would have the same testimony. I remember at one point your family was looking at possibly having a park in the east side. Is that still a possibility?

Pelett: It's something we would really like to do. We have had a few other things that have come up but I would like to make that happen. I would love to work with Ms. Eudaly on that. We would love to get that spigot so we could water our grass. We'd love to make that happen.

Fritz: I'm just also wondering could there be a view of mount hood from that park?

Pelett: Unfortunately not. The park is right just one block behind the Portland storage building which is 12 stories tall.

Fritz: Thank you.

Pelett: Maybe from their roof we could have a great view.

Wheeler: Thank you both for your testimony. Thank you.

Moore-Love: And if anybody else is here that didn't sign in just let me know.

Wheeler: If there's somebody else here who bothered to show up, go ahead and sign up.

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Brad Malsin: My name is Brad Malsin I'm president of the central east side industrial council and owner of bean development. First of all I want to commend the bureau of sustainability and planning for putting together an incredible process for the 2035 plan and for the southeast quadrant plan. My angst is more about the process that we have gone through the southeast quadrant plan which I participated in and observed was an incredible process that brought in stakeholders, brought in advisors, heard testimony, took place over weeks, months, years to kind of reach a consensus as to what we could do. What makes sense in the southeast in the central east side and beyond. It's very painful for me to engage my constituency in the central east side and tell them to get involved when they put this time and effort in, reach consensus, then we're told that at the last minute a view corridor is now considering absolutely change the whole process of planning for the central east side. The central east side as you guys probably well know is one of the most active districts in the city that has produced I think a significant level of jobs if not the most in the last since the last turn-around downturn and we are very anxious to continue that process. We are very anxious. We realize that the investment that has been made in planning and the investment that has been made in transportation in and around the central east side has always contemplated increased density. I am not sure how you get density in the central east side or any place around without height. They just work together. So you know, I feel we all have to make sacrifices for the city to move ahead. Central east side is contemplating I think really significant opportunities with new businesses, with new investment, with new opportunities to build buildings. Restore old buildings. Preserve the industrial sanctuary. I don't need to tell you how much opportunity other people have seen in central east side to become residential or more retail and we resisted that. We really went through this process very carefully to protect the central east side and the commercial corridor. I really want to ask you to really consider hard what the goals and objectives are in terms of jobs, density, and creating opportunities in a very active corridor. Thank you.

Wheeler: Thank you. I believe you also submitted a letter for the record which we all received earlier this week. So thank you.

Malsin: Thank you.

Wheeler: Good afternoon.

Juliana Lukasik: Hello everybody thank you all so much for having us. I literally have been here for this is probably the eighth hour. So I was here on all three days. I have heard a lot of testimony and it's been a really educational experience for me. I appreciate what you guys have done and all the opinions you have listened to.

Fritz: Excuse me.

Lukasik: I'm Julianna Lukasik here speaking on behalf of my experience of the -- as the person on the sac for the southeast quadrant study. I'm also the interim director of the central east side industrial council. I have been on three very large sacs in my time in the close-in city. I was on the couch street couplet many years ago. I was on the east side transportation advisory group that ultimately created this transportation parking advisory commission and I was on the southeast sac and I want to say I'm here to sort of talk about process. I have seen what goes into stakeholder advisory groups and I have seen how well they work. In each and every one of those we sat at the table with people who were involved stakeholders from all sorts of areas and it was very diverse. We had the bike community talking to the freight community, the environmentalist sitting with the developers and we spent years probably combined with those three sac's I spent probably eight years on sac. So I do know what I am talking about and I am incredibly impressed with the process, I'm impressed with the dedication from the city, the people who staff the sac's, the amount of effort it takes to wrangle a whole bunch of really diverse groups to say

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that their wrangling kitty's is putting it mildly. These people sit at the table they look at each other and they come to this idea that they're never going to compromise and at the end of the process, they compromise and it's a really wonderful thing to see and that happened in the southeast quadrant study and it was a very, very good process. I know there have been some challenges with the west side one and I would hope that those would not reflect poorly on the processes for the other sac's because these were incredibly long processes of commitment and volunteerism and compromise. So, I ask you guys, very strongly, to support the recommendations of the bureau of planning because it was through a lot of process to get there. So, when we talk about things like the view corridor and the need for 100% Eco roof, we really would like you to go back to the 60% Eco roof and take the view corridor off the list because they were well-vetted and we hope you will honor those. So thank you very much for having me today.

Wheeler: Thank you. A statement and then a question. A statement, thank you. I know you've put a tremendous amount of energy and effort into this and I applaud you for hanging out through all eight hours of testimony. It's been incredible educational experience for me, as well, so I think it's interesting that you'd reflect that. We did hear quite a lot of testimony on the green roof proposal 100 vs. 60 could you just flush that a little more why you would be opposed to the 100 and why you think the 60% is appropriate, just give us a flavor of your argument please.

Lukasik: I'm concerned about -- first of all, anything that's 100% verses a compromise at a lower percentage rate raises a red flag for me. I think the definition of the green roof and the 100% is very important. I'm concerned about amenity space. I believe strongly that in order for people to understand the importance and value of a green roof, they need to be able to see it so I am very, very concerned that 100% Eco roof might not allow the amenity space that would allow people to go up and enjoy the green roof. By the way I'm also an environmentalist and a tree hugger I think commissioner Fritz mentioned that and those are my roots so I'm very, very much in favor of Eco roofs I'm just concerned about the 100%. I also am very concerned about affordability, I'm concerned about affordable housing and I'm concerned about affordable commercial space. If we do not make it feasible for developers and people who are redeveloping their buildings to have incentive to keep the affordability in place, then we're not going to get the affordability that we need, both from a residential position and from a commercial space position. One of the biggest challenges in the east side is how do we grow and still keep spaces open for small businesses and makers? So that's a really big issue for me and a real tension with the adding costs to construction and trying to convince people redeveloping and developers to have a component of affordability. So, that's one of my biggest issues with that. Thank you.

Wheeler: Very good, thank you.

Ted Labbee: All right. Good afternoon. Mayor, city councilors, my name is ted labbee and I'm the policy program director with Mike Houck's urban greenspace institute. Thanks for the opportunity to comment on the 2035 plan and by the way congratulations on the salmon in the city proclamation, that's great. Today, I want to pick up on some written comments I submitted on September 6, a few things in there and kind of add to those. The 2035 plan sets the tone in pace for innovation and change in the city core for the foreseeable future. Portland has a lot of work, cleaning up the Willamette, providing affordable and accessible housing, diversifying our transportation choices, sustaining a vibrant economy, maintaining good governance and integrating nature into our build environments and more. There's a lot to like in our 2035 plan which takes us towards these goals. However there are also elements that fall short and need strengthening or revision before the plan goes forward. We support the green loop and the green web that

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randy presented to you a few weeks ago. It isn't a choice between the green loop and the Lents green ring, we need both, but the advocate suggesting we drop the green loop has a point. The city needs to take more active involvement and commit more funding to the bike, ped, transit and green way connectivity in Lents and other underserved neighborhoods beyond the central city. Among the elements of the central city 2035 plan the we especially like are the explicit incentive for large form trees and a new master plan standards, thanks for that and we support commissioner eudaly's amendment to require 100% coverage on Eco roof on new buildings above certain size threshold thank you, commissioner Eudaly for that. We appreciate and support the simplified parking code with more shared use and elimination of minimum parking requirements, but I think we can go farther on that. All new parking should be constructed in a manner so it can be converted to other uses in the future once we determine we don't need all that parking. Aspects of the plan that fall short are measures to boost the urban forest canopy. The targets for certain tree deficient districts like the central east side industrial district are set too low and are not adequately aspirational in order to drive innovation and focus on the part of pbot, properties owners, developers and others.

