



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30<sup>TH</sup> DAY OF MAY, 2018** AT 9:30 A.M.

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

Commissioner Eudaly left at 12:00 p.m. and returned at 12:20 p.m.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Denis Vannier, Senior Deputy City Attorney; and Nicholas Livingston and John Paolazzi, Sergeants at Arms.

Item Nos. 544, 545, 547 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:57 a.m. and reconvened at 10:59 a.m.

		<b>Disposition:</b>
<b>COMMUNICATIONS</b>		
<b>531</b>	Request of David Kif Davis to address Council regarding City sponsored political terrorism (Communication)	<b>PLACED ON FILE</b>
<b>532</b>	Request of Jim Braly to address Council regarding Waiver of Remonstrance (Communication)	<b>PLACED ON FILE</b>
<b>533</b>	Request of Russell Senior to address Council regarding public telecommunications utility (Communication)	<b>PLACED ON FILE</b>
<b>534</b>	Request of Xi Jie Ng to address Council regarding Portland State University MFA in Art & Social Practice Program activities (Communication)	<b>PLACED ON FILE</b>
<b>535</b>	Request of Larry Snell to address Council regarding hiring/dismissal procedures (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>536</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim May 30-June 12 to be 32 <sup>nd</sup> Annual Great Blue Heron Week (Proclamation introduced by Mayor Wheeler) 15 minutes requested	<b>PLACED ON FILE</b>

<p><b>*537</b>      <b>TIME CERTAIN: 10:00 AM</b> – Accept donation of goods and services from Downtown Clean &amp; Safe for the improvement of downtown public solid waste and recycling collection (Ordinance introduced by Mayor Wheeler) 15 minutes requested</p>	<p><b>188968</b></p>
<p><b>S-538</b>      <b>TIME CERTAIN: 10:15 AM</b> – Adopt the Central City 2035 Plan; amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan, Zoning Map and Title 33; authorize adoption of administrative rules; repeal and replace prior Central City plans and documents (Previous Agenda 526; Ordinance introduced by Mayor Wheeler) 30 minutes requested for items 538 and 539</p> <p><b>1. Mayor withdrew his motion of May 24, 2018, Technical Amendment 9.</b></p> <p><b>2. Motion to accept the amended commentary, code and maps shown in the May 30, 2018 BPS memo regarding shadow analysis:</b> Moved by Wheeler and seconded by Saltzman. (Y-5)</p> <p><b>3. Commissioner Fritz withdrew her motion of May 24, 2018 regarding Technical Amendment 9, sites on Map 510-3, prohibiting adjustments to the shade study for Lan Su Chinese Garden.</b></p> <p><b>4. Motion to limit the shadow analysis for sites on Map 510-3 to 20% of the adjacent open space at any hour of the day June 21 and September 21:</b> Moved by Fritz and seconded by Wheeler. (Y-1 Fritz; N-4) Motion failed.</p>	<p><b>SUBSTITUTE PASSED TO SECOND READING AS AMENDED JUNE 6, 2018 AT 2:00 PM TIME CERTAIN</b></p>
<p><b>539</b>      Amend the Central City Plan District of the Zoning Code to increase bonus heights and impose master plan requirements in certain RiverPlace subareas (Previous Agenda 527; ordinance introduced by Mayor Wheeler; amend Code Sections 33.510.210.D and 33.510.255, and Maps 510-4, 510-16 and 510-19)</p> <p><b>Motion to amend shadow study map 510-4 to be consistent with Item 538 motion #2:</b> Moved by Wheeler and seconded by Fish. (Y-3; Fritz and Saltzman absent)</p>	<p><b>PASSED TO SECOND READING AS AMENDED JUNE 6, 2018 AT 2:00 PM TIME CERTAIN</b></p>
<p><b>CONSENT AGENDA – NO DISCUSSION</b></p>	
<p><b>Bureau of Parks &amp; Recreation</b></p>	
<p><b>*540</b>      Amend contract with Stacy and Witbeck, Inc. of Oregon for Construction Manger/General Contractor Pre-Construction Services to perform early site work for the Portland Open Space Sequence Restoration Project No. P00721 for \$58,000 (Ordinance introduced by Mayor Wheeler and Commissioner Fritz; amend Contract No. 30006003) (Y-5)</p>	<p><b>188961</b></p>
<p><b>Bureau of Transportation</b></p>	
<p><b>*541</b>      Authorize an Intergovernmental Agreement for grant funding in the amount of \$200,000 from Metro to the City for construction of the Wildwood Trail Pedestrian Bridge (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman) (Y-5)</p>	<p><b>188962</b></p>

<p><b>Mayor Ted Wheeler</b></p> <p><b>Bureau of Environmental Services</b></p>		
<p><b>542</b></p>	<p>Authorize the Director of the Bureau of Environmental Services to enter into an Intergovernmental Agreement with the City of Lake Oswego and Metro to work cooperatively on a Trail Master Plan for Tryon Creek State Natural Area to Willamette River Greenway (Ordinance)</p>	<p><b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b></p>
<p><b>Bureau of Planning &amp; Sustainability</b></p>		
<p><b>*543</b></p>	<p>Authorize application to Metro Regional Government for grants in the amount of \$730,000 for a package of three projects as part of the Cycle 6, 2040 Planning and Development Grant Program (Ordinance) (Y-5)</p>	<p><b>188963</b></p>
<p><b>City Attorney</b></p>		
<p><b>544</b></p>	<p>Authorize the City Attorney to institute legal proceedings against Clark County, Washington, to seek an injunction prohibiting the release of City records without further redaction (Resolution) (Y-5)</p>	<p><b>37358</b></p>
<p><b>Office of Management and Finance</b></p>		
<p><b>545</b></p>	<p>Authorize five-year Price Agreements for construction management, inspection, and project support personnel services for an amount not-to-exceed \$25,000,000 over five years (Procurement Report – Project No. 122285) <b>Motion to accept report:</b> Moved by Saltzman and seconded by Fish. (Y-5)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>*546</b></p>	<p>Pay bodily injury claim of Patricia Olson in the sum of \$15,000 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance) (Y-5)</p>	<p><b>188964</b></p>
<p><b>*547</b></p>	<p>Amend Moorage/Berthage agreement with Mike Allen for lease of berth space at the Columbia Point Yacht Club through May 31, 2019 at an annual cost of \$3,600 for moorage of Portland Fire &amp; Rescue Vessel Fire Boat 17 (Ordinance; amend Contract No. 30004750) (Y-5)</p>	<p><b>188977</b></p>
<p><b>*548</b></p>	<p>Amend lease agreement with Multnomah County School District No. 1J for space at 6745 SE 60th Ave through May 31, 2019 at an annual cost of \$7,392 for the storage and repair of bicycles used for the Portland Bureau of Transportation Safe Routes to School Bike Safety Program (Ordinance; amend Contract No. 30005377) (Y-5)</p>	<p><b>188965</b></p>
<p><b>*549</b></p>	<p>Amend Code to allow eligible City-Partnered Nonprofits to participate in the Citywide Charitable Campaign (Ordinance; replace Code Chapter 5.10) (Y-5)</p>	<p><b>188966</b></p>

May 30-31, 2018

<b>550</b>	Extend term of a franchise granted to NewPath Networks, LLC to build and operate wireless facilities within City streets (Ordinance; amend Ordinance No. 180376)	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>551</b>	Extend term of right-of-way use agreement granted to Verizon Wireless LLC dba Verizon Wireless for mobile telecommunications services (Ordinance; amend Ordinance No. 180379)	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>552</b>	Extend term of a right-of-way use agreement granted to Sprint Spectrum, L.P. for mobile telecommunications services (Ordinance; amend Ordinance No. 185717)	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>553</b>	Extend term of right-of-way use agreement granted to New Cingular Wireless PCS, LLC for mobile telecommunications services (Ordinance; amend Ordinance No. 185789)	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>554</b>	Extend term of right-of-way use agreement granted to T-Mobile West Corporation, Inc. for mobile telecommunications services (Ordinance; amend Ordinance No. 185790)	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>Office of Neighborhood Involvement</b>		
<b>*555</b>	Authorize grant agreement with Kenton Action Plan totaling \$13,329 for Neighborhood Small Grants within the target area of North Portland Neighborhood Services (Ordinance) (Y-5)	<b>188967</b>
<b>REGULAR AGENDA</b>		
<b>556</b>	Appoint Bonnie Gee Yosick, Katy Holland and Tamara Layden and reappoint Tonya Booker and Ian Jaquiss to the Portland Parks Board for terms to expire June 30, 2021 (Report introduced by Mayor Wheeler and Commissioner Fritz) 10 minutes requested <b>Motion to accept report:</b> Moved by Fritz and seconded by Fish. (Y-5)	<b>CONFIRMED</b>
<b>Bureau of Parks &amp; Recreation</b>		
<b>557</b>	Extend grant agreements by one year and provide additional grant funding not to exceed \$350,000 in aggregate, with seven organizations providing services to youth in partnership with Portland Parks & Recreation (Second Reading Agenda 502; introduced by Mayor Wheeler and Commissioner Fritz; amend Contract Nos. 3005318, 3005319, 30005362, 30005363, 30005364, 30005366, 30005367) (Y-5)	<b>188969</b>
<b>558</b>	Amend fee schedules for tree permits (Second Reading Agenda 507; introduced by Mayor Wheeler and Commissioner Fritz) (Y-5)	<b>188970</b>

May 30-31, 2018

<b>Bureau of Transportation</b>		
<b>559</b>	Vacate a portion of SE Grant St west of SE Water Ave subject to certain conditions and reservations (Hearing; Ordinance introduced by Mayor Wheeler and Commissioner Saltzman; VAC-10117) 10 minutes requested	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>560</b>	Create a local improvement district to construct street, sidewalk, stormwater and sanitary sewer improvements in the NE 55th-57th Aves and Killingsworth St Local Improvement District (Hearing; Ordinance introduced by Mayor Wheeler and Commissioner Saltzman; Ordinance; C-10062) 10 minutes requested  <b>Motion to replace draft Exhibit A with the final exhibit:</b> Moved by Wheeler and seconded by Saltzman. (Y-5)	<b>PASSED TO SECOND READING AS AMENDED JUNE 06, 2018 AT 9:30 AM</b>
<b>561</b>	Revise transportation fees, rates and charges for FY 2018-19 and fix an effective date (Second Reading Agenda 509; Introduced by Mayor Wheeler and Commissioner Saltzman; amend TRN-3.450) (Y-5)	<b>188971</b>
<b>562</b>	Amend Code pertaining to private for-hire transportation in the city (Second Reading Agenda 518; introduced by Mayor Wheeler and Commissioner Saltzman; amend Code Chapter 16.40) (Y-5)	<b>188972 AS AMENDED</b>
<b>Water Bureau</b>		
<b>563</b>	Authorize an Intergovernmental Agreement with Home Forward for an annual amount of \$640,000 to assist City of Portland utility customers that encounter barriers in paying water and sewer services (Second Reading Agenda 500; Introduced by Mayor Wheeler and Commissioner Fish) (Y-5)	<b>188973</b>
<b>Mayor Ted Wheeler</b>		
<b>Bureau of Environmental Services</b>		
<b>564</b>	Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Structural Rehabilitation of Taggart Outfall 30 Project No. E10220 for an estimated cost of \$8 million (Second Reading Agenda 510) (Y-5)	<b>188974</b>
<b>Office of Management and Finance</b>		
<b>565</b>	Accept bid of James W. Fowler for the Montavilla South Sewer Rehabilitation project for \$2,974,850 (Procurement Report - Bid No. 00000850)  <b>Motion to accept report:</b> Moved by Fritz and seconded by Fish. (Y-4; Eudaly absent)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>566</b>	Accept bid of Landis & Landis Construction, LLC for the St. John's Cathedral Park Sewer Rehabilitation Project for \$7,115,144 (Procurement Report - Bid No. 00000863) 10 minutes requested  <b>Motion to accept report:</b> Moved by Fritz and seconded by Saltzman. (Y-4; Eudaly absent)	<b>ACCEPTED PREPARE CONTRACT</b>

May 30-31, 2018

<b>567</b>	Accept bid of Raimore Construction, LLC for the Couch Park Play Area Improvements and Loo Project for \$1,056,403 (Procurement Report - Bid No 00000879) 10 minutes requested <b>Motion to accept report:</b> Moved by Saltzman and seconded by Fritz. (Y-4; Eudaly absent)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>568</b>	Approve FY 2018-19 cost of living adjustments to pay rates for nonrepresented classifications and Elected Officials, specify the effect upon employees in the classifications involved, and provide for payment (Second Reading Agenda 514) (Y-4; Eudaly absent)	<b>188975</b>
<b>569</b>	Revise Secondhand Dealer regulations to accept Consular ID cards as identification, add Gift Cards as regulated property and other housekeeping changes (Second Reading Agenda 515; amend Code Chapter 14B.90) (Y-4; Eudaly absent)	<b>188976</b>
<b>Water Bureau</b>		
<b>570</b>	Extend contract with Schneider Electric Systems USA, Inc. for the supervisory control and Data Acquisition system upgrade, and increase compensation in the amount of \$826,035 (Ordinance; amend Contract No. 30005924) 10 minutes requested	<b>PASSED TO SECOND READING JUNE 06, 2018 AT 9:30 AM</b>
<b>FOUR-FIFTHS AGENDA</b> <b>Mayor Ted Wheeler</b> <b>City Attorney</b>		
<b>570-1</b>	Authorize City Attorney to appear as amicus curiae on an amicus brief to be filed in support of the National Fair Housing Alliance in the case of <i>National Fair Housing Alliance, et al. v. Carson</i> , seeking a preliminary injunction requiring the United States Department of Housing and Urban Development to immediately rescind its order suspending the requirements of the Affirmatively Furthering Fair Housing Rule (Resolution)	<b>37359</b>

At 12:30 p.m., Council recessed.