Eudaly: You're a little too close to the microphone.

Labbee: To close? The flexible design standards for the green loop are great but we need these standards to apply more widely within the central city and beyond. We need to consider reallocating street right-of-way to reduce on street parking for automobiles and narrow travel corridors to make more space for trees. We can make the now optional front building setbacks for new development required in tree deficient neighborhoods, under sized planting spaces can be expanded into the adjacent street and we can lift the title 11 tree code exemptions on commercial and industrial lands. Going farther, the city could assume responsibility for all street planning and maintenance in the central city and fund this work with street frontage fees that incentivize space for trees and discourage or minimize utility vaults and driveway curb cuts which limits space for tree's. The city needs to start thinking about urban forestry's utility something that we all pay into and benefit from. Trees can't continue to be an afterthought in the central city. Trees sustain a vibrant street life, lower crime, soak up storm water, clear the air and cool us during summer heat waves. Finally I want to say that freeway expansion has never solved traffic congestion and we're proud to stand with the broad coalition of community-based organizations and citizens asking for removal of the i-5 rose quarter project from the transportation plan. While there might be localized benefits to the project w believe it would come with a high opportunity cost and would divert much-needed city dollars for other important initiatives like affordable housing, better transit and street improvements in the outer eastside of Portland. Thank you.

Wheeler: Thank you. Appreciate all three of you. Thanks for coming in. Good afternoon.

Damian Hall: Afternoon. Mayor, city commissioners, thank you for the opportunity to speak to you today and thank you for the extra minute I'll try to use it well. My name's Damian hall I'm a attorney with a local firm called Ball janik and I'm here on behalf of a client, joe angel. I'm here to speak about a particular piece of property and a particular scenic view corridor that impacts that property. This is a different one than the very popular salmon springs corridor. This one's called cc northeast 01. What that means is there is a proposed pedestrian bridge that is yet to be built that would cross the Sullivan's gulch and there's a proposed scenic corridor from that as-yet-to-be-built bridge looking west towards downtown and the west hills. So, there are a number of practical issues with that set of circumstances, so, I'd like to outline a few of those and then make a specific ask. The first is, the view corridor's not necessary. There is a natural view corridor created by Sullivan's gulch, the below-grade nature of i-84, going east to west there, preserves perpetuity

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unless we come up with a plan to cap the freeway. Those views will not be replaced by the redevelopment of tall buildings, the same goes for the adjacent train tracks that run along the bottom of that gulch. The second issue is the uncertainty related with this particular viewpoint because it is a viewpoint from a structure that's not yet been built, it is an estimated viewpoint that has been translated into an actual lines on a map that impact a piece of property owned by my client. Again, even if you were okay with that set of circumstances, the way it's been translated to the map is additional uncertain, on the first page of my testimony I've blown up the map, the property in question is the yellow piece of property. As you can see, the lines that indicate the boundary of the scenic view corridor are slightly wider than the city streets. As far as trying to understand where that boundary is located for redevelopment purposes, that line is approximately 70 feet wide, if taken to scale. The difference between the ability to develop inside and outside on each side of that boundary that is uncertain is the possibility to go from 350 feet in height to a maximum of 75 feet in height. So, for that reasons, we think that there are a number of practical concerns. I've listed, at the end of this memo dome legal concerns, but those are secondary. So now for the ask, I'd request that the council direct bureau of planning and sustainability staff to revisit this viewpoints and work with my client to establish with some certainty its location, if it is advisable to move it forward. We've provided our best effort to take that map to scale and attached that there, if council feels its wise we would accept direction that that map be approximated as the official boundary. As an alternative, wait until the pedestrian bridge is built, actually go stand on it and let's figure out where the view corridor should be. My understanding is the status of that project is that its funded so should be happening but that there's still an ongoing discussion about its alignment because of street grids on the north and south of Sullivan's gulch don't exactly line up. So it shouldn't be that far in the future.

Wheeler: Very good. Thank you for your testimony. Colleagues, any questions? Very good. Thank you for being here. So Karla does that conclude our testimony?

Moore-Love: That's all I have signed in.

Wheeler: Could I ask a question from staff? And its pretty much just a general question about process. Much of the testimony that we have heard is broad in its nature but we've also heard a considerable amount of testimony related to specific issues such as what we just now heard from the representative from ball janik. Do you work with individual -- do you work with the individual property owners to resolve those issues or is that the expectation that the council will meet with individuals with specific issues and resolve that for the purposes of amendments? What is your proposal in terms of how we address issues specific to property questions?

Zehnder: We're glad to meet with property owners. We may have already, depending on what the application is because some of these may have percolated through the planning and sustainability commission process as well I'm not quite sure if we discussed this last one that you've heard. So, it expedites the ability of us to put up a recommendation for you all to be able to do that so we're glad to.

Wheeler: It might make sense, then, if you could exchange business cards so you have that and it sounds like -- Emma's still here, great. That is a broader issue, it's not just specific to your property and we need to resolve the exact borders of that proposed view corridor. I want to make sure that specific property issues aren't falling through the cracks because they're specific.

Zehnder: No.

Wheeler: Good. Commissioner Fritz?

Fritz: I was just wondering what the chicken and egg question on that particular view corridor, would it be better for us if we decide if we should have it and then put to the work

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of deciding where it should be or where it is affect whether we should have it or not?

Zehnder: If you had decided we weren't going to have a view corridor, then the particular issues with that view corridor would be off the table and so, there's a longer -- there's a nuance story about the view down the Banfield. We want to talk that through with the testifier and bring it back to you.

Fritz: It seems to me that is the council's.

Zehnder: There's something to be solved there

Fritz: If the majority of the council's not interested or not willing to support the salmon street springs view corridor, you don't have the trouble of deciding exactly where it should be?

Zehnder: Correct.

Wheeler: Good. Anything else? Thank you. Oral testimony is now closed. Written testimony will be accepted until Friday, September 22, at 5:00 p.m. This matter is continued and deliberation on this item will occur during the October 18 meeting at 2:00 p.m. time certain, Portland city hall chambers. No public testimony will be taken on that day. While we have staff up here, colleagues are there any amendment concepts based on public testimony that you'd like to provide today or any questions you have of staff while they're up here? Commissioner Fritz?

Fritz: Some of the broad categories which I believe planning staff is aware of and the map of the west quadrant advisory committee's properties in relation to the participants on the body so the whole council reviews potential conflicts as well as revisits the heights in those area's all together. The greenway setbacks, we're currently having some differences between the Audubon society and parks and so obviously that's going to need to have some broader discussion. The big question with the rose quarter and the freeway widening, which a lot of people were concerned about. One of my particular questions is, how much city money is in that project verses state and federal money? The view of the vista bridge from Jefferson street, we heard some specific testimony on that and then further discussion, as we had a little of today about the green roof requirement just to the pros and cons of 60%, 100% or something in between. Thank you.