May 30-31, 2018

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **30<sup>TH</sup> DAY OF MAY, 2018** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney; and Nicholas Livingston, Sergeant at Arms.

<p><b>571</b>      <b>TIME CERTAIN: 2:00 PM</b> – Transmit East Portland Action Plan 2018 annual presentation (Report introduced by Mayor Wheeler) 1 hour 15 minutes requested for items 571-572 <b>Motion to accept report:</b> Moved by Eudaly and seconded by Fritz. (Y-4)</p>	<p><b>Disposition:</b></p> <p><b>ACCEPTED</b></p>
<p><b>*572</b>      Authorize \$169,491 total in grant funds for the Office of Neighborhood Involvement East Portland Action Plan 2018 Grant Program and Municipal Partnership (Ordinance introduced by Mayor Wheeler) (Y-4)</p>	<p><b>188978</b></p>

At 3:33 p.m., Council recessed.



May 30-31, 2018

At 4:30 p.m., Council adjourned.

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

A handwritten signature in blue ink that reads "Susan Parsons". The signature is written in a cursive style with a long, sweeping underline.

By Susan Parsons  
Acting Clerk of the Council

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

May 30-31, 2018  
**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.

**MAY 30, 2018      9:30 AM**

**Wheeler:** 9:30:00 a.m. Meeting of the Portland city council. Please call the roll. [roll taken]  
**Mike Abbate, Portland City Attorney:** Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the city council meetings so that everyone can feel welcome, comfortable, respected, and safe. To participate in the council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. Presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show your support for something that is said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumb's down. Disruptive conduct such as shouting or interrupting testimony or counsel deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being rejected for the remainder of the meeting. After being rejected, a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected, and safe.

**Wheeler:** Thank you. First up is communications. You can read the first individuals' names.

**Item 531.**

**David Kif Davis:** So I wanted to address you guys about the war on cop watchers and how Portland is in a constitutional crisis, and you guys don't seem to respect the constitution, and I am more pointing out nick Fish and ted wheeler, specifically, and ted wheeler, don't interrupt me this time when I am talking, okay, because this is my time not yours, and you, too, nick Fish. There are rules to this thing just like the ones he read off of. Now Jeff black, the film-maker, is working on the murder of Quanice Hayes, you know. He talked about the war on cop watchers last week at the john ellefritz hearing, press conference outside. And he was talking about how that is a violation of the doj settlement, too, and especially if some of us might have some mental illnesses, which there are certain people, I am not going to name names, but there are people that do have mental illnesses that are cop watchers, okay. So, you guys, with your unconstitutional war on cop watchers, are guilty of retaliation, ada violations, civil rights' violations, conspiracy to deny civil rights, which is a felony, and this is all going to be brought to federal court here pretty soon because you want to know what, we're getting a team of lawyers on our side. Your days are numbered, okay. The menacing, abusive, unconstitutional behavior at city hall, and by the Portland police needs the end. We should be able to at least film the police without dealing with all of these various things from illegal arrest to getting stabbed like Eli got stabbed, and oh, they didn't find any charges. And then there is john Hughes here, who is,

May 30-31, 2018

you know, he's in the paper, k2 all over, man indicted on the murder and gun charges and that's Pete Simpson's relative. Who lived at his mom's house up until recently. And he choked, choked Robbie Esterbrook, girlfriend, when she went to film outside of Pete Simpson's mom's house, and also sawed his phone in half. The judge and the d.a. Dropped The charges, and they gave Eli a quarter of a million-dollar bail for filming the police. So, you guys are letting people that actually murder members of the community choke women, attack cop watchers, smash their phones, smash their cameras, my camera was destroyed by an out of town mayor, the d.a. Didn't find anything about that. Ted wheeler, you said that I threatened your daughter and your wife. When I organized the protest outside of your house, that is constitutionally protected, and that is not a threat. And I didn't even know that you had a daughter, but if I did you have a daughter. I still would have.

**Wheeler:** Thank you. That's not what I was referring to. Next individual, please. Next individual, please.

**Wheeler:** Excuse me, sir, you are going to have to be quiet. This is somebody's time. If you cannot be quiet you are going to have to leave.

**Davis:** Did you hear what I said?

**Wheeler:** No, if you cannot be quiet -- one moment, sir.

**Jim Braly:** My name is Jim Braly, and I live in the west Portland park neighborhood. I recently discovered there is a street waiver.

**Davis:** I have got to get my camera, I am not leaving this behind.

**Braly:** I recently discovered there is a street waiver on the house that my wife and I bought in 2005. I am learning about this 13 years later because our Neighborhood is involved in a possible local improvement district to pave streets. The estimate is that each home would have to pay about 45,000. Nobody was aware of this when they bought their home. Nobody in our neighborhood can afford to pay it outright, and if you finance it over 20 years, it's about 70,000. That becomes a lien on your house. The street waiver is a city document signed only by our builder, Joe Bashalt and all six of his houses have waivers. The city allowed them to build without improving the road, and instead with the waiver, the city obligated future home buyers to pay if an I.i.d. is formed. Just a few blocks from us there are other relatively new homes where the developer did put in paved streets with curbs and sidewalks. Apparently, the city required that builder to do the work as part of the project. This feels unfair and inequitable. But there is a bigger problem. The street waiver was never disclosed to us. Not by the builder, not by first American title, and not by Hasaan realty, and our signatures are not on the waiver. How could it be? It was recorded we the city months before we bought the house. There is not a place on the forum for us to sign it. Everyone knows that for a contract to be legal it, needs to be signed by both sides. There is a state law, ors41-580 that addresses this. From what I learned the only way you might discover a street waiver is if you have a knowledgeable real estate agent. It's not obvious. When I went looking, the bureau of development services had no record of the waiver on our house because it was on file with Portland bureau of transportation. A lack of transparency generally means that they don't want you to know what is going on. Donald trump doesn't disclose his tax returns. Portland public schools doesn't disclose there is lead in drinking water, and in my opinion, the street waiver process is a fraud. The cities should quit using it unless you require that the waiver be disclosed to home buyers, and it has their signature. Beyond that Portland should require all the developers to put in paved streets. Evidence that the city doesn't do this is everywhere. Most neighborhoods have decent streets but many others have gravel roads full of potholes. I am not have Portland originally. So how this happens here is puzzling to me. It's also a big disappointment. It makes me cynical about how Portland city government works. Thank you for letting me speak on this issue.

**Fish:** Can I ask you a quick question?

**Braly:** Yes.

**Fish:** You said in your testimony that it had been Recorded?

**Braly:** The street waiver is a one-page document.

**Fish:** Where had it been recorded?

**Braly:** Where had it been recorded? In Multnomah county, Oregon, by c. Swick deputy clerk.

**Fish:** The reason I ask is having purchased and sold a house where I had to sign like a phone book set of documents of disclosure and other things, you know, I think that the question you raise about notice to a subsequent buyer is a good question. If what you are telling us is that it's recorded, but a buyer with reasonable diligence cannot, cannot discover that, I think that's something that the council would be interested in. This is not a game of gotcha, and in fact, the person who manages our remonstrance program is probably one of the finest public servants that we deal with on a regular basis, but if what you are saying is there is some flaw in the way that these things are recorded, so that a buyer doesn't get adequate notice, I think that's something that we would like to know more about, so did you bring some materials for the council?

**Braly:** I have the street waiver itself, and so.

**Fish:** If you could make copies and give them to the clerk, I think that we can follow up on it.

**Braly:** Okay. I will mention that in our title documents through first American title there was no disclosure of this.

**Fish:** And I don't want -- I'm not playing your lawyer but that may mean that you have a claim against your title company, you may have a claim, which by the way, title companies get sued from time to time for these very reasons, you may have a claim against your realtor, the question is what did you have a legal right to know? Things like easements on properties get disclosed, all kinds of things get disclosed. And if this wasn't disclosed, it might have impacted your decision to buy the property. That's a serious issue.

**Braly:** It absolutely would because you would probably try to negotiate a lower price on the house. If you knew that.

**Fish:** My office is down here. We would be happy to xerox it for free and if you could give it to the council clerk so we can follow up. Thank you, sir.

**Braly:** Thank you.

**Wheeler:** Thank you. Very persuasive comments, I am sorry, thank you for coming in. Next individual, please.

### **Item 533.**

**Russel Senior:** Good morning, I am Russell senior, the president of a volunteer group, we are known for building and managing free to the end user public access wi-fi networks. In addition to building networks we advocate for an end to the monopoly power that incumbent telecommunication companies currently hold. I am also active with municipal broadband pdx. It has a Facebook group of 3,000 people and reached out to build Political support for this long overdue idea. We have support from Multnomah county democrats, community and labor groups, and many in the small business community and the general public. I am here today, I am here on behalf of all internet subscribers and would be internet subscribers in the city to ask for your help. Today access to the internet is no more luxury than paved streets or clean tap water. Your constituents, businesses and residents alike are in the clutches of big telco, empowered by federal regulatory regime, that has control to the owners of the last mile infrastructure. Big telco has absolute power to define service options you have on their network, set prices arbitrarily, sell your browsing histories, and employ whatever other business strategy rings the maximum profit for their shareholders, the only way to escape this intolerable situation is for the users and would

May 30-31, 2018

be users to become owners of the infrastructure so that it can be managed in their interests. The municipal broadband has been described here as not possible. I would direct your attention to page 51 of the 2007 feasibility study which rejected at the end of 20 years the network would be 118 million in the black even under their wildly pessimistic 6% bond interest rate, comcast alone takes in about 200 million per year in revenue from your constituents. Much of that revenue is pure profit made possible by the monopoly power. In the decades, the decades since the 2007 study that accrued revenue could have built a public fiber network several times over. It is time to seriously pursue an at cost fiber optic network. There is a revenue model to support it, hundreds of communities around the country have done this. Here in Oregon we have sandy, Monmouth independent, and now Hillsboro. Last week a budget amendment for 150,000 was proposed by the Multnomah county to help fund a new feasibility study taking into consideration the changed cost and the market reality since 2007, as well as the consequences of doing nothing. We are asking the city of Portland to match that amount as a first step towards building a network that can serve the people of Portland instead of enslaving them. Thank you for your attention.

**Wheeler:** Thank you, sir, appreciate it.

**Fritz:** Instead of special appropriations we have a fund that you will be able to apply for, for a grand to do what you asked for, so the application should be up shortly.

**Senior:** Okay. Thank you.

**Wheeler:** Next individual, please.

**Item 534.**

**Xi Jie Ng:** Good morning. Hi everybody. I am xi jie ng from Singapore, and today I am representing the graduate program at PSU and art and social practice, and I am here to talk about our annual art event of social art Conference, our theme is civics, and our first day is going to be at city hall this Friday all day from 9:00 to 6:00. Thanks to a collaboration with Chloe and Polly Anne, so I will talk about this. Last year's assembly we had a silent canoe ride down the Columbia river slew, collaboration with lunch ladies at the native American youth and family center as well as martin Luther King Jr. School. And we had an artist work with children at martin Luther King Jr. To create sculptures where they can process their emotions. In this year's theme, under the theme of civics the questions we are interested in are what is civic engagement, what are civic institutions, how there are they functioning and relating to them? The lineup of events speculate two artists created the landlord tenant affairs, following mayor wheeler's proposal of this in 2016 and dial an old friend where you can call the city's wisest citizens who are going to give advice representing each city department in collaboration with the Hollywood senior center, remnants of the color blue, a collaboration with a former inmate at Columbia river correctional institution, a minimum security male prison in northeast, Richard, formerly incarcerated individual will be presenting his artwork and will be a panel discussion. Differences of the participatory event about having meaningful dialogue with someone you deeply disagree with, exchange endowments to endow funding for once a year for once a year Lunch between an employee at city hall and an artist. Citizen 100, a critical examination of citizenship in today's world collaboration with students from martin Luther King Jr. School in the civics class, the class will come here on Friday at 1:00 p.m., and my own project, the city of Portland, Oregon, proposing an update to the Portland city seal, I went to the city archives, touch documents from 1978, have been getting designs from the men at the Columbia river correctional institution, and children at king school and we're hoping to propose to have a voting ceremony this Friday and proposal a new design to all of you. The practices in Portland, a panel of cultural pluralism and creative activism in Portland, one-on-one forgiveness session, as well as an exploration of the seating space to generate opportunities for others I believe some of you might have the catalog already,,

May 30-31, 2018

and for the rest of you there will be catalogs available at the news rack on the way out as well as downstairs, again, we will be at the atrium on Friday from 9:00 to 6:00, employees please let your -- employers let your employees off for an hour or two to attend our events. You folks are the people that we really want to engage with our event, so come and reflect on these issues with us. For more information, available to our website.