Eudaly: I guess I'll add a couple -- the zidell property, the issue with the setback, you didn't just include that, right? Vista bridge is another one I'm interested in. There was a question about the Roseland theater height restriction because it is outside of the historic district, why is the height -- similar height restrictions being placed on that, considering its proximity to public transportation and the surrounding area? We really -- I don't know -- [laughter] in testimony last week, we heard an idea for parking forests, which I realized that there may be visibility and safety issues involved with turning a parking lot into a forest but I do think it's a legitimate question to raise, why when parking lots are an insufficient wasteful way to use precious space in our central city are the owners -- there are often no trees on the block, so I kind of like to know why that is and if we can encourage them to plant some. Yeah.

Saltzman: I'm not prepared to articulate any amendments I have today, but I probably will have some based on the testimony I've heard and many of the issues commissioner Fritz and commissioner Eudaly mentioned are issues I'm also interested in, as well. I thought while you are here if maybe you could give us the process of getting home for this. Repeat it one more time?

Sallie Edmunds, Bureau of Planning and Sustainability: Sure. [laughter] excuse me. So on September 28, you will be hearing the post office ordinance again and they'll be public testimony on that. The record closes at 5:00 p.m. that day. You will also be hearing the historic guidelines one more time and you'll vote on that day. Then, we have October 18 at 2:00 p.m., as the mayor mentioned. We have that set aside for discussion of

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amendments on a set number of topics that we've emailed your staff about, in particular, height, scenic views, f.a.r., historic, green buildings, that sort of thing. And then on November 2, at 2:00 p.m., we have time set aside to talk about amendments related to the scenic outside of the central city, bonuses and transfers, anything to do with the river and that sort of thing. Then we have another session set aside on December 6 at 2:00 p.m., for amendments related to the parking code and then whatever else we haven't been able to cover at the other sessions. We are hoping to conclude discussion of amendments those three sessions and we have a January 18, 2:00 p.m. hearing scheduled for amendments on the central city. Any amendments you develop in these fall sessions and then, finally, the final vote on the central city plan can't be taken until the comprehensive plan is effective and at this point, we are looking at a march 1 date for the comprehensive plan, that date may change, but we're not sure about that yet, but, the vote would follow the comprehensive plan date.

Saltzman: Have we heard from the department of land conservation and development? Whether they're approving our comprehensive plan.

Zehnder: You know what, what we have heard is that they understand the urgency and are organizing to expedite their review of the process and get the resources on their end to keep it moving. They're being not just cooperative, but proactive in trying to meet these deadlines.

Wheeler: Very good. Like commissioner Saltzman, I will be introducing amendments but I want the opportunity to discuss it with staff and go through some of those issues in more detail before I offer them up. So, thank you. Some legalese here as we mentioned at the September 14 hearing, council will discuss other aspects of the central city 2035 plan on September 28 as follows: 3 p.m. time certain on the post office. We'll accept public testimony on that day related to that item. The record will close at 5:00 p.m.

At 4:00 p.m. time certain on September 28, we'll be discussing the new china town/japan town design guidelines. Public testimony and the written record are closed on those items. There being no further business, colleagues, we are adjourned.

At 3:52 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.

September 21, 2018 2:00 PM

Wheeler: Good afternoon everybody this is the September 21, 2017 afternoon session of the Portland city council. Karla please call the roll.

[roll call taken]

Wheeler: I'm just going to summarize the decorum statement. Everybody please be respectful of everyone's testimony. People have different opinions than your own, that's considered okay. Let's let everybody have their bit during public testimony. Please do not interrupt testimony. Don't interrupt council deliberations. If anyone interrupts council deliberations or public testimony they will be asked not to do so. If you don't you're subject to removal if you choose not to be removed when you have been asked to be removed you're subject to arrest for trespassing. That sounds as ominous as it is. Let's not let it happen because we don't want it to. We want everyone to feel respected and heard. If you're a lobbyist council rules require us to be informed of that fact. If you're representing an organization that's also helpful. To keep things moving simple thumbs up or thumbs down, either way, is good to express your opinion. We can all see that. Register your pleasure or displeasure, that's fine. With that we will get to the first item.

Item 1044.

Wheeler: Commissioner Eudaly.

Eudaly: Thank you, mayor. The dream of moving the Morris marks house has been around for over a decade. Portland is fortunate that local developers Karen Karlsson and rick Michaelson are committed to historic preservation and have stepped in to spearhead the move. Karen and rick have experienced rehabilitating historic structures and are the perfect team to bring the house back to its former glory and ensure it stays around for another 130 years. Today we have matt Wickstrom from bds will be presenting. Before that I would like to hand it over to -- commissioner Fish.

Fish: I will just say to my friend and colleague while this matter is technically being brought forward by the bureau of development services, many city bureaus have been involved and we all acknowledge the Morris marks house is a historic house in our community with great history. Since I joined the council community members have been trying to find a way to save this historic treasure. The house was built as the commissioner said in 1880 and is a rare example of a particular style of architecture in our great city. Today is an important step forward in saving the house and community members once again are leading the charge. I'm pleased to partner today with commissioner Eudaly, the bureau of development services, parks bureau and others to make this happen. Thank you very much.

Eudaly: Commissioner Fritz?

Fritz: Thank you, I want to recognize Rachel Wiggins who is here who's done as much as anyone to get the city to do this. This is an effort both commissioners mentioned this has been going on for years. In my first term we were starting to work on this, so I feel like when we get to the thank yous I'm going to have to list every staff member that has ever worked with me. For some time we thought the receiving site belonged to the parks bureau so we need to acknowledge the great people in the city attorney's office, some of which

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have retired over the course of this saga, and many community advocates including dr. David cutler who is one of the first people I became friends with in Portland in 1986, who has been very strong supporting this. We do need to say also that rick Michaelson is unable to be with us today, but sent his letter with his support.

Wheeler: I understand there's a substitute motion.

Fish: Second.

Wheeler: Very good. In case people are wondering we have a substitute motion which is basically some technical changes in the wordsmithing and for legal reasons we need to put it on the table. So, Karla please call the roll unless there are further questions.

Lauren King, Deputy City Attorney: I will just clarify it's a motion for substitute ordinance.

Wheeler: Correct.

Eudaly: Aye.

Fritz: I'm voting to approve the substitute, as the mayor said it's basically technical things. There are also other technical things that don't even need to be in the ordinance one of the latest being the elm trees along the way and that there's a moratorium on when you can prune elm trees, but the city forester has agreed that we're going to be able to prune the elm trees without having to ask council to do so, so happy to put the substitute on the table with that note. Aye.

Fish: Aye.

Wheeler: Aye. The substitute ordinance is now on the table.

Eudaly: Is matt here? Okay.

Wheeler: There he is, the man, the myth, the legend.