**Eudaly:** I want to thank you for coming today for the preview. I am a fan of the art of social practice at PSU, and it's really A treat to get to work with you guys. Thank you.

**Ng:** Thank you for hosting our event. It means a lot to us.

**Eudaly:** My pleasure. Thank you.

**Wheeler:** It looks like a lot of fun. Thank you very much for joining us.

**Ng:** Drop by.

**Wheeler:** Look forward to it. Thank you. One more individual. Last individual, please.

**Item 535.**

**Wheeler:** Looks that way. Very well. Could we please -- could you please tell me, sue, has anything been pulled off the consent agenda?

**Sue:** Three items. Number 544. 545. 547.

**Wheeler:** 544, 545, and 547. Very good. We have legal counsel here now waiting for this and anticipating 544. Your anticipation turned out to be accurate so why don't we take this item since we have legal counsel with us, good morning.

**Tracy Reeve:** Good morning mayor and commissioners.

**Wheeler:** Could you read 544 so people know what we are talking about? Good morning.

**Tracy Reeve:** Good morning council. I am Tracy reeve, the Portland city attorney, and with me is Rebecca plaza, a senior deputy city attorney and who oversees our public safety group. We are before you with this resolution because a number of years ago the Portland police bureau released a record at the request of Clark county, Washington, that was a police report of a child sex abuse incident. At the time of the incident, which occurred in 1992, the child was four years of age. Under Oregon law child sex abuse reports are protected from disclosure under ors chapter 419b. Clark county notified us when they received a public records request that included this record. They notified us that under Washington law, they would be able to make only minimal redactions, removing the victim's name but no other identifying information and not the information about the content of the report detailing the abuse. Ppb was concerned about this, and their victim advocate reached out to this victim, and that victim indicated very strongly that they wished to have the confidentiality of the record protected. Clark county has given us some additional time before releasing the record and notified us that the way that we could seek to address this issue was to ask a court for relief in the form of injunctive relief asking for either that the record not be released or that it only be released with further redactions. And because of the very unique Circumstances and because we believe that with the events having occurred in Oregon, the record being a ppb record and the victim being located here, that Oregon has the predominant interest. So, we would like the opportunity to present that legal issue to the Washington county court and ask them to evaluate this record under Oregon law because it's an Oregon record and the bulk of the contacts are with Oregon.

**Wheeler:** Could I ask you a couple of questions about this? Number one I get the gist of it. Number two if we support this, what we are supporting is this will ultimately go to a judge for a final determination. Is that correct?

**Reeve:** That's correct.

**Wheeler:** And I assume that this is being done in collaboration with Clark county? It does not seem like this is being seen as a hostile act. This seems like there is almost a desire that this conflict be resolved through a court.

**Reeve:** Certainly, Clark county has been cooperative from notifying us, and then from giving us additional time to seek this relief. They understand the city's position. They

May 30-31, 2018

simply feel legally constrained, and so yes, it's not a hostile. Everyone agrees that this is the way to sort this out.

**Wheeler:** The Oregonian had an editorial on this subject.

**Reeve:** I saw that.

**Wheeler:** They raised a couple of valid points. There are some big issues at play. The reason that we are evaluating this is number one to resolve the conflict between Oregon and Washington statute in these matters. So, there is a precedence question. The other issue that was raised by the editorial was the question of redaction. Any time government redacts that comes at the cost of transparency and potentially government accountability. How would you respond to the larger question in this particular case that this is a justifiable redaction, or alternatively what can you say to the public that says there goes government redacting information that should be disclosed? What confidence can you give the public that this is the right thing to do? or that there are checks and balances in this process.

**Reeve:** So, a couple of things. One is that I think that everybody would agree that everything that the city has and uses for it's business is a public record. That means for example, that all of the taxpayer information that we have, that's confidential, social security numbers, and employer identification numbers, etc., are public records. We don't, obviously, turn those over willy nilly in response to the public records request because there are legitimate, privacy concerns that the legislature has recognized. So, in this situation, the Oregon legislature has made a policy decision that these records Should be protected from disclosure because that balance tips in favor of the child sex abuse victim. We have this unique situation here where we gave our record to Clark county for a law enforcement purpose. The public record request was made there. This is a unique circumstance, but the policy decision, I would argue has already been made by the Oregon legislature that in balancing transparency versus confidentiality for child sex abuse victims, they have come down on the side in that specific category of cases on confidentiality. So, the city, you know, we respond to the vast majority of public records requests by releasing the records. On occasion there is a balancing that needs to occur as to, you know, legitimate privacy interests, for example, of members of the public who give us information that they assume will be kept confident. We evaluate that. The process that is set out is when there is disagreement about that, to have a legal mechanism for a trier of fact or a decision-maker to resolve that, most cases here, it's the district attorney and in some cases the circuit court. Similarly, in Washington, the Washington superior court would be asked to look at these at the interest of the Oregon legislature has already established for confidentiality for child sex abuse victims, versus the balance Washington struck, and to make a decision About which state has the greater interest and which state's law should apply.

**Wheeler:** We have a four-year-old victim of sexual abuse, whose advocate is asking that we redact the specific information from this record, information, I want to fully disclose, I have not seen. So, I don't know what the specific information is. The concern being revictimizing the four-year-old.

**Reeve:** Exactly.

**Wheeler:** Through this process. But to be clear, just so I understand the process, it will go to a judge in Washington state who will then look at the actual information and determine whether or not it is in the public's interest to disclose that information or not.

**Reeve:** Correct.

**Wheeler:** And if we vote no on this, that process never happens or what happens?

**Reeve:** If we vote no on this, Clark county will release the record on June 12?

**Reeve:** 13th.

**Wheeler:** Commissioner Fish.

May 30-31, 2018

**Fish:** So Tracy I really appreciate you bringing this forward, and I appreciate the mayor putting it up front because I think that this is an important question. A couple of things. The four-year-old victim in 1992, today would be about 30 years old?

**Reeve:** Correct.

**Fish:** Okay. We don't have any extensive information about whether that person is in therapy, whether they have an advocate or what the numerous basis might be as to why this individual does not want this record disclosed, correct?

**Reeve:** Correct.

**Fish:** The only thing that we know for sure is that under Oregon law, there is a flat prohibition of disclosing this unless you go through a process with the DHS.

**Reeve:** Correct.

**Fish:** So, you mentioned earlier that some public records issues are resolved on a balancing test that's ultimately guided by the district attorney or the court. This is not one of them.

**Reeve:** That's correct.

**Fish:** We have the legislature, not the city council has made a judgment that these records should not be disclosed absent very compelling circumstances, and you would have to go through an administrative process, is that correct?

**Reeve:** That's correct.

**Fish:** Neither the mayor nor any member of council to my understanding has actually read the document so we don't know whether there is information about other family members, if there is information about the crime. What we know is that you have a four-year-old victim and we know that there was a perpetrator either who pled out or was convicted of a crime.

**Reeve:** That's correct.

**Fish:** Our assumption is that Clark county requested this information at some point in order to enforce a law that requires a convicted sex offender to register in a new Jurisdiction, is that right?

**Reeve:** That is our assumption.

**Fish:** So the bigger take away from me before I get to the specific question before us, is does this case prompt us to revisit what information we provide the sister law enforcement jurisdictions? For example, if all they need is proof that someone was convicted without the underlying documentation, it seems to me that that would be a policy change that we should look carefully at, correct, so we're just giving the minimal amount of information to any jurisdiction?

**Reeve:** That is true, and this is highlighted that issue for us. We are working with the bureau to explore ways that they can furnish the information that other jurisdictions need without ending up in this situation again.

**Fish:** Let's go back to the choice of all questions because before I was elected to this council, I practiced law for 22 years. And one of the things that I was always struck by in litigation is that one of the first questions a court would decide is which law applies? And that's why you have judges. Judges make those decisions. In federal court, you have conflicts of law that happen more regularly because in federal court you typically have parties from different states or different jurisdictions. This issue about whether a court chooses to enforce this what you or this law, that's not a radical notion. That's what judges do. They decide what body of law applies and they apply it.

**Reeve:** Absolutely. I remember first year of civil procedure learning about choice of law.

**Fish:** And as a technical matter, while we often see federal judges make those decisions, this state court judge may also decide based on the policy considerations, the history of the interest that Oregon has and Oregon's clear statement of the law, to apply our values and principles and deciding this question, correct?

May 30-31, 2018

**Reeve:** Absolutely, state court judges, although you are right commissioner that it's more common in federal court, state courts also make choice of what your decisions.

**Fish:** We were notified of this as a third-party notification from Clark county, and that's a routine matter, right? They are getting a records request, it's our record, and they give us notification. There is nothing abnormal about that.

**Reeve:** That's correct.

**Fish:** The notice of the city said if you have a concern about this record being disclosed, ie we recognize that this could not be disclosed under Oregon law. Your recourse is to bring an injunction meaning bring a legal proceeding and ask a judge to decide it, why equity?

**Reeve:** That's correct.

**Fish:** To the mayor's point that is viewed as a legal garden variety kind of proceeding where we allow a neutral third party to decide the question that may be in Dispute.

**Reeve:** Exactly.

**Fish:** But let's be clear, if this perpetrator today abandoned the clark county proceeding and came to Oregon and said that I want these records, he or she could not get them.

**Reeve:** That's correct.

**Fish:** So to the editorial, which I read with some interest today because it seems to me that it omitted a lot of relevant information including the age of the victim and including the fact that there is a judicial procedure to decide these questions, and by the way, for those who argue that we should never have a district attorney or a judge decide these cases, I am all for eliminating our judicial system. We can save a lot of money. Seriously, and I would remind people that the cases that get to the supreme court have usually been decided by three or four or five six courts. And if we really want to save money we could just have one judge decide it, and not have an appeal, and save a ton of money, but cases that go to the supreme court often come up to the state court system and go to the federal court system and they go to a federal telecourt and they are heard by, by judges, bigger panel of federal judges and then they are remanded and they are heard again. And of course, I am not typically aware of people referring to that as manipulation, we treasure that as part of the due process in our country. To make sure that we get a good Decision, so, what is the quote manipulation here that the Oregon ed do recall board refers to of the city seeking a ruling from a independent court, frankly, a court of another state so you could argue the deck is a little stacked. What's the manipulation in honoring the request of the victim and having the court decide this question?

**Reeve:** Well, frankly, commissioner Fish, I am not aware of anything about that, that is manipulation. Having a, an unbiased decision-maker resolve issues such as this is really the foundation of the rule of law in our democracy.

**Fish:** And finally, mayor and colleagues, if public records absolutists believe that Oregon law is wrong, there is recourse, that is to bring a bill before the legislature, because this has been decided, we do not give out this information. Unless you go through an extensive administrative process, and then we get to balance things like the impact on the victim. The victim's family, and having this information out there. And frankly, nothing knowing about this I can just only imagine we can only imagine the kind of information that someone would not want disclosed, in a case that is, you know, now what, almost 20 years stale, this person may have a family. This person -- there may be other people identified in this report. And we can only imagine Oregon decided that question. So the only question before us is do we authorize you to let a judge in the state of Washington decide whether Oregon's concerns trump the more lacks standards in Washington, yea or nay, and what would be the cost of that litigation?

**Reeve:** We are here working, and we may have some relatively minor filing fee but other than that, there will be no cost.

May 30-31, 2018

**Fish:** And is it conceivable that even if he lose this proceeding, in standing up for this victim, that it also helps us, whatever the ruling is, helps shape whatever policy we adopt going forward about what records we do share with sister jurisdictions in the future?

**Reeve:** Certainly, and it will -- we're going to work on that, and this will inform that.

**Fish:** Thank you for a clear presentation.

**Saltzman:** I am curious, what is requesting this public record in Washington?

**Reeve:** We believe based on the information available to us that it is the alleged, not alleged, because they pled guilty and were convicted but the perpetrator. That is our belief.

**Wheeler:** Public testimony? This is the public's time, help guide us.

**Mary Sipe:** Good for Portland. I think that the victim in this case definitely regardless of the person's age today, their identity should be protected.