Matt Wickstrom, Bureau of Development Services: Good afternoon, I'm matt Wickstrom I'm with the bureau of development services and thank you for having me here. So the presentation is about moving the Morris marks house and this is just a little information about the house. We have pretty much already heard this. It was built in 1880 for a local shoe merchant named Morris marks. It's a unique architectural style in Portland, italianic architecture. It's a local historic landmark and the current owner of the property doesn't plan to incorporate it into the redevelopment of the property thus requiring the house to be moved or demolished. This is the sending site where it's located right now. That's on southwest 12th near southwest Jefferson. This is the receiving site. That site is actually located over on the other side of 405. It's northwest of the intersection of southwest Broadway street and southwest grant. It's a triangular shaped lot owned by the water bureau. It's currently under lease by the applicants and there are negotiations under way for the applicants to purchase it from the water bureau. If you have questions about that transaction, Karen Moynahan from the city attorney's office is here. The zoning of the site is rh, that's high density residential and that does come into play in particular for one certain thing within the ordinance. The 2035 comprehensive plan has approved the site to change to a cm2 zoning so we're going to temporarily with the ordinance what you would be doing is temporarily allowing an office use at the site however once the zoning changes with the 2035 comprehensive plan, office would be allowed by right. A lot of what this ordinance to me seems to be is the city allowing the cart to be put before the horse but we're going to let the horses catch up and in the end it all should appear as it was approved just through normal procedures. This is the house move route. It's a little difficult to see but the next slide is a closeup of the move through the psu campus, and that is going to be easier to read or see. So the house is going to move south on southwest 12th avenue. It will move through the psu campus. It's going to spend the night on a psu parking lot then next day it will move south on southwest Broadway street across i-405 on one of the overpasses into the site.

Fritz: Should have a marching band go before it, sell tickets along the way.

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Wickstrom: Yeah, yeah, yeah. Exactly. [laughter]

Fish: I see Rayleen McMillan is here. Are we getting a preferential rate for overnight parking in the lot?

Wickstrom: So just some details from the house move, in order to minimize the number of trees that would need to be removed the house will be cut in two pieces. Eric Dewolf, the contractor for the applicants, is here if you have questions about what is entailed in cutting a house into two pieces. It would be loaded on to trucks and then moved along its way. The owners have an agreement with Portland state university to move the house through the campus. There would be five trees removed. One of these is a street tree. Four are trees on the psu campus. Permits have been received from the urban forester and I have some additional information on that and the trees if you'd like. Mitigation planting or fees in lieu will be paid for the tree removal. There will also be pruning like commissioner Fritz said and the permit for the pruning does include instructions whereas if it does need to incur outside the window for elm tree pruning there are instructions on what precautions to take.

Fritz: If I might insert here the reason I was asked to read into the record we'll be able to do it for the pruning prohibition for the following reasons. The cooler, wetter weather presents a minimal risk for beetle activity. I didn't think we would need to consider beetle activity but we have. Pruning will occur in the last two to three weeks of the window and the precautions the arborist hired by the contractors are taking will limit further exposure by removing the Elmwood within 24 hours.

Wickstrom: Thanks. Finally, the reason for the immediate house move obviously we have been working on this for a long time, psu has a construction project coming up and the staging for that construction project is going to block the route of the house move and so that project could be begin as early as October 1 and therefor the house needs to be moved before then. Here's a map of the house move through the psu campus and so you can see it really meanders across the campus. In some cases through outdoor areas, in other cases through pedestrian walkways and then it starts to head south on the south park blocks and neuberger hall is where the construction is going to occur and that's where the route would be blocked. At the end of this map you see the parking lot where the two pieces of the house will rest overnight. This map also shows the locations of the trees that would be removed as well as the pruning that would need to occur. Final location is this lot here on like I said owned by the Portland water bureau. The owners have a lease with the water bureau with the intent to purchase. The bureau of development services has issued a partial permit for excavation on the site. This is going to allow the contractor to get in there and start digging the hole for the foundation so that can be constructed and in theory and in hopes the foundation will be completed by the time the house shows up and a hold harmless agreement has been executed that's general practice for when we issue partial permits. As far as the ordinance goes I talked about the first one. The ordinance would allow office use in the rh zone, which it currently does not and like I said, when the zonings change with the comp plan update the office will be allowed by right. The ordinance will either waive or delay historic resource review. Waive for cutting the house in half and delay for the foundation work where after the fact of the foundation being completed we'll have an historic resource review to make sure that foundation has been reviewed just the same as other projects. There's a standard in the zoning code about street facing windows at the pedestrian level because of the slope of the lot and amount of foundation necessary and the height of the house or height of the main floor, that standard may not be able to be waived so or met so that will be waived with the ordinance as well. The ordinance applies the local landmark status which is lost when the house is technically considered demolished while in transit. The ordinance does state that permits must still be obtained

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and bureau requirements must be met. Two final things, I'll get to this on another slide after this, but the ordinance waives system development charges for the house as well as the historic resource review fees. So as far as public costs go, the waiving of the system development charges as well as waiving of the historic resource review fees would amount to about \$35,179 in public costs. As far as public benefits go, the ordinance would allow to save the historic structure from demolition, to retain the structure with its rare architectural style, and reapply the local landmark status. Frontage improvements would be made with the overall project and then the site to be purchased from the water bureau is at fair market value, it's not purchasing for a dollar or whatever. So, the applicants would appear that the agreement is for \$180,000. The applicants are there's a discussion of whether the applicants would host an open house once a year. Like I said that's under discussion that's not included in the ordinance. So those discussions would occur outside of this. The applicants will renovate an historic but neglected home, putting about \$145,000 into that and the applicants will incur all costs associated with moving the house, which is about \$440,000. All in all the applicants are putting about \$1.2 million into saving the home, moving the home and rehabilitating the home. That's the end of the presentation.

Eudaly: Thank you.

Wheeler: Thank you. Any other questions before we go to public testimony? Thanks it was very clear and concise. Karla, how many are signed up?

Moore-Love: Nine.

Wheeler: So three minutes each. The microphones move to your convenience. You'll notice a yellow light will go off 30 seconds before your testimony is completed. When your testimony is completed a red light will go off loudly and obnoxiously. Name for the record. We don't need your address.

Wheeler: Welcome, welcome.

Richard DeWolf: My name is Richard DeWolf and I am the contractor doing the work on this project. I'm the gentleman ready for cutting it in half which we have started on already. The biggest reason here is to thank Mr. Mayor and the commissioners for voting on this and making it happen. I was first approached on this project about ten years ago and it's wonderful to see it happening and to see the involvement and the importance that the city of Portland is putting on its historic resources. Once these historic resources are lost they are gone forever. There's also the importance of family business. We employ about 65 people in the urban core and it creates jobs, it creates high wage jobs because these are high skill people employed to do this kind of work. So all that work is done in-house through our staff and I just want to say again, thank you very much. I'm here now if you have any questions and I'll be here afterwards if anyone has any questions about how the process works. Probably more of a curiosity.

Fish: I have a question. It's not often that we have hearing where we're told an historic house is about to be cut into half and transported. What is the biggest challenge you face in dividing the house?

Dewolf: We want to do it in a respectful way and it's not like you see on renovation shows on television where dust is flying everywhere and I don't think we have a single sledgehammer on site, it's more of a delicate process than that. First we had to take into consideration engineering concerns because once you create a big opening in a building it could fall over during a move or during the lift so we have to structurally reinforce the entire house because you have two large openings. So we did that on all three floors, first floor, second floor and attic on both sides so the house was completely structurally set up first and then we made the precision cut. We had to do it in respectful ways, like in the corners we don't want to replace siding, we don't want to be harming the floors, the trim pieces that we have to go through were removed prior instead of just cutting through them. When we

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marry the two pieces back together on the other site it should come together pretty well. We have a lot of registration points and hopefully it clicks together like a very large lego and that's our goal.

Fish: Thank you sir.

DeWolf: Thank you.

Wheeler: Thank you. Good afternoon.

Erin Riddle: Good afternoon. Erin Riddle is my name. I'm here on behalf of Rick Michaelson and Karen Karlsson, who are the project developers for the Morris marks house project. They are not able to be here today so they've asked me to read their testimony. Mayor Wheeler, council members, Karen and I want to thank you for acting on this ordinance which will allow us to move and save the Morris marks house. We wish we could be with you today but we're not able to get back to Portland in time. As you know we have been on an extremely tight timeline to make this move happen. Portland State is beginning major improvements to its facilities and our only positive move route closes on October 1. Moving something as large as the Morris marks house is a challenge and does have an impact on street trees, utility connections, et cetera. In order to minimize those impacts we are cutting the house in half and moving it in tandem. We are calling the front part Morris and the rear end marks. We want to thank everyone who has made this project possible. First Steve Blindheim, who is the present owner and who has been very patient as we have been waiting to make this project happen. Next Portland State University, who is not only allowing us to cross their campus but worked to create the required paperwork in record time. We would be remiss not to mention the extra efforts of PGE and Northwest Natural who moved this project to the top of their list in order to make the October 1 deadline and to the city itself. We want to thank Kurt Kreuger and Rachel Wiggins who started us down this path three years ago. More recently Bds and Pbot, who have been extremely helpful in getting us the required permits. Parks Bureau and Water Bureau who worked to make the new site available, and Commissioner Fish, thank you for stepping in at the 11th hour to make this happen and in making Todd Lofgren in your office available to clear any road blocks. Finally to Matt Wickstrom of Bds, who has brought this ordinance to you today. He's been a true partner through this whole three-year process and has been constantly thinking ahead. He's told us that he's learned a lot from the process and that we hope you have also had some fun. So please join us on September 30th and October 1st as we move the Morris marks house to its new home. Thank you on behalf of Rick Michaelson and Karen Karlsson.

Wheeler: Thank you. Good morning.

Bill Failing: Mayor Wheeler, fellow commissioners, thank you very much for your attention to this. I'm here both as an individual, as an advisor to the Architectural Heritage Center, past president of the Oregon Historical Society and an activist who helped relocate the Simon Benson house to the PSU campus.

Wheeler: Bill could you state your name for the record, please?

Failing: Sure. Bill Failing. That's a proper noun, by the way. [laughter] All these -- oh, the southwest neighborhood association swirl and all of which have a stake in preserving history and that's history worth preserving. If you look at panoramic photos of Portland in the 1880s you see a sea of Italian style houses everywhere. You look at a panoramic view of Portland today and you see, if any, none. Almost none anyway. Through various fits and starts, the incredible patience by its current owners, this Italian icon, one of the city's earliest, has survived until now. Kudos to Rick and Karen who have a history of saving endangered houses both of architectural value and of community value. Need to be applauded for this effort. Commissioner Fritz, you, Commissioner Fish and Todd Lofgren, who is in the trenches doing a lot of the lifting behind the scenes, should all be

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complimented. Commissioner Eudaly, it's now in your lap and we are delighted to have you support this also. I think the city really needs to be applauded for keeping this in survival mode through this whole time. So what we have now is downtown one of the remaining Italian confederate houses continues to be located downtown in a very conspicuous spot where it can be enjoyed and appreciated and again, you're all to be applauded for making this happen. Thank you.

Wheeler: Thank you. Thanks all three of you. Next three, please.

Wheeler: Good afternoon.

Fish: Rachel is this the first time you've testified since you were an esteemed colleague.

Rachel Wiggins: Yes, this is the first time my testimony has been timed. Apologies if I run a little long.

Fish: As a former esteemed colleague you know the rules do not apply to you.

Wiggins: Mayor, council, thank you so much for bringing this item to council today. I'm Rachel Wiggins emery, technically a lobbyist but here as a private citizen and former city staffer to say thank you. I spent four years working in the mayor's office, two and a half years spent trying to move this house and of course like everything I didn't work alone. So I just wanted to take some time and thank the amazing people who allowed me to nag them for 2.5 years. Erica Neble in commissioner Novicks office and now in pbot, Puja Bhaut in commissioner Fritz's office who is now my hero because she continued this amazing work. Liam frost formerly in your office commissioner. Matt grumm in commissioner Saltzman's office, Kurt Krueger and Dave McEldowney in pbot who were amazing, Charlie Carroll in the forestry department who I thought would tell me no immediately when I started pointing to trees that needed to be cut down and he was so helpful and wonderful and I'm grateful. Psu, who said no, yes, no, yes, but has finally landed on yes and that is in large part because of Rayleen. Then obviously rick and Karen, who have worked tirelessly on this who allowed me to give them answers they didn't want to hear and still moved forward. Last and finally very selfishly thank you to all of you for continuing to move this forward. For me, so much of the job was going to meetings and sending emails and talking about policy, all wonderful intangible but nothing you can point to saying I spent four years doing something. To be able to walk down the street and look at the Morris marks house and say I may not have done a lot but I moved this house, I will be forever grateful. So thank you, thank you, thank you.

Fritz: I can honestly say it would not have happened without your continued persistence cause there was many times everyone else was ready to give up. Thank you.

Wiggins: Thank you so much.

Fred Leeson: Fred Leeson, board member, architectural heritage center. Usually when we come to city council it's to criticize something and today its all hug and kisses I guarantee you. This is a huge victory for preservation, its a huge victory for the city. Thanks to everybody. Just quickly, rick is the perfect put together the perfect team to do this. Special thanks certainly to all the city bureaus, to psu, think about Steve blindheim who has sat on this property for 12 years. He could have smashed this into kindling wood at any time and he refused to do that. So we're deeply appreciative to him. It's a huge victory. Thanks so much.

Wheeler: Thank you, sir.

Bill Hawkins: Bill Hawkins, commissioners. I'm very glad to join this course of happiness over the house. It's been about eight years for me following it and exploring every possibility that could possibly save it. It has been difficult at times but the hurdles have all been surmounted. Commissioner Fritz, I'm so glad we had our time together on this house and now the last hurdle, nick Fish, it's amazing, it's a big moment for preservation. So one last word on the blindheims. They have been the absolute pillar of patience on this, they

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love the house, they are very dear people, they love their city and they have done the right thing. So a special thanks to them. Thanks to everyone who has contributed to this. It's wonderful. Thank you.

Wheeler: Thank you.

Hawkins: If you'd like a sketchy we'll leave these with you.

Wheeler: Next three, sorry. [audio not understandable]

Peggy Moretti: I will start. I'm Peggy Moretti speaking on behalf of restore Oregon and other happy people in this room. I just -- I think it's kind of a perhaps a given here, but we urge your support. I think we have it, and so therefore thank you so much for making this possible today. Saving and moving the Morris marks house is a very, very good thing, and it's an example of where the private sector has done all the heavy lifting and the city gets to bring it home and be part of the celebration and an enabler, which is ideal, isn't it? We have really appreciated the unusual nature of the project team's requests but sometimes unusual steps are warranted when it comes to preserving something that is so rare and unique. Especially during a time when we are experiencing a demolition epidemic and so much historic character is being lost in our city. Bill Hawkins doesn't toot his own horn too much but this was featured in his book, the classic houses of Portland, as the most exceptional double bayed Italianate house remaining, so it really is a important and worthy thing for us to all save. There's great public benefit in this, I don't think I need to tell you that, but it is very restorable and it's going to be put to really good use out in the public for our enjoyment. I think it's also worth noting that this is serving as an example I think and provides lessons for other similar situations that are probably likely going to come up as there's increased pressure, demolition pressure on important historic resources. We may have to move more of them down the road. It's always our last resort but it's certainly better to reuse it in a different location than to lose it altogether. So what we are learning from this process and the hurdles that have been brought down within the city and the way the departments are cooperating I think is a really important model for those potential future situations. So thank you all of you in the city, commissioners, we're very grateful that this is happening.