**Fish:** Can I qualify something for you? They are willing to redact the name. As you can imagine, a report that has other identifying information can not only help someone connect the dots to the victim, but to family members and to other members, so you are -- I am just talking conceptually here, a lot of different individuals could be unmasked if you will through the disclosure of this, and simply redacting the victims, anybody can put "two and two" together at some point.

**Sipe:** Yeah, and you know, and that's my broader point is that I think that you are doing the right thing. By going down the path that you are going down to have a judge or somebody make this decision. And I applaud you. I support it.

**Wheeler:** Thank you.

**Lightning:** I am lightning, and I represent lightning super creativity watchdog. Again, my concern is the perpetrator, it appears to me that is there in any way that the perpetrator is being protected by this? I would like full disclosure who that is. I would like to understand what state that person where is living in. I would like to understand what type of job that they currently have. I would like to understand if they are running for any political office. I would like to understand why the city of Portland is positioning themselves right now so aggressively on this one particular case to, in my opinion, keep it kind of hush and not have things disclosed. What is the true motivation behind the city of Portland to do that? Do they do that on other cases? Have they done that on other cases. But what is it about this case right now that they want to step in and do this? I want to have a clear understanding from my position who the perpetrator is. Where that perpetrator resides. What information that the public has on that perpetrator. And is this a way to keep that silenced at this time from the city of Portland? Washington wants to release that information, if I am correct. The city of Portland for some reason wants to silence certain things on this agreement. And I want to see all of the information. Now I will agree the victim has a right not to be disclosed. Is that what we are trying to do right now, and only right now on the victim? So are they just going to look at the victim's name and cross that over? Are they going to start crossing out other names, and that's what I want to know is the city of Portland in any way protecting the perpetrator and their family members and their relatives and anybody around this perpetrator in any way, and that's why they are taking an aggressive approach right now, or have they done this in the past? They were successful? Obviously, they have not been. Yet they are really focusing right now on this situation. So I just want to see all the details again. I don't want to know who the victim is. Not from my position. I want to know who that perpetrator is, and I want to know more facts and more data on this and not to keep it hush. Thank you.

**Joe Walsh:** Good morning, I am Joe Walsh, and I represent individuals for justice. We were thoroughly confused with this item. We didn't understand how in God's name you could put it on consent agenda. We just had an intelligent, good discussion on this item. But you wanted it on the consent agenda, and at least the three people who spoke on the council had no clue what they were going to vote on. And you admitted that. It's a little bit

May 30-31, 2018

more crazy that you, you are voting on something that you do not understand. We did not understand it. We took it that we had documents that Washington wants, and we want to redact it more than they do. That's what we got out of that. That's was the discussion is, it's close to that. That's the main issue, I think. The other way around, we are more severe.

**Fish:** I won't cut into your time, joe, but Clark county has the document.

**Walsh:** That's what we did not understand. Who had the document?

**Fish:** Clark county has the document.

**Walsh:** Where did they get it from?

**Fish:** From the city of Portland.

**Walsh:** okay, stop there. Why can't we, or the state of Oregon, say this is the way that you are going to get the document. Like if I were to get these documents, I would probably be denied. So, we do have safeguards. I am suggesting that we extend the safeguards and say, this is our redaction policy, and I don't care if joe Walsh or the -- or you are the d.a. For some city. This is what you are getting because it's all laws and it is our responsibility to keep the documents safe. So, we were totally confused on how did they get the document? They already have them, all we are trying to do now is to stop them from actually publishing or making it public awareness or public documents. That's our suggestion, and it's to expand whatever is needed and maybe the city council could contact our representatives, and I surely will contact my representatives. Say what is this? Why can't we stop this stuff? We are all in favor of the victim here. No argument here. We are trying to figure out what the hell happened, and this is why we don't like these agenda items because we like these discussions, they are intelligent. You are very, very good here, commissioner Fish. You asked really good questions, so do you, mayor. That's what we need. Thank you. And I will pay you back some time.

**Fish:** Can we have the city attorney come back.

**Wheeler:** Tracy could you come back for one moment? Commissioner Fish has a follow-up question based on testimony.

**Saltzman:** We have one other.

**Fish:** Are you testifying on this?

**Wheeler:** Shedrick finish, and then we will have Tracy. Sorry. Go ahead.

**Shedrick Wilkins:** I am shedrick Wilkins, in the next couple weeks I will get involved with immigrant rights, perhaps this relates to their background. And digging up reasons why they should not live here, and so I would prefer that these issues on people's background be kept a secret as much as possible. So that's, that's, basically, I side with Oregon and this here.

**Wheeler:** Good morning.

**Jeanette Siebert:** Good morning, jeanette siebert. I didn't think I would be speaking on this but I will surprise you all and be under three minutes. As a family member of a similar scenario, I am encouraged by your line of questioning commissioner Fish. I highly -- a similar scenario played out amongst people that I care about, and that person was close to the same age of this individual. If that came out again, it would totally unravel the victim's life. And so, for that reason, I commend the type of questioning and the due diligence that your office is doing. Thank you.

**Wheeler:** Thank you. Commissioner Fish?

**Fish:** Thank you, mayor. Two questions. Two questions, Tracy, and one is suggested by testimony that we had before. In any injunction proceeding that we initiate, to have a court rule on this question, would the victim have standing to intervene to set forth his or her position on this case?

**Reeve:** We will provide the victim with notice, and I would think a court would find that the victim has standing.

May 30-31, 2018

**Wheeler:** It's very important. I think my sense from my colleagues is we would want to make sure that the victim had a chance to an attorney, to be heard on this question. It's clear that if this proceeding was initiated in Oregon, that the victim's interests would be protected by the dhs and by state law, which is very clear.

**Reeve:** Absolutely.

**Fish:** And my second question is just about how we avoid these situations in the future, and I realize this goes, this goes back to 1992, and I don't know when these records were actually forwarded to clark county, but when someone is convicted of a sex offense, they do have to register in every jurisdiction where they live, and presumably there is a standard protocol where police agencies ask for some confirmation that someone was convicted. And it seems to me that we could come up with a template that gave them what they needed Without revealing information that under Oregon law we would be considered confidential.

**Reeve:** I think this has clarified for all of us that we need to have that type of procedure in place, so we don't have this situation in the future.

**Fish:** And we have the template that you suggested to me earlier when we spoke. We currently go the extra mile to make sure that any information that we share with a sister law enforcement agency is not used improperly by ice in violation of state law. Correct?

**Reeve:** Correct.

**Fish:** We have a mechanism to ensure that our values and our laws are followed even if we share information with someone else.

**Reeve:** Correct.

**Fish:** Thank you.

**Wheeler:** Commissioner eudaly.

**Eudaly:** I want to thank you for your efforts on this. It is a thorny issue and difficult conversation. As commissioner Fish mentioned, obviously when someone is convicted of a crime, that's a matter of public record. When someone is convicted of a sexual assault they are required to register that information is also available online. And I just -- I support shielding the survivor, which is what I would encourage everyone to call this individual 20 years later. They are a survivor. And from any additional exposure or trauma because we don't do nearly enough to support the sexual assault victims to begin with. And this could be very Devastating to this individual, and the other members of the family.

**Reeve:** And I just want to state as well that ppb was very concerned about this, and they are the ones who brought it to our attention because they were concerned about protecting the survivor.

**Wheeler:** Thank you. Sue please call the roll.

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

**Wheeler:** Aye. Resolution is adopted. Thank you. Moving onto something more cheerful. Time certain item 536.

**Sue:** Excuse me, could we have the vote on the consent agenda?

**Wheeler:** I don't believe that we did. Please call the roll.

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

**Wheeler:** Aye. [gavel pounded] consent agenda is adopted. 536, please.

**Item 536.**

**Wheeler:** Is mike Houck here?

**Saltzman:** He's here.

**Wheeler:** There he is. Come on up, Mr. Houck.

**Wheeler:** Mike is coming up, I want to read a proclamation on behalf of the Portland city council, in the city of Portland. This is blue heron week, and in that moment mike will introduce this to a friend. Whereas the great blue heron is A majestic symbol of the city of Portland's efforts to restore, protect, and sustain ecologically healthy habitats for Fish and

May 30-31, 2018

wildlife and for the enjoyment of people across the region. And whereas Portland parks and recreation is the proud owner of 50 acres of Ross Island and are conducting ecological restoration on the island. And whereas the Bureau of Environmental Services adopted its new ten-year strategic plan continuing their commitment to watershed health and green infrastructure. And whereas the city has launched restoration effort in partnership with the U.S. Army Corps of Engineers to improve Fish and wildlife habitat at the 168-acre Oaks Bottom Wildlife Refuge. And whereas the city has adopted innovative wildlife strategies including a new eco-roof mandate and bird safe building requirements for the central city. And will continue to build upon these efforts by developing a light pollution ordinance. And whereas the city's central reach river plan expands the Willamette River Greenway to 50 feet, sets ambitious targets for river bank restoration, and whereas the city will update its floodplain management program to comply with the new federal requirements to protect salmon, to improve the ecological benefits of the river, and to increase the resiliency in the face of climate change. And whereas the south reach of the Willamette River planning by the Bureau of Planning and Sustainability will set a new renewed vision and strengthen the connections to the river. Now therefore I, Ted Wheeler, the Mayor of the City of Portland, Oregon, the City of Roses, do hereby proclaim May 30 through June 12 to be the 32nd Annual Great Blue Heron Week in Portland and encourage all residents to observe this week. And colleagues, as we are often graced, today we are graced by Mike Houck who has been one of the city's great environmental leaders, and he's here to introduce us to his friend.

**Mike Houck:** Thank you Mayor Wheeler and Commissioners. In 1986, then Mayor Bud Clark gave a presentation welcoming the address to Western Association of Fish and Wildlife Managers, and I think that some of you are aware that he was, was and is continues to be a canoeing enthusiast, and he must have mentioned the Great Blue Herons 10 or 15 times so I took the opportunity to grab him on the way out of the Hilton hotel, and suggested that we should have the city bird, the Great Blue Heron, and he did say whoop whoop, and we had a proclamation, and this may sound trivial but the fact of the matter is as with today this is the 32nd time I've been here, it's provided us with an opportunity to interact with you and with the city staff to reflect on all of the great work that has been done already to ensure herons will be around, and as you noted, in the proclamation, what we intend to do to continue that work. And to that end, each year we put on a number of events. Tomorrow night Commissioner Fish will be present for Tim Beety's bio Phila City's presentation of Portland State University. Each year we do a canoe trip. A kayak trip around Ross Island which I would invite you all to participate in. I listed a number of other activities that we hold during this week. Each year I also read a poem from William Stafford. Unfortunately, Kim Stafford, who was appointed poet laureate for the state of Oregon had to leave so I will once again read it and, in Kim's absence. I will mention that Kim said that this is the only poem that he actually saw William Stafford when he was poet laureate for the state of Oregon write. They were together in a motel room in Washington D.C., and William Stafford said I have to write this poem. I have got to get it back to Houck. So, he was actually pleased to be able to be here this morning, unfortunately, had to leave as I said. So, what I would like to do is to close by simply reading the poem which frankly, I was hoping that he would read because I get kind of teared up, when I read it, as a spectacular comment on the importance of nature. I will do my best to get through it. A spirit of place, Great Blue Heron. Out of two loneliness, two reeds or maybe two shadows lurch forward and become suddenly a life. Lifted from the dawn, where the rain, it is the wilderness come back again. A lagoon with our city reflected in its eye. We live by faith in such presences. It is a test for us that thin but real, undulating figure that promises, if you keep faith, I will exist at the edge where your vision joins the sunlight and the rain. Hits in the light, feet that go down in the mud where the truth is. William Stafford.

May 30-31, 2018

**Wheeler:** That's beautiful. You gave us a handout. Is this actually the original?

**Houck:** That's his original one. And I did, I can't remember who requested it a couple of years ago, submit the original to the city archives to make sure that it was in the archives.

**Wheeler:** That's great.

**Fish:** How many years have you done this?

**Houck:** This is the 32nd year.

**Fish:** Really extraordinary. Could you take your crystal ball out for a second and give us a sense? Let's say ten years from now if all the forces you helped to unleash come together and continue to move forward, what might ross island look like?

**Houck:** Yeah. My relationship with ross island goes back to 1979 when I was testifying before a city council to have the great blue heron call and be protected with the 350-foot buffer, and actually at that hearing Charles Jordan, the city commissioner at the time, interrupted me and asked if that was the same bird that came into his backyard and ate his coy. They put it around the heron Colony and of course six or seven years ago bald eagles moved in and the herons had to move out. That's an interesting question, as you know the city owns about 50 acres, and is engaged in a lot of restoration, and I am hopeful that we can have more interaction with ross island, sand and gravel, and look more seriously at expanding the restoration that they are currently undertaking as part of the superfund. I could imagine additional funds to go beyond the minimum that ross island sand and gravel has been asked to complete, which I am pretty far behind schedule right now actually. So, I am hopeful that we would have an island that has significantly more shallow water habitat and emerging wetlands and riparian habitat to go with the wildlife refuge and the Holgate channel. It's probably 350 or 400 acres of incredible habitat in the heart of the city I am also hopeful that we have more protection and restoration on the banks of the Willamette river, itself.