Wheeler: Thank you for your testimony.

Kat Sklar: Hi I'm kit Sklar. I'm delighted that the house is being preserved and moved downtown. In 2005 as a psu student I lived two blocks from the house and every time I walked by with my now husband I hoped someone would rescue it. Now I live across the street from the future site and I wanted to bring to your attention a couple of logistical hurdles and make a couple of requests for consideration as the permit process happens. I don't think anyone mentioned it but there's a set of five rowhouses also going in at the corner of Broadway and grant street and there's currently like five zone f parking spots not reserved by that construction I hope you have worked out the parking considerations because the side of the street adjacent to the site is already full of trucks every day. So, glad you're on top of it, hopefully. Second the residents of grant street have already had their power, water and gas cut off once this year, each accidentally in the course of this construction, and I hope that doesn't continue. We try to be good sports and I think if that street is full of old houses including the building that I live in, and we are absolutely fans of the restoration but we also need to -- our access to get into our building was blocked for a week, so please be considerate. Finally, that area is zone f. It gets patrolled about once every three weeks and with the change to office use I'm sure that people will want to be able to visit those offices and I would recommend increase in parking patrol to make sure that we're not seeing people without permits leaving their cars there which we currently do. Thank you.

Wheeler: Thank you. Appreciate it.

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Moore-Love: That's all that signed up.

Wheeler: Very good, colleagues, anything else?

Fish: Happy day. I move to vote.

Wheeler: Please call the roll.

Eudaly: Well, as we have heard, this house move has required a great deal of interbureau and interagency collaboration. I want to acknowledge the following bureaus. Bureau of development services, the water bureau, urban forestry, bureau of planning and sustainability, the Portland bureau of transportation, the bureau of environmental services, the city attorney's office as well as pge, odot, and of course Portland state university, and who have been critical in this effort by allowing the house to move to the campus, so thank you for that. I would like to thank my colleagues as well. I barely had to lift a finger in this process, and I get to share the glory, so thank you for all your hard work on this and of course the owners, current owners, blindheims, and rick and Karen for hanging on to this dream and bringing it to fruition. Aye.

Fritz: It certainly has been a team effort across several mayors and several many years as commissioner Eudaly just said. It's nice to get to this point particularly grateful for Rachel Wiggins and ray being here today. I'm sure if that were a lobbying entity we can waive it under the circumstances. Saying thank you to about 20 people is certainly I would say not lobbying, but being respectful of how many people were involved in this. It is \$1.2 million of private money and \$35,000 of waived development fees. It also has been a significant use of staff time over time so that is something that we did keep working on it. I called out Rachel for this, but she was also extremely helpful in getting right 2 dream too moved from their previous site on fourth and Burnside to the new site near the mode center. So when we're doing these things which protect beautiful, historic buildings I think we do have to recognize there's a lot of people sleeping outside tonight. There's a lot of people who don't have the capacity and there's a lot of communities that in past times we didn't think so much about historical preservation, we just demolished whole sections of town. Hopefully we have learned from past mistakes and we're going to join together on this particular move so it certainly is a cause for celebration not least of which that we are able as a city in Portland, Oregon, united states of America able to dedicate this amount of private and professional resources to preserving a building. So thank you, everybody. Aye.

Fish: I think freed said it best when he said it's a victory for preservation and I think if you step back it's been a hell of a month. I want to make a few comments about some wins we have shared together but first I want to acknowledge something both my colleagues have just said. Which is that even within the commission style form of government we are capable of extremely high levels of collaboration, and I would actually argue that it's not in spite of, it's because of, and the question is not the form of government, the question is the leadership of the various entities and the willingness to come together and solve a problem. So I'm extremely proud to be on this team with commissioners Fritz and Eudaly and to be here on the day that we bring this home. I also want to acknowledge something commissioner Fritz said and it was alluded to in testimony, which is the role of the council to support citizens who are doing good work. What I think makes this whole enterprise so powerful is it was a group of citizens who said we're going to save this building, we're going to raise the money, we're going to do a lot of the work and they said to the city, help us make this happen. There are many different roles that we play in our day jobs but nothing is more rewarding than helping to bring fulfillment to aspirations of people doing good work in our community. Let me go back to why I think this is a hell of a month for preservation. Last night commissioner Fritz and I and bill failing and others were at the 5th anniversary of the opening of the Oregon rail heritage center. I can tell you while that project did not have all the twists and turns of this, six or seven years ago there were many

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who thought it would never happen and that our three historic steam locomotives would be homeless. It took the same spirit of people coming together and saying we're not going to take no for an answer and we're going to do every work-around necessary to maybe it happen and it was a very proud moment to be with my friend commissioner Fritz last night and she even torched the mortgage, which was marked paid in full.

Fritz: Really fun.

Fish: The three steam locomotives including the smp 449 having a permanent home. I was with Peggy recently at another event in jantzen beach. The return of the jantzen beach carrousel to our community. I believe that just as with the Morris marks house and our three steam locomotives, once again the community is going to come together will rise up and say we'll do whatever it takes to preserve this incredible piece of our cultural history. Today we're celebrating the Morris marks house and we're told by the experts that it's one of the very last examples of this style of home. You know, without getting my violins section out, what we begin to think about is how far are we going to allow cultural vandalism to drift? How much of our culture are we going to allow to be lost, our history, and by contrast how wonderful it is that we can have people step forward and save something that is such a priceless part of our heritage and imagine, my friends, if we took the same attitude and once and for all came up with a way to save veterans memorial coliseum and put it on a strong footing for generations to come. There's already been a reference to the honor roll of city employees and community members who have brought this day forward and I won't repeat all the names other than to say thank you. I do want to just say that it is a privilege to work on this council with colleagues who work so collaboratively. I'm pleased the bureau of development services, parks and the water bureau were called out and our friends at Portland state. I would be remiss if I didn't mention Karen moynahan here from the legal department because so many of the challenges that we face actually have a legal root and Karen is the master at keeping us out of harm's way. So thank you to the city attorney's office. Finally, of course shout out to pge and northwest natural and those were some of the hardest last-minute pieces of this negotiation. Finally I want to thank Todd Lofgren on my team. Commissioner Fritz for a period of time wasn't talking to me because I stole him from parks bureau but what I had appreciated when I was in charge of parks was that Todd has like Rachel and like many people here today who have worked so hard on this Todd has a nose for closing. Todd is focused on getting to the finish line. Ultimately, why are we here? Either in these jobs or in the roles that you play if we're not here to support good deeds and to make our city better? So I'm very proud today to join my colleagues in voting aye.