**Saltzman:** I would like to take this opportunity to thank you for doing this for 32 years. And for all you have done over your career for really opening the nature in our city to everyone. You make it really hands onto and easy, and you underscored the value of our environment, so thanks, mike.

**Houck:** Thank you, commissioner Saltzman. Actually, I will say that in 1982, when I became an urban Naturalist, I was told by most of the local planners, one in particular, in Clackamas county, that there is no place for nature in the city. That's where we started in 1982, and I think that we have come a long way thankfully.

**Wheeler:** Thanks to your leadership, nature in the city is one of our defining characteristics. So, thanks for continuing the fight. Very good. Would you mind if we have a photographer?

**Houc:** I think it would be great.

**Wheeler:** Thanks, mike.

**Wheeler:** That's fantastic. Next up, 537.

#### **Item 537.**

**Wheeler:** Colleagues this ordinance is a continuation of a long-standing partnership between the Portland business alliance, downtown clean and safe, and the city to improve the downtown public garbage can program. For over 20 years clean and safe has provided various services to help manage the city's downtown trash removal and other cleaning services. This ordinance will allow the city, will allow the bureau of planning and the sustainability to accept the donation of a in new style of garbage cans and additional services to further enhance downtown public garbage can program. We recognize that the pba has invested a signature amount of money in the downtown garbage can program over the years, including previous donations of garbage cans, which will be refurbished as part of this new agreement. The city's acceptance of clean and safe donations will allow bps, the bureau of planning and sustainability to focus funding on their citywide public

May 30-31, 2018

garbage can expansion project and other program improvements. The city values the clean and safe's dedication to maintaining downtown as a vibrant and inviting place in their generous donations continue to support that viability and the livability of the downtown area. Thank you very much for being here today. We appreciate it.

**Jill Kolek, Bureau of Planning and Sustainability:** Thank you. Good morning mayor and commissioners. I am Jill Kolek with the bureau of planning and sustainability, a sustainability manager. And before you today is an ordinance to accept a donation for goods and services from downtown clean and safe. The donation will enhance the city's, the bureau of planning and sustainability's public trash can and recycling program in the downtown area. As a reminder about Ps contracts with private haulers to collect garbage from the cans in a number of right-of-way's including downtown. And then there is a number of downtown jobs, housing, visitors, the number keeps increasing. And over the use the cans have increased as well. We are requiring more investment to keep the operating effectively and efficiently. The city's acceptance of the Clean and safe donation will allow bps to focus funding on the citywide garbage can expansion program and another program maintenance. So, the support of the program, the donation of goods and services will include new garbage cans to replace the older units, refurbish the bps owned solar operated compacting garbage cans and contract with a private company to provide the cleaning and repair services for all of our garbage cans that we own. And there is also potentially other aspects of the agreement that haven't been sorted out but we think that there will be other pieces that can further enhance the program. There will be a positive impact on the solid waste impact fund by reducing the expenditures and repair and maintenance of downtown garbage cans. The memorandum of understanding accompanying this describes the roles and responsibilities for clean and safe and bps staff. There is no additional staff needed. It's within our current structure, and the clean and safe and bps collaboratively identified donations with the total value of 165,000. For the first year of the agreement. These goods and services will be paid by clean and safe and will not pass through the city accounts for budgets. So, in closing, should the council approve this donation, all Portlanders and tourists will visit downtown, would benefit from a cleaner and healthier neighborhood and Business district.

**Lynnae Berg, Executive Director Downtown Clean and Safe:** Good morning mayor wheeler and commissioners. I am Lynnae berg, the executive director of downtown clean and safe, and the vice president of the downtown services for the business alliance.

**Wheeler:** Good morning.

**Berg:** You talked a bit about the history of the district and the amenities that we provide downtown. And our shared goal of a clean and vibrant central city. In 2009 when the clean and safe district and the business alliance embarked on a partnership to provide the big bellies at the time that was the state of the art. They promised to hold five times the capacity of a normal trash can. And although they do in many areas, we have noted with the increase in the food carts and the wet garbage, that the big bellies are not the right fit for the food cart areas, so in conjunction with bps, we identified the high capacity garbage cans, which we feel will replace the concrete rounds and some of the big bellies around the food carts and address the concerns. I would like to highlight an indicator of the growing need for this, that last year, our keepers picked up almost 724 tons of garbage from city sidewalks. This is up from 635 tons in 2016. And 485 in 2015, so you can see that the need for additional capacity is really growing. My board, the clean and safe board voted to support these High capacity garbage cans, and we earmarked 200,000 in this fiscal year and an additional 200,000 in the next fiscal year to convert all of the remaining cement rounds to the high-volume cans, which have a strong locking mechanism, and will allow for the haulers to have a great ease of pickup. With your support today, we are prepared to purchase 100 units that can be manufactured and deployed downtown by

May 30-31, 2018

midsummer. In addition to the purchase of these new garbage cans we have worked with local graphic designer dan styles, who has designed downtown Portland holiday graphics for the past two years. In the past we used the big belly garbage cans to showcase the sponsors, scenic shots from downtown and district logos. And as you can we feel the new garbage can purchase is an opportunity to break the mold, and we can transform the entire garbage can to bring more fun and energy to the streets downtown, so here's one example with the popsicle, but if you want to go to run through the next ones we envision characters and including zoo animals, robots, robots, ice cream cones, and books, and bicycles. We can do something standard or we can execute something corky that fits with the unique character of Portland and creates garbage cans enjoyed and photographed by locals and tourists. While this new design would incorporate a full wrap of the garbage can and not a personal Wrap, the image and branding would conform to the city's regulations regardless of advertising and the right-of-way, we want to thank the city of Portland and the ongoing partnership that we have with the bureau of planning and sustainability to ensure that downtown Portland is clean, safe, and an attractive place. Thank you.

**Wheeler:** Thank you. Commissioner Fritz.

**Fritz:** Thank you for your partnership in this and for your innovation. Is that currently food composting near the food courts?

**Berg:** I believe the county is working on that, but I don't know in the back of the house if there were, they are requiring that.

**Fritz:** It seems like that's an opportunity to people to scrape off the leftovers which would be left going into the waste stream, so I appreciate you looking into that. Thank you.

**Berg:** Yep.

**Fish:** I am curious on the weekends like after a very busy Saturday night, when is the garbage collected on sundays?

**Berg:** I don't know.

: The garbage cans that get the most use including those by the food court pods are emptied six days a week, so they are emptied early in the morning on Saturday but not again until Monday morning. We are currently in the process of working with us prior to haulers to add that seventh day collection object Sunday mornings. They would not go without that.

**Fish:** It seems that's the night that they get the most use. Good. Thank you.

**Saltzman:** We used to have, we still have recycling baskets, kind of attached to some of our trash cans.

**Kolek:** In the downtown area?

**Saltzman:** Are we doing away with that? I have never -- I don't know how effective it is for people to use those or not. But --

**Kolek:** It's an, somewhat effective but we have removed them from parts of the downtown core.

**Berg:** The new can will, the new cans will have a shelf on the side where people can place their cans and bottles. So, they are more easily picked up by people who use them for -- to regain them.

**Saltzman:** That's a good idea.

**Wheeler:** And commissioner Eudaly.

**Eudaly:** The skins welcome back swapped out? The covers, the wraps?

**Kolek:** Yes, and they will be wiped down and be treated in a way that will be harder to do graffiti on them.

**Eudaly:** But they can be replaced?

**Kolek:** Yes.

**Eudaly:** Okay. Interesting.

**Wheeler:** Great, very good. Any public testimony on this item?

May 30-31, 2018

**Sue:** We have one individual signed up. Mary Sipe. Great presentation, thank you Jill. Thank you Lanae.

**Mary Sipe:** good morning, I am Mary Sipe. I really support this, and I encourage the city council to accept this donation, and I think it is a great idea. I want to thank Clean and Safe for the work that they do. I just cannot believe that between 2015 and 2018 that we went from 485 tons to 724 tons of trash. That tells me a couple of things. One is that we're a wasteful society. The packaging that manufacturers use is just excessive and unnecessary, and I think that we need to start maybe leaning in the direction of trying to reduce the amount of trash in the first place. It's great that we increased the amount of trash receptacles, but I think that we really need to start focusing on reducing the trash in the first place. And having grown up in the Portland metro area, I look back to how we used to be the cleanest city in the nation. And we took great pride in that. And if you walk around our city today, it's not what it used to be. I remember, I think there were signs that said, keep Oregon beautiful, or something like that. That were everywhere so I would encourage that maybe we start doing some kind of campaign. I am so discouraged, this weekend I was sitting at a Starbucks in downtown, and I was sitting there, and I watched two people walking down the street literally walk past a trash can and throw their trash on the sidewalk. One person was unwrapping something, and as he walked down the block, he would throw, unwrap, throw, unwrap. All the way down the block. And so I think that we also, you know, we need to start having some sense of personal responsibility in our society. And having a conscience. The next time I will jump out of my seat and run across the street and will pick up their trash and will tell them to pick up their trash. It's time for us to take some responsibility as citizens for keeping our city clean and safe. And I just had to say that.

**Wheeler:** Mary, and I can relate to that. A couple of years ago I watched somebody take a coffee cup and dump it on the ground at a stoplight so I got out of my car, and picked it up and handed it to him, and I realized as soon as I handed it to him I made a terrible mistake because I thought that he might shoot me. He was really irate about it. That being said I agree with you. And I think that this ordinance is important, the fact that it is a partnership with the business community makes a lot of sense. There is a mutual interest here, but getting back to your larger point, it was not that long ago that I started commuting to Salem as state treasurer. And I enjoyed my commute. For a lot of reasons. But over the course of the six years that I was state treasurer, the amount of trash and litter along I-5 all the way between Portland and Salem increased dramatically. And I remember, you know, is a time where if you threw garbage out of your car, you would drop something on the ground, and little white vans would pull up and people would get out and hazmat suits, picker uppers and collect -- it was not done. It was part of the ethos to keep our community clean, it is not part of that today. This program may seem small but it will make a difference, the fact that we can start moving community-wide with the program, thanks to the generosity of Clean and Safe and the work of BPS. There is a real opportunity here to get that ethos back. We should probably do something around a community campaign again. They seem a bit, you know, we've been exposed to a lot of campaigns over the years, and it did work. I am mindful of the case of Texas, and sorry to go on but this is really an important issue, and I want people to know that we get hundreds of calls about trash in our office over the course of maybe every week or two, hundreds of calls about it. People saying what you do, what's going on here? Texas couldn't figure out why there were so many cigarette butts on the sides of their roads. And they tried all kinds of things like please, you know, use your ashtray, please clean up the garbage. And they realized that the demographic that was actually largely responsible and people, a lot like me, throwing cigarette butts out of the car, and I don't smoke by the way, but they found out that messaging just didn't work. Please do this and please do that. Don't mess with Texas. And having, you know, some,

May 30-31, 2018

dallas cowboy stars saying don't mess with Texas. And all of a sudden you started to see a lot of bumper stickers on pickup trucks and other vehicles saying don't mess with Texas. All of a sudden it worked. And you have got to find that right you know, how do you -- how do you really connect with people, particularly those who maybe are like the ones you are describing where they are just walking down the street being super careless about what they are doing. We have got to get that ethos back. Commissioner Fish.

**Fish:** Mary we are sort of channeling, I think, a figure in history that was very noted for this, which was Lyndon Johnson's wife, lady bird, and she was part of that keep America beautiful movement and keeping the parks clean and it was something that she framed and talked about. Since we're talking about antidotes that bother us, I will say that I had an all-time low the other day when I was riding my bike on the Vera Katz esplanade. It had been a weekend in which solve had gone in to do a cleanup, which is wonderful. And they do what they always do which is they then pile the garbage next to a garbage can to be picked up. In the interval between piling it and the pickup people would come along and open it up and scattered the garbage all over the place. It ought to be, you know, the idea that you could cure that by, through education or a sign or something. There is some things that you should not have to like -- we should not have to remind people that's not okay. It completely undid basically the benefit of what volunteers did in collecting the garbage. I see it a lot because I walk around downtown a lot more than I used to. I see it with people that, buy fast food and they are on the -- they are getting ready to leave on the street corner. They just leave their trash in the street. I don't know what gets into -- I am not going to mention, you know, predominant license plates that I see associated with this act. But I can't believe that people would do that. It's disrespect.