Wheeler: Well, we have a unique form of government here and it requires that sometimes you lead and sometimes you get out of the way. This is a really unique opportunity for me because I'm really here almost as a spectator. I had absolutely nothing to do with this because the crossover with my bureaus on this particular project are exactly zero. That being said, I'm sure the police bureau will be there to help navigate traffic on the streets and we have a house moving through the streets, so maybe there's still an opportunity. But I also am struck by the fact that this is the first item I believe that's come before the city council in my nine months here where the testimony was unanimously in support and so I'm trying to figure out commissioner Fish what the lesson is I should draw from this that, a, I had nothing to do with it -- [laughter] and b, there's been no opposition to it. So there's something there. There's a kernel of something there and I'll go home and consider it further, but in all seriousness, I love this house and I have always thought it was sort of an interesting no sequitur. It truly is one of the most beautiful houses in the city and over the years it seems like it's just been dwarfed by the development around it. I always wondered what's going to happen to that? As -- I'm not speaking as mayor but as a guy who lives

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here, I'm thrilled to see people coming together on city council, people from the community preservationists, neighborhood forecasts, people who just think as I do it's a really beautiful house and it would be a shame to let it go. To come together and help bring it to fruition. Then because I'm reducing my intake of caffeine and sugar and alcohol, my mind tends to have funny thoughts. I had this funny thought as we were sitting here discussing this. The thought is this. Imagine what the family must have been like who built this house. I'm sure Bill or somebody here probably knows the whole history of it, but imagine if they could have known 140ish years ago sitting around the dining room table that the legacy of their house would be that over nearly a century and a half later a group of people in the city who are decades away from being born when they were sitting around that table would be having a community conversation about how to protect and restore and give new life to the house in which they were sitting. It kind of gives me an interesting not just retroactively in terms of preserving our history and our cultural assets but it also gives me a little bit of hope for the future and by gosh, if I'm not getting my hope from caffeine I need to get it from hearings like this. So I vote aye. The ordinance is adopted. Thank you all. [applause] one really weird thing happened today I've just got to tell you this. We're 45 minutes ahead of schedule. Our time certain is not until 3:30. We're in recess until 3:30.

At 2:47 p.m. council recessed.

At 3:31 p.m. council reconvened

Wheeler: Good afternoon everybody this is a continuation of the September 21, 2017 city council, afternoon session. With regard to decorum, I want to remind everybody about council rules. When people testify, let's all be respectful of everybody, whether they agree with them or not. That's it. If you could please read the first item. The first two items.

Item 1045.

Item 1046.

Wheeler: Awesome, all right, first the city attorney is going to make some announcement about today's hearing.

Lauren King, Deputy City Attorney: So forgive me, it's long. This is an evidentiary hearing, this means you may submit new evidence at the counsel in support of your arguments. For council consideration of the hearing officer's recommendation on a comprehensive plan map amendment testimony will be heard as follows. We begin with a staff report by bds staff. Following the staff report, city council will hear from interested persons in the following order, the applicant will go first and will have 15 minutes to address the council. After the applicant the council will hear from individuals or organizations who support the applicant's proposal, and each person will have three minutes to speak. Next council will hear from persons or organizations who oppose the applicant's proposal and again each person will have three minutes to speak. If there was testimony in opposition to the applicant's proposal, the applicant will have five additional minutes to rebut the testimony given in opposition to the proposal. The council may then close the hearing and deliberate. This is a non-emergency ordinance, as a non-emergency ordinance it will pass to a second reading. The council may then make a recommendation, make amendments to the ordinance and findings, or direct staff to return with the amendments. I would like to make several guidelines for those addressing the city council today. First submitting evidence into the record, any letters or documents you wish to be a part of the record should be given to the council clerk after you testify. Similarly the original or a copy of any slides, photographs, drawings, maps, videos or other items, you show to the council during your testimony should be given to the council clerk to make sure that they become part of the record. Testimony must be directed at the approval criteria. Any testimony, arguments or evidence you present must be directed towards the applicable approval criteria for this land use review, or other criteria on the city's comprehensive plan

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or zoning code that you believe apply to the decisions. The bds staff will identify the applicable approval criteria as part of their staff report to the council. Issues must be raised with specificity, you must raise an issue clearly enough to give the council and the parties an opportunity to respond to the issue. If you don't you will be precluded from appealing the issue to the land use board of appeals based on that issue. And finally, applicants must identify the constitutional challenges to the conditions of approval. If an applicant fails to raise constitutional or other issues relating to the proposed conditions of approval, sufficiently to allow the council to respond the applicant will be precluded from bringing an action for damages in circuit court, and that is it.

Wheeler: Do any of the members of the council wish to declare a conflict of interest? No members of the council have declared a conflict of interest. Do any members of the council have ex parte contacts to declare information gathered outside of these hearings to disclose? No council members have ex parte contacts to declare. Have any members of the council made any visits to this site involved in this matter?

Fritz: I am sure that I have been there sometime but not recently and not to evaluate this proposal.

Wheeler: Does anyone present in the council chambers wish to ask the commissioner Fritz about her observations on this site? Seeing none, do any council members have any other matters that need to be discussed before we begin the hearing? Nobody does, so with that we'll start with testimony of the staff. Staff report. Ten minutes please. Good afternoon.

Amanda Rhoads, Bureau of Development Services: Good afternoon, thank you. My name is Amanda Rhoads, the assigned staff who will be the assigned planner who will presenting hearings officer joe turner's recommendations to you today. The owner Aaron tinkle and the applicant Sarah Radelet of Straddle land use planning are requesting a comprehensive plan map and zoning map amendment for the site at 5901 southeast Belmont street. The applicant requests to change the comprehensive plan map designation for this roughly 6500 square foot site from low density multi-dwelling to neighborhood commercial, and change the zoning map designation from r2 or multi-dwelling residential 2000 to cn-1, the neighborhood commercial one. Allowed uses under the new zone would include office, retail, sales and service, household living, institutional and other uses in limited quantities, the applicant is proposing to develop a dental office, that is larger than the current one he operates two doors down and he can speak more about that. First I will show you the current zoning map. Again the site is zoned r2, its adjacent to a strip of r2 along Belmont street there, and r5, a single dwelling zone is located to the north. There is a small cluster of cn-1 zoning immediately to the east. The site is developed with a single dwelling residence in the maximum density for the properties, three units. This is what the zoning map would look like if approved. The subject site would be zone cn-1 along with continuing that, one property further to the west. Here's an aerial view of that intersection showing the commercial zoning on either side of 60th, both cm-1 and co1, or office commercial one, a large chunk of which is vacant currently. There are a number of apartment buildings in the area. Mostly with the white roofs there, and then in the southeast corner is a skilled nursing facility that's operating as a conditional use in the r5 zone. This closer up view shows the subject site in blue and the other four properties involved in the 2013 subdivision with three new houses in the r5 zone at the north end. The result of this subdivision is that there is a private street track which effectively separates any proposed commercial uses on the subject site from the neighboring residential to the west, it's about 25 feet and to the north 311 feet of separation. I am going to just walk through a few photos of the area. Again these are the five properties of that subdivision. The subject site is on the right there the three new