**Sipe:** It's a moral issue. I look at it sometimes and I think some of it I am sure is my catholic school guilt, catholic girl guilt but I just cannot throw something away. It just, you know, it's just an inherent thing like I am going to be struck by lightning if I do it. So anyhow. This is a good thing.

**Wheeler:** Great, thank you. Sue, please call the roll.

**Fish:** Thank you downtown clean and safe for your leadership. Thrilled to hear that we are going to negotiate for a seventh day pickup because I think that sundays have now become a significant issue, and really exciting to see the way that you have incorporated art into the design, and so thank you for your great partnership. Aye.

**Saltzman:** I want to thank clean and safe, bureau of planning and sustainability, and the business alliance for caring so much about trash downtown. And I do think some of the antidotes we're talking about, emanate from the fact that I don't think that we have enough trash cans in our city. And I will use my gold standard, which is new york city. It is -- you can't find a block face that does not have at least one trash can on it. And I think that that's -- that needs to be our gold standard. We need to have more. I appreciate the work going on but we need more of them, and I think that that's why some people are just too plain lazy to walk another block and find that can that is there. But, and that's why we need to have more of them. Aye.

**Eudaly:** Well thank you. I am particularly excited about the replaceable wraps and all of the possibilities that it holds, and just want to reiterate what commissioner Saltzman said. This is a big issue, and in all our business districts really. It often bleeds over into the Neighborhoods, so I am adding it to my to-do list. Aye.

**Fritz:** I am grateful to clean and safe in particularly to central city concern, and the staff who do such great work. I very much appreciate how clean they keep our downtown. It's interesting because just this morning I was walking past the bus stop on Hawthorne where, or rather, in Madison where there is a trash can right there, and so I saw a coffee cup on the floor within five steps of the next trash can on the next corner by city hall. And so people just need to be more respectful. Why should somebody else have to pick up your

May 30-31, 2018

coffee cup? I don't get it. And so in the meantime, while they are not maybe the rest of us, just picking up their stuff and putting it in the right place would lead by example in getting people to do the right thing. Thank you very much for your partnership. Aye.

**Wheeler:** So here's one more great example of how the business community is partnering with the Portland city government. I am very pleased with this arrangement, clean and safe has been a valuable contributor to our community for many, many years. The Portland business alliance has been an important partner to us as recently as a few days when we took our first vote on our budget. I think that this is a great program, and I agree with Commissioner Saltzman, and I agree with where I think that Lynnae is headed with this. This is a great program. It's proven in terms of its results. It's supported by the public. I really appreciate the attention to the aesthetic nature of these new receptacles. I think they look really great, fun, and very Portlanesque, so thank you for that. We look forward to strengthening and expanding the program through continued partnership with clean and safe. I vote aye. The ordinance is adopted. [gavel pounded]

**Wheeler:** Colleagues I need to take a one-minute recess, just one minute. [recess taken]  
**Items 538 and 539.**

**Wheeler:** Just a reminder that the record is closed and no further testimony will be accepted. Sue, can you please read both items 538 and 539.

**Wheeler:** Very good. Sally, want to kick us off today?

**Sally Edmunds, Bureau of Planning and Sustainability:** Yes. Thank you very much. On May 24 council took a number of actions to move central city 2035 toward final adoption. But there are a few additional items we need to accomplish today to prepare for that final vote on June 6. All of the items today relate to the requirement for a shadow study adjacent to parks and open spaces. One relates to the main ordinance and one to the Riverplace ordinance. Then I understand commissioner Fritz has an amendment or two that she would like to introduce. You have a packet dated May 30, 2018, revised. That continues contains these amendments. Also just as a reminder all 25 boxes of the legal record are in the balcony today. Thank you so much.

**Wheeler:** First I hope the balcony holds up. I will get to commissioner Fritz's amendments in a moment. I would like to begin by withdrawing my motion on what we referred to as technical amendment 9 to the main central city 2035 ordinance from the May 24th meeting. The reason for that is that staff has a new, simpler proposal to address the shadow study that we identified. I understand Rachael is going to describe the new amendment.

**Rachael Hoy, Bureau of Planning and Sustainability:** Yes, thank you. Rachael with the bureau of planning and sustainability. So the amendment on the table as mentioned through the central city 2035 plan we added more parks and open spaces that will be required to conduct a shadow study. This came out of the west quadrant planning process. The requirement was expanded north of Burnside since the '80s we have had the requirement along the park blocks so we looked throughout the west quadrant and from that public process it was determined expanding the requirement to other parks and open spaces would be valuable. So what this amendment does is it clarifies that the requirement applies to properties with both base and bonus height. We needed to add the requirement to both maps. We have two new height maps, a base height map and bonus height map. That's part of the requirement to add it to those maps. As I said it's also to apply it to properties that have both just a base height and those that also have base plus a bonus height. The changes we have made also confirm that the shadow analysis is adjustable. We have added some language to confirm as well that you cannot adjust heights on your maps. So base heights are prohibited from being adjusted and bonus heights are prohibited from being adjusted. The code has read that before. This was just clarifying and confirming by clearly noting in the code what's adjustable and what's not.

May 30-31, 2018

**Wheeler:** Very good. I move in amendment including amended commentary code and maps as shown in the may 30, 2018 bps memo, when everyone should have in front of them.

**Saltzman:** Second.

**Wheeler:** We have a second from commissioner Saltzman. Any discussion on this item?

**Fritz:** Is this the whole of the packet you just gave me? This whole packet that I just got.

**Hoy:** Yes, starting on page 3, at the bottom of the page, it's the full -- I should have mentioned it's the full height section, which is quite a bit of code but we have highlighted the few areas where the changes needed to be made that I just mentioned. As well as the height maps are included in the packet, which reflect those changes.

**Linely Rees, Chief Deputy City Attorney:** Commissioner Fritz, if I may, if you're trying to clarify, I believe it's pages 3 through 15 of the packet that you have. So it's amendment A of that packet, which is sponsored by the mayor, not amendment b, which is on the last page or page 16 of the packet.

**Fritz:** I was focused on something else. Have I had this before?

**Hoy:** This is an update to the amendment number nine that mayor wheeler referred to. As that's been removed this is a replacement. We have simplified it and highlighted for you the areas and the maps where the code needed to be updated to apply the shadow study to properties with base heights as well as properties with bonus heights.

**Fritz:** All of this is underlined. I have seen that before?

**Hoy:** That's correct. Everything that's underlined. It's been in the draft, the recommended draft that has been before council.

**Fritz:** Thank you. Right. Okay.

**Wheeler:** Please call the roll, sue.

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

**Wheeler:** Aye. Amendment is adopted. Now moving on, I understand commissioner Fritz has an amendment or amendments.

**Fritz:** I do. Rachel has part of it to hand out for me, the language. And then these are the shadow studies that the bureau has put together for me.

**Wheeler:** Each person gets one packet?

**Fritz:** Yes.

**Wheeler:** There's one extra packet here.

**Fritz:** I have a copy for the record. This is with respect to the lan su chinese garden that was discussed last week. My previous amendment was to say that for lan su chinese garden, the adjustments to the shade study are prohibited and I would like to withdraw that amendment because it's meaningless. The shading of the lan sue Chinese garden isn't at the particular times that are specified in the rest of the code. If you look at the smaller document showing the shade studies at 4:00 p.m. June 21 and 5:00 p.m. On June 21st, particularly 5:00 p.m. June 21. Sue, if you could put this forward so the cameras can see it, please. Can you make it so that -- i'm withdrawing this amendment that's on the screen right now.

**Edmunds:** Can you take the power point down so that the camera is on commissioner Fritz?

**Fritz:** That's the amendment i'm withdrawing because adjustments being propertied doesn't make a hill of beans because there's no shadow at those particular times. The challenge is for the garden that the shadow from the new building is at 4:00, 5:00 and 6:00 with the most at 5:00. So yes, I know it's until 7:00 but if it's okay at 5:00 it will be okay at 7:00. That's why I have a new amendment, which you just got, did you? Yes. That's for the shadow study to basically be the same as before except adding limiting the shadow analysis to 20% of the adjacent open space at any hour of the day June 21 and September 21st. You'll notice that I have not made this with adjustments being prohibited, so

May 30-31, 2018

somebody who wanted to shade the garden more than 20% at any time of day could come to council or ask the historic landmarks commission and the council to do that.

**Hoy:** Commissioner Fritz, if I may, to clarify, everything that's shaded here under the standard that commissioner Fritz has passed out, it's just c1 a, which commissioner Fritz read, the new information. Everything else that is shaded is the same as the existing dates and times.

**Fritz:** Could I get a second to my amendment, please?

**Wheeler:** I'll second it for discussion purposes, but I have a bunch of questions about this. First of all, are we looking at 200 feet here in this picture? What are we looking at?

**Fritz:** Yes. 200 feet.

**Wheeler:** Under current zoning what is allowed?

**Fritz:** 450, and that was for the last several years we have been working to make sure the heights were consistent with the historic district and not shading the chinese garden.

**Wheeler:** I'm looking at the shadow analysis, that you sent around yesterday. It shows 200 feet, it shows 160 feet, and on these analyses there's no difference that I can see between 160 feet and 200 feet.

**Fritz:** Correct. Very little. The issue is it's not shaded at 3:00 currently specified in the code. The issue is it's shaded at 4:00 and 5:00.

**Wheeler:** Here's my question. Is one of these -- do we have a picture for 160 feet versus 200 at this particular time scenario? There's very little difference on the other scenarios. I'm wondering how significant the difference is on this.

**Joe Zehnder:** We did not do the 4:00 and 5:00 for 160 feet. We just were trying to get one version done so we went with 200, which was what was on the table. It would be less than what you see, but we don't know the exact percentages.

**Wheeler:** It would still cast shade at that particular hour on that date.

**Zehnder:** Yes, if you look at the analysis we provided earlier, at 3:00 p.m. On march -- get to the right one. Excuse me. September 21, 3:00 p.m., 160 feet does 10%. But we did not do -- 200 feet does 12%.

**Wheeler:** If I could just ask a follow-up question then i'll cede to commissioner Fish. In our conversations you had indicated you created a worst case scenario on this block. Could you explain what you meant by that?

**Zehnder:** I believe you all have copies of the massing diagrams. That, where we put the tower on that block is in the southeast corner. So if you're trying to cast shade on something adjacent, south and east are where you'll have your most impactful shadows. We put it there because the west side of that block is where the contributing structures are. When we originally started this analysis we were trying to think let's give it height and see how much you can build, protect the park but also create the opportunity maybe to preserve those structures. You could conceivably like is proposed on block 33 push the height to the west and it would cast less shadows to the west. To the east. Sorry. On to the lan su.

**Fish:** I have two questions, joe. One, i'm sort of somewhat familiar with this discussion in the context of what we did at bud clark commons. The building could have been on broadway or in the back side of the lot. There was a question about where you put it to maximize urban form. Putting the return on investment aside for a second, is there a stronger argument to put it on the west side to maintain urban form along that corridor, or is there just as much an argument that it be on the east side now that we have given height increases to the four adjacent blocks?

**Zehnder:** Commissioner, putting it on the west side puts it close to places where we have already built tall buildings. That's responsive to that. Mitigates or pushes, lowers the height, which is a problem for us on the parts of the block where it's adjacent frontages are shorter. We just adopted design guidelines for chinatown. This is just a massing. This is

May 30-31, 2018

not a building. We haven't examined that in detail. What would happen with the amendment is a building proposed on this site and two other sites would go to the landmarks commission in this case because the block is in the historic district. The landmarks commission would apply those guidelines that we just adopted. The landmarks commission would also examine the shadow analysis, which is a standard that exists separately from the design guidelines. At 20%, if a building was going to at any time during the day it's very -- for a 200 foot building for sure, the landmarks commission is going to have to give an adjustment of some sort. Probably. We just don't know because we haven't done all the different permutations. They have the ability to adjust that standard. What that means is they are going to say it doesn't meet the 20% shading standard. But it does these things that we feel mitigate that somehow. And on balance with the other guidelines and things we're trying to accomplish in the district, we can accept this adjustment to 25%, for instance. That's the level of adjustment you're usually talking about. That's what would happen. If that was not acceptable, as a result to the applicant it would be appealed and come to you all because it would be a type 3 permit and you would all have the same discussion. The one thing it doesn't -- the question we have that is inherent in the proposition that commissioner Fritz has put on the table is that there's a level of shading on lan su gardens that's acceptable to us and it's less than 75% at 3:00 p.m. on those dates. Commissioner Fritz is proposing it's 20%. We have not objectively looked at that one way or the other to say what's the right number or to say what's the impact on development around it. Like how big of a building could you build under that standard? Because in part we would want to give both the landmarks commission and the city council a sense of what to base your decision down the road on how much shading to allow, what would you base that on? 20%? It can't -- 75% is too much. What's the right spot? That work has not been done, but that's the principle embedded in commissioner Fritz's amendment.

**Eudaly:** Mayor? Joe, thank you for that explanation. I'm somewhat relieved that you are not prepared to extrapolate backwards from this restriction and tell us what kind of building we could build because i'm not either and that would be my number one question. I want to make it clear that i'm very committed to protecting the garden. I can't imagine a scenario where city council would be willing to sacrifice such a valuable asset and a community amenity and a cultural landmark. I'm not concerned with the impact on the property owner or developer as much as i'm concerned with affording the landmarks commission the flexibility that they need to allow the best scenario possible for the garden and for the adjoining blocks. Or block.

**Fritz:** That's why I am not making it adjustments prohibited.

**Fish:** Joe, can I ask you two questions? The only reason we're having this conversation, I think, is that last week the clock struck midnight we extended the height increase to adjacent parcels, and on the diagram we have, and I guess i'm confused. What are the parcels that get the additional height in addition to menashe? What are the four parcels in play?

**Zehnder:** Four parcels. The shadow analysis applies to properties on the west, the southwest and south side of the park you're trying to protect because that's where the shadows come from in our part of the globe. We don't do the east or the north.

**Fish:** Can you just tell me off of this diagram that we have which are the blocks that we extended the additional height to?

**Zehnder:** The additional height is just extended to the block with the red tower, commissioner. It's the whole block, though. If you look at page 2 of your packet, you're going to see a block, a full from 3rd to 5th. It's four blocks there. I'm sorry, I was misunderstanding your question. It's from 3rd to 5th, from everett to glisan. Those four blocks get 200 feet. The blocks that are adjacent to lan su among those blocks the only

May 30-31, 2018

one that would trigger the shade analysis is the block at 3rd and everett. Then also, though, if you're looking at that map on page 2 you see the shading is applied to the southwest corner and the southern edge of lan su we do shade analysis for all of those too. Those are limited to 100 feet. We did the analysis. It would be hard for them not to pass the standard. So we think it works for those properties. It's really the third and everett block that's the issue.

**Fish:** If at some point in the future mr. Menashe decides to develop his lot, at this point I think it would be perfectly understandable if he sold it and moved to hawaii. If he did choose to develop his lot, it would likely raise issues at historic landmarks. Those could come to us. Could we at that point as a condition of approval modify the shadow analysis?

**Zehnder:** Yes. The same sort of set of considerations on appeal that the landmarks commission considered would come to you. You all would be the judges like you just --

**Fish:** We would have another bite of the apple if we go with the mayor's amendment and later evaluated if assuming something came to us on appeal evaluated that recommendation based on things like shadow analysis.

**Zehnder:** I believe you would. The building would -- your grounds for doing it would be a little less, but I believe you would still have the ability to affect the design of the building. Technically if it was set to 75% at 3:00 p.m., those two dates, what our analysis shows is that you can design a 200 foot building and it will meet that standard. The 20% standard at any time during the day, it's not going to be able to meet that. You have to give it an adjustment. Is that making sense?

**Fish:** Yes.

**Fritz:** The intent is let's preserve the sunlight in our lovely lan su chinese garden in the evenings all summer long.

**Wheeler:** Very good. Any further discussion? We have a motion and second. Please call the roll.

**Fish:** No. **Saltzman:** No. **Eudaly:** No. **Fritz:** Aye.

**Wheeler:** No. The motion fails. Commissioner Saltzman, this is where you take a walk.

**Saltzman:** Oh. Okay. [Saltzman leaves due to conflict of interest.]

**Wheeler:** We need to amend the river place ordinance to replace one of the maps to ensure that the shadow study amendments we just adopted remain in place. Rachel, would you like to briefly explain this?

**Hoy:** Yes. This is the amendment that the mayor moved forward previously and you all voted for. We just need to replace one of the maps from the river place ordinance to make sure it's not undone. The amendment that you just moved. That's the extent of this. I'm showing the map here. It's map three of three -- sorry. That's not the right one. It's map 3 of three of 510-4 and in your packet that is on page 17.

**Wheeler:** Do I have a second?

**Fish:** Second.

**Wheeler:** A second from commissioner Fish. Any further discussion? Sue, could you please call the roll.

**Fish:** Aye. **Eudaly:** Aye. **Fritz:** [not present]

**Wheeler:** Aye. That amendment passes, we'll be back on june 6 for the final vote on the central city 2035 plan ordinances and resolutions. That includes the central city 2035 matter for today.

**Wheeler:** Next item will be -- go to the regular agenda.

**Fritz:** Just before you move on I would like to thank joe zender, rachel hoy, sally edmunds and marcus anis for your work on this over the last week. I appreciate also brandon spencer-hartle and Hillary adam on the historic landmarks commission. Nice try.

**Wheeler:** Very good. Next up is 556.

**Item 556.**

May 30-31, 2018

**Wheeler:** Before we move forward with commissioner Fritz on this, we have some kids in the chamber. Where you all from? Jason lee: Excellent. What grade? [audio not understandable]

**Wheeler:** Excellent. Welcome to Portland city hall. Are you enjoying your tour?

**Wheeler:** Awesome. Glad to have you here. Thanks. Appreciate it. Commissioner Fritz.

**Fritz:** Thank you i'm very happy to introduce this item. I don't know if we have staff or any of our honored guests here. Apparently not. This is to appoint three members of the Portland parks board and reappoint two. Thank you to Judy Bluehorse Skelton, Kathy Stephens and Krista stout for their service. They are now term limited out. Thank you to bonnie, Katie and Tamara for taking on this responsibility. Bonnie is an accomplished economic and policy analysis with over 23 years of experience conducting economic demographic fiscal and land use analysis for public and private sector clients. Corporations, individual property owners, development organizations and other professionals of firms. She started a minority and woman owned business specializing in economic and policy analysis in 2001. She's committed to a range of community service activitiess. She's currently on the board of the farmers market, as president emeritus of the Oregon Wellesley club, former lead volunteer for Beverly Cleary school's active transportation program and fostering guide dogs for the guide dog association. Katie is a native southeast Portland enrolled. Member of the confederate tribe of the silot tribe worked with the tribe in Portland for over 20 years as their Portland office. Katie has been serving native adults, families and youth to access services in the areas of education, job training, employment and cultural programming. Katie's first love is working with youth. She has worked with Portland public schools teaching children in reading, as a softball and soccer coach open the silot's tribe first head start program and has worked with numerous native american youth programs providing mentorship, guidance and enrichment programs and activities. She's a graduate of Portland state university and served on Portland state university's native American student and community center board. Tamara is a scientist born and raised in the pacific northwest, an avid climber and backpacker. She graduated from Oregon state university with a b.s. In zoology to pursue her passion for outdoors and wildlife. She has been building her understanding of the challenges Portland faces especially between the environment movement and racial equity. As such she's been more engaged in her community and leadership opportunities as a person of color in her field. She works as reed college in the biology lab and is continue looking for ways to create diversity in science technology and the outdoors

**Wheeler:** These seem like excellent appointees. I'll take that as a motion. We have a second from commissioner Fish. Any further discussion? Sue, please call the roll.

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

**Fritz:** It's truly amazing that great volunteers like this and also Tonya Booker and Ian Jake are willing to give their time.

**Wheeler:** It's a great board. Thank you for your service. Thank you for those of you who are continuing your service. I vote aye. Next item, 557, is a second reading.

**Item 557.**

**Wheeler:** This is an item that's been previously discussed. There's been a presentation and public testimony taken. Please call the roll.

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

**Wheeler:** Aye. The ordinance is adopted. Next item, 558, also a second reading.

**Item 558.**

**Wheeler:** Please call the roll.

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

**Wheeler:** Aye. The ordinance is adopted. Please call item 559.

**Item 559.**

May 30-31, 2018

**Wheeler:** Commissioner Saltzman.

**Saltzman:** I'll turn it over to our staff person for updates or briefing. What we need to know. Good morning.

**Karl Aruda, Portland Bureau of Transportation:** Thank you. Mr. Mayor, commissioners, this is a street vacation initiated by the Oregon museum of science and industry known as OMSI, which owns the adjacent property, and I believe we have -- may have a map available if sue can help me with our power point.

**Wheeler:** Kids, where are you from? Also from Jason Lee? Welcome. Are you enjoying your tour?

**Wheeler:** Welcome to Portland city council. Good morning.

**Fritz:** Thanks to the teachers and parent chaperones. Above and beyond the call of duty.

**Wheeler:** Definitely.

**Aruda:** I can continue. The vacation was initiated to consolidate property OMSI owns adjacent to this little stub of Grant Street. On the map you can see the yellow highlight is the little piece of Grant Street that is left over from previous replatings and street vacations. You can see OMSI to the west there and the new Water Avenue and this is the Tilikum crossing landing with the MAX station. This is the streetcar platform coming down this way. So OMSI owns this parcel of land, so the vacating that street to our knowledge and OMSI's understanding that piece of land will attach to OMSI's land. PBOT requested usual comments from city bureaus and other agencies. We didn't receive any objections. OMSI did receive a letter of support from the Hosford Abernathy neighborhood district last year. The planning and sustainability commission reviewed and recommended approval of the proposal in February of this year. The bureau of environmental services did request a sewer tunnel easement over the property. This is a closeup. Then the tunnel easement is a -- over part of the easement area. It runs north-south through this area so BES requires that easement to protect their pipe. The tunnel in this location is 100 feet deep, but still BES wanted the easement over the surface. The tunnel easement has already been negotiated and signed by OMSI and BES, so it's basically ready to go if the vacation is approved. I'm happy to answer any questions.

**Wheeler:** Colleagues?

**Fish:** I'm just curious. If OMSI intends to develop that property, what is the effect of the BES easement? Does it limit what they can build on top of that portion or does it just require that the easement be recorded?

**Aruda:** The easement will be recorded. Honestly, I do not know. Normal BES easements restrict construction on top. Since this is so deep, I believe they may allow some surface use of the area.

**Fish:** My recollection, commissioner Saltzman probably more of an authority on this. The bureau I think has attempted to preserve access to the big pipe like if there's some failure or some problem. Sometimes they have to get access from ground level. Then there's the issue about is the ground stable. You've said it's 100 feet down. That doesn't seem to be an issue. This sounds more like form over substance, acknowledging there's something underneath but not necessarily impacting development?

**Aruda:** Right. OMSI reserves the right to use the property but BES would need to be -- depending upon what was constructed there if somebody was going to build a 400-foot tower there that might impact the tunnel more than a one-level building. I think BES will at least need notice about what would be constructed.

**Fish:** Presumably they could modify the easement if they concluded that the development did not adversely impact the big pipe.

**Aruda:** Right.

**Fish:** Thank you.

**Wheeler:** Very good. Any further commentary? Any public testimony on this item?

May 30-31, 2018

**Sue:** No one signed up.

**Wheeler:** This is first reading of a nonemergency ordinance. It moves to second reading. **Item 560.**

**Wheeler:** Commissioner Saltzman.

**Saltzman:** I'll turn it over to Andrew Aebi.

**Andrew Aebi, Portland Bureau of Transportation:** Thank you. You've seen local improvement district before. I don't have a power point for you this morning. But for the benefit of the mayor, who was not with us on April 25th, I want to note the major change we have made as we put forth a new lid proposal that improves not only 57th avenue but parallel 55th avenue to more evenly distribute local traffic in the neighborhood. We notified the property owners within basically everybody from Killingsworth to Prescott on 57th what we were doing as well as around 55th and Emerson. We only got one remonstrance which I'm recommending council overrule and by adopting this ordinance you'll be overruling the remonstrance. It can't go without passing that discussion with the community daylighted some important issues. I really appreciate the feedback that I got from the community. I think one of the take-aways is that we need at times look at doing parallel streets or concentrating on a sub area of cully as opposed to doing just one street in isolation and expecting that street to handle the traffic. The other thing I wanted to note with respect to the remonstrance is we have brought a lot of ftc funding to this project and the rate that we're proposing for the property owners when you subtract out the payment for right of way cost is only about 4% above the rate that we offered about seven years ago for a then puc subsidized project in Lentz. The reason the assessments are a little higher is we have large frontages here. With that I have a housekeeping item that I noticed that the exhibit a that got filed with the draft version, the assessment register, we're not proposing to change any assessments for the property owners. I e-mailed sue the correct version of the register. City attorneys advised that we can amend that based on the electronic copy and if that meets with the pleasure of the council if we could adopt that amendment.

**Wheeler:** So moved.

**Saltzman:** Second.

**Wheeler:** Call the roll.

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

**Aebi:** That's all I have, mayor. Thank you you.

**Wheeler:** I should ask if there's any testimony. I apologize.

**Sue:** We did have Danielle walker has signed up to testify.

**Wheeler:** Very good. Come on up. Good morning.

**Danielle Walker:** Good morning. I just have a few comments. So I'm Danielle walker. I am one of the homeowners included in the lid along 57th. I was also the family that did submit the remonstrance. I'll go into a little bit about why we chose to do that again this time. Thanks for the opportunity to address you all again on this really important issue for my family. I also want to thank Mr. Aebi for his patience and collaboration over the last six months. This has been a long process for all of us. Andrew and I have spent many hours together on the phone discussing this project and I have no doubt of his dedication to this work. So, thank you. So just to start off I wanted to share that we are actually surprised by pbot's continuation of the development of the lid along 57th given the level of remonstrance received in our original proposal. If you have not done so I would encourage you to read chapters 9-403 and 17.08.060 of the city code for more on that. Your positions hold enormous power, influence in our lives. Your decision to approve this project will force my family to pay the city \$44,000 before any interest is applied. I just want to note that we have been told this is the anomaly because we have a very long frontage of property but just this morning we heard another public testimony from someone else who actually had a lid being proposed that I think he said was \$45,000. It was eye-opening to me to know this

May 30-31, 2018

is perhaps not the exception to the rule for these projects. According to the latest report by the Portland housing bureau, the annual median income for a family of four in Portland is just over \$80,000. For the average Portland home this means being forced to take on a debt of over 50% of their annual income. Do you believe forcing the size of debt on a homeowner is reasonable? Do you believe this aligns with your political platforms of creating affordable living in Portland? For me the approval comes with a heavy dose of irony as you spread your social media messages of affordable and equitable living. For the future I ask that city considers limits on the amount of money the city can force a homeowner to pay towards these projects. 50% of what a family makes in a year is too much to bear regardless of loan options that may be offered. I fully acknowledge the positive outcomes of this project being a cully resident myself i'm in full support of improving the safety and connectivity of the cully neighborhood. I believe everyone involved shares a common goal. I also believe, however, that lower cost options that result in an equal level of safety have been wholly ignored to meet budget deadlines and political pressures. Project managers at PBOT have their opinion that lower cost alternatives do exist. Given that the city and habitat are each contributing hundreds of thousands of dollars it seems most prudent to explore all alternatives rather than moving forward with the highest cost option. Thank you.

**Wheeler:** Thank you for your testimony. Any further discussion? Very good. This is a first reading of a nonemergency ordinance. Moves to second reading as amended. Thank you. Next item, 561. This is a second reading.

**Item 561.**

**Wheeler:** Please call the roll.

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

**Wheeler:** Aye. Ordinance is adopted. 562, please.

**Item 562.**

**Wheeler:** This is a second reading. Please call the roll.

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

**Fritz:** I'm very glad that we're making these improvements during this study. Thank you for your leadership on this, commissioner Saltzman. Thank you to everyone in the community who cares about this. I'm glad we're going to get these reports back in six months and we're establishing the board, we did that last week, and that we are finally going to get the access vehicles going. Thank you, Nicole, for your work, and everybody at PBOT. Aye.

**Wheeler:** Aye. Next item, 563.

**Item 563.**

**Wheeler:** This is a second reading. Please call the roll.

**Fish:** I just want to repeat a few things I said last week. This is a good day for cost burdened renters. I'm proud to be on a council that has chosen to invest wisely in expanding a nationally known utility assistance program. The benefits of that program to not just homeowners but renters. Colleagues, about three in ten utilities in this country offer some kind of discount program. About three or four cities have been working on an approach similar to ours of extending the benefits to people who don't have a meter and that typically means renters. We know from the data that our city is struggling, and that over half of our renters qualify as cost burdened. What we have chosen to do is target and prioritize those families most at risk of eviction and therefore most at risk of the spiral downward that follows once you lose your home. This is a modest beginning. It's a program which I hope we can demonstrate its benefits over time then scale it up. But I also want to acknowledge that a lot of time and thinking has gone into this to come up with a program that is legal, that is cost effective, that does not require creating bureaucracy and that targets the benefits to people who need them the most. So i'm very proud of the team that brought us here. I want to acknowledge the work of the bureau leadership team,

May 30-31, 2018

director store and his senior team, Kathy Cook, who is to my mind along with Andrew Aebi and a number of other people treasures of our city in terms of the unsung work that they do day in and day out. Liam frost. That's the last time I will mention his name. He's working undercover for us now in the chair's office. I want to thank the legal team for scrubbing this. Our community partners particularly home forward but many other partners who came together and helped us get it right. I want to thank the citizens utility board of Oregon and the Portland utility board and frankly, all the members of our community who made it clear that we needed to expand our program and helped us find an innovative way of doing so. Finally, I want to thank the auditor. In the last few years, we have seen a number of audits that have been issued provide incredibly valuable insights into how to strengthen and improve programs. This is yet one of many examples. So to the auditor, hull-caballero, thank you. As I look back on my service on this council this is one of my proudest days. Like many good things it took time and we'll debug it over time, but I hope that we can demonstrate that this is good value for our rate payers and that we can scale this program to serve as many people as we can in a fiscally prudent manner. Again, i'm very pleased to vote aye.

**Saltzman:** Well, thank commissioner Fish for his leadership on this issue. It's been a long time coming. I'm really happy with the innovation and effort that we're putting forward here to make it an erstwhile start on this. So, thank you. Aye.

**Eudaly:** Thank you, commissioner Fish, and all the staff who worked on this. It is -- i'm running out of steam up here. Sorry. I'm glad you figured it out because I certainly didn't have any brilliant ideas to offer you. My apologies. Aye.

**Fritz:** This has been the very definition of a gnarly issue. Thank you for figuring it out, commissioner Fish, with your team. I very much appreciate the approach. It provides funding for rent assistance which is then going to get the money to the people who are most in need when paying their all-inclusive bill includes water and sewer bill. Thank you. Aye.

**Fish:** If I could, i'm sorry the elementary kids weren't here for this conversation. We managed to bring gnarly and erstwhile into the conversation. We could ask the English teacher to tell us what erstwhile while means.

**Wheeler:** This is the definition of an issue that is both really hard to figure out, i'll accept gnarly as the right answer, and thankless in the undertaking and very important in terms of those who are actually going to be assisted by it. I remember our very first conversation around this, commissioner Fish. I believe I asked the rookie question, what are other municipalities doing in this area. The answer was there wasn't any good template out there. Nobody has been able to solve this program. Therefore, there probably is no perfect solution to this program but I applaud commissioner Fish. I applaud the staff for working really, really hard to move the ball forward in a very discernible way. I think this is a huge improvement and it took a lot of work and thought and a lot of interaction and engagement to get it to here. I think it's frankly just excellent leadership. Well done. I vote aye. The ordinance is adopted. Next item is a second reading, 564.

**Item 564.**

**Wheeler:** This is a second reading. Any further discussion? Please call the roll.

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

**Wheeler:** Aye. The ordinance is adopted. Colleagues, I have had a request that we take up item 545 at this particular time. That was one that was pulled from the consent agenda.

**Item 545.**

**Wheeler:** Good morning, Larry.

**Fish:** I'll tee it up real quick. This is a procurement report from a competitive solicitation for the bureau of environmental services for construction management inspection and project

May 30-31, 2018

support personnel services. I would like to welcome Larry Pelatt, manager, to give us a brief presentation. Scott Gibson is not joining us I guess.

**Larry Pelatt, Procurement Service Manager:** Thank you. Good morning, mayor, commissioners. I'm Larry Pelatt. It wasn't on: I could see the green light.

**Eudaly:** It's green either way.

**Pelatt:** I can do procurement pretty well. Turning on a microphone is tough. I'm Larry Pelatt, manager for procurement services. You have a procurement report recommending four price agreements awarded to four firms for a total not to exceed amount of \$25 million. These price agreements are for a five-year period, will be utilized as needs are presented and specific projects identified in the Portland bureau of environmental services budget process. A side note, it usually comes up, people say 25 million: The money is a not to exceed amount. If it's not required it will not be spent. On december 12, 2017, the chief procurement officer advertised rfp801 and six proposals were received and all were deemed responsive to the requirements and proposals were evaluated by evaluation teams with specific areas of expertise. There's one small exception. There wasn't an m.e.p., a person from the minority evaluator program. They attempted with four evaluators. Couldn't make the schedules line up. Sometimes that happens. Our minority evaluator community schedules don't line up with the business needs of the bureau. In this case they requested a waiver. It was granted but they did make four attempts. They put a lot of effort into trying to get one. But the evaluation teams were diverse representing different areas from within the bureau. The city issued a notice of intent to award price agreements on April 6, no protests were received. This procurement is a continuation of a successful trend in issuing price agreements for greater amounts to lessen the time spent by the city and the vendors in drafting and responding to multiple solicitations for these types of services. The standard methodology requires consultants to propose what their utilization for state of Oregon certified disadvantaged minority women and emerging small business enterprises but this has always been problematic for consultants as there are no defines projects. These agreements are essentially labor only, not project specific. The consultants used their best efforts to hire and submit to the city as diverse as possible a list of qualified candidates to perform the necessary work. I believe this is another example of a major bureau procurement services identifying an issue, developing a solution and working together to build a process which moves the city forward and furtherance of its goals and increased participation and capacity building. All four of the consultants, interesting sideline, have city of Portland business tax registration accounts, they are in compliance and based on the expected expenditures over five years the city's forecasted budget the confidence value is high. All four firms are state of Oregon certified firms. Even though there is not a specific delineation on how much participation all four firms are certified so one way or another all 25 million or whatever portion is spent ends up in the certified firm arena. Council has any questions regarding the bidding process I can answer those or Sarah is here from BES to answer any specific questions.

**Wheeler:** Any questions? I'll entertain a motion.

**Saltzman:** Move adoption of the report.

**Fish:** Second.

**Wheeler:** We have a motion and second. Any further discussion? Please call the roll.

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

**Wheeler:** Aye. Report is adopted. 565.

**Item 565.**

**Wheeler:** Commissioner Fish.

**Fish:** We'll turn it over to Scott Gibson and Larry Pelatt.

**Scott Gibson:** Good morning. I'm Scott Gibson. With me is Larry Pelatt.

May 30-31, 2018

**Pelatt:** He had the same green light problem I had. I feel better. He's an engineer. Whatever it takes.

**Pelatt:** Good morning. I'm Larry Pelatt procurement manager with procurement services. You have the procurement report recommending award to James W. Fowler for the south sewer rehabilitation project for 2,974,850. The estimate was \$4 million and the bureau's confidence level was high. The project was advertised, bids were opened on April 8, four were received. In response James W. Fowler is the lowest responsible and responsive bidder, 25.6% under the engineer's estimate. The bureau of environmental services along with procurement service identified an aspirational dmwesb goal of 20%. James W. Fowler acting as the prime contractor identified the following areas as opportunities for subcontracting concrete cutting, boring, drilling and testing, rodent control, flagging, traffic control as pipe installation and paving. There is a total of \$639,938 or 21.49% of dmwesb utilization identified towards the goal. The dmw subcontractor represents 65.55% and esb supplier participation at 34.45. The if you don't need this stuff I can skip it if somebody wants to tell me. Four firms performing concrete cutting, drilling, secure and place pipe installation, esb, 220,000, performing trucking and hauling. James W. Fowler is in Dallas, Oregon, they are not a state certified dmwesb contractor. They a city of Portland business tax registration. They are in full compliance. Funds are available under owner cost 10382. If the council has they questions about the procurement for the project I can answer those. Because the contractor met the aspirational participation goals for the project we have not requested that they be in attendance however Scott Gibson from BES is here to answer any project specific questions.

**Wheeler:** You're very thorough. Thank you. Commissioner Fritz.

**Fritz:** Thank you for your presentation. It seems to me that James W. Fowler company has been doing better, was not good before and is doing better. Is that --

**Pelatt:** They have been. If you go back, their percentages have moved from an average of -- I did this not long ago. In 2016 they were averaged about 9%, 9.5. They moved up subsequently to around 15 the last projects have all been in that 18 to 22%. To be honest, I credit the bureau pushing the contractors to perform better and to work harder and I credit procurement services compliance staff with making resources available and working with them and if they don't seem to they say I can't find a firm in this area, we'll help them look. Find somebody. I think there's a lot of city effort on this mostly from the bureau.

**Fritz:** For the record I did not tell Larry ahead of time I was going to ask that question. Even more impressive he has those numbers at his fingertips. Shows we keep at it, keep providing resources and you keep saying that's not acceptable. Thank you, Scott Gibson, for your work too.

**Fish:** They have referenced the bureau team and procurement. My recollection although these days I question my recollection on just about everything, my recollection is on a number of occasions when the Fowler team was in the room and when one or more of my colleagues flagged or identified what they thought were numbers that fell below our expectations, that that message was directly communicated to the company and so I appreciate the fact that from time to time we do that to let trusted partners in the contract industry know that we think they are falling short.

**Gibson:** I wanted to thank the council for their leadership on this issue. I think the clarity and where we want to go on these goals has helped everybody get behind