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houses in the back and we're looking at that prior to street tract and then moving to the east, the subject site is just a little bit available or visible on the left there and this is a medical clinic immediately adjacent and then on the left here is the Owner's current dental office and the corner building was a pharmacy and now it's a chiropractic center and an office use. Crossing 60th we have got the commercial development, the vacant lot and then an older, commercial building and then to the south is that skilled nursing facility and on the other corner in the southwest we have got a mixture of houses and duplexes. So I am going to review the approval criteria and summarize the findings of the hearing officer's recommendation. First the comprehensive plan map amendment, approval criteria, the first requires that we demonstrate that on balance the proposals are equally or more supportive of the comprehensive plan as a whole than the old designation. In this case the hearings officer reviewed the different goals of the comprehensive plan and found that they were on balance equally or more supportive, that includes goals around urban development, economic development, neighborhoods, transportation, and more. Goal one is the metropolitan coordination and that required a review of metro's urban growth functional management plan, and the hearings officer found that the proposal was consistent with the titles of that plan as well. The second criterion looked at the statewide land use planning goals, and largely the city's comprehensive plan reflects the topic areas that you see in the statewide land use planning goals. The state has acknowledged the city's comprehensive plan, and therefore the proposal was found to also be consistent with the statewide land use planning goals. The third criterion comes into play because we're looking at a residential site converting to a commercial site, and there is an, a requirement that you mitigate so that there is no net loss and potential housing units, and there are a number of ways that the code allows to do this, in this case the applicant chose to make an agreement with a developer of housing in the ex zone elsewhere in southeast Portland where there is no housing required to be built, and so the owner of that property designated three units to mitigate for the potential lost housing on the subject site and there is, there is a covenant in the record that shows that this will remain residential, these three units will be residential for 60 years, which is well over the required 25 years of the zoning code asks for. So the hearings officer agreed that criterion was also met. Moving to the zoning map amendment criteria, the first one looks at the comprehensive plan map designation and any other corresponding zones that could also be applied to the site, and then in this case, we have got two, cn-1 and 2, both of which are relatively low intensity, commercial zones, both designated for small sites and designed to be compatible in scale with the surrounding residential development. The cn-2 zone is designed more for auto, more auto oriented locations, and less dense or developing residential neighborhoods because this area is more of a streetcar kind of suburb design and has good access to transit, apartment buildings, a bit denser development the cn-1 zone was the most appropriate out of the two. And the second approval criterion is around adequate public services and whether our public services could accommodate the development potential in this site with the change. And those public services are everything from police and fire protection, water supply, and capacity, storm water and sanitary systems and the transportation system, and all the bureaus reported that yes they could handle with the current public services, they could accommodate the limited development that would be allowed on this small site with the new zoning. We received no written responses to the public notice, and no testimony at the hearing, with the hearings officer aside from the applicant. The applicant did include a letter of support from the mount tabor neighborhood association which when talking about how the residential density is increasing but they're not seeing a corresponding increase in the number of commercial properties, they really value having commercial services provided locally in these commercial nodes and

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therefore, they support the zone change of this property. The hearings officer recommendation was the approval of both the comprehensive plan map amendment and the zoning map amendment with no conditions. I'm happy to take your questions.

Wheeler: Any questions? Very good, the applicant, you have up to 15 minutes should you choose to use it. Karla, they get 15, sorry. Thank you.

Sarah Radelet: Sarah Radelet, Straddle land use planning. We are in support of the hearings officer's recommendation of approval of this project, and I want to turn it over to the property owner to talk a bit about his history in the neighborhood and his experience going to the neighborhood association.

Wheeler: Very good.

Aaron Tinkle: So I am dr. Aaron Tinkle and in 2009 I bought a dental office from dr. James radamaker, and he was a second generation dentist in that office. It has been an office for 5935 southeast Belmont so two doors to the east. It's been his office since 1950, and I have had the privilege of being a member of the neighborhood and having their full support, and we have grown 700% in seven years, which is awesome. So I have an enviable problem of having a lot of patients who need me and not enough space to serve them, so I started looking for commercial properties in that neighborhood because I think that it's a very special neighborhood. I think that's part of the success, and my style and attitude towards healthcare in the neighborhood tends to gel well. I like to -- I am a sponsor of all the schools, that's my marketing and advertising, tends to work pretty well. Anyway I found several different commercial properties, and they are all being turned into giant apartment buildings, and so my limited funds, I lost out on every one of them when it came to that. So I thought post on the ground at this site, 5901 and before the sign was up I have got to have this because I thought this could be a potential. I then hired a land use attorney to look into, is this possible to change the zoning. He gave me a 25% chance. I said I have had worse chance this is my life, so I am definitely an optimist so I went to the neighborhood association meeting before I signed on the dotted line and said is this something that you guys would support so I can, you know, treat more of you and they thought it was a great idea. They were flattered that I would come and ask because the last thing that I want to do is upset a portion of the neighborhood because that's my business. So through I think it was four meetings they ended up signing the letter of support. In fact, I went door-to-door on the neighbors adjacent to it, and all of them didn't have any questions or concerns, two of them are very big supporters of mine, excited about it. So with that support if this was able to be changed, I am able to employ three more people in my office. I am able to employ another dentist, and I should be able to have a 50% growth in the practice size. Any of the issues haven't been brought up, and I am just really excited if it does work out.

Wheeler: Thank you. Appreciate it.

Fritz: I hope a lot of other people are watching and know that's how you build the community support is both by being a good community member and also to go to the folks who are most affected and ask for their support. So thank you for doing that.

Tinkle: Thank you.

Wheeler: Thank you. Excellent. So we'll hear now, if that concludes your remarks we'll hear from supporters of the applicant, three minutes each.

Moore-Love: No one else signed up.

Wheeler: Opponents to the applicants, three minutes each?

Moore-Love: No one signed up on that list.

Wheeler: And therefore there is no need for a rebuttal by the applicant. Council discussion?

Fritz: It sounds like a great project.

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Wheeler: Very good.

Fritz: I'm surprised the attorney said its only 25%, it seems kind of like a no-brainer, yes. So that's also something that people should check with the development services rather than an attorney.

Wheeler: Very good.

Fritz: Sorry, sorry the attorneys are like oh, no.

King: That wasn't the advice I was giving.

Wheeler: Ok. Very good. Then I would move that we close the record.

Fritz: Second.

Wheeler: Good. All in favor, or please call the roll.

King: And this is a non-emergency so it will be a tentative vote and they will come back and adopt the findings.

Wheeler: Can I get a motion to close? We have a motion to close the record?

Fritz: It's a motion to approve to the hearings officers recommendation.

Wheeler: Ok. Good. And we have a second for that? Commissioner Eudaly?

Eudaly: I will second.

Wheeler: We have a motion from commissioner Fritz and second from Eudaly to accept the hearings officer recommendation, this is a tentative vote. Please call the roll.

Eudaly: Aye.

Fritz: I wish that they were all this pleasant and good luck to the new business. Aye.

Wheeler: Aye. The hearings officer's recommendation is upheld. The final vote for this will be when?

King: There are actually, because there are two pieces, and this is just strange about comp plan amendments so what you just voted on was accepting the hearings officer recommendation and now you need to vote on item 1046 to amend the comp plan.

Wheeler: Please call the roll.

Moore-Love: Vote on 1046 even though it's a non-emergency?

King: It will be the same thing, a tentative vote and they can come back together with the date and time certain to vote on it.

Eudaly: Aye.

Fritz: Thanks to Amanda Rhoads and the bds team for your usual good work, aye.

Wheeler: Aye. The amendment to the comprehensive plan map is tentatively approved so we'll come back when for a final vote?

Moore-Love: Do we need a time certain?

King: Yes but it can just be five minutes, it does not have to be a long agenda item.

Moore-Love: 10:50a.m. On the 27th.

Wheeler: 10:50a.m. On the 27th of September. So the final vote on this hearing will be at 10:50a.m. Time certain, on September 27. We are adjourned. Thank you.

At 3:50 p.m. Council adjourned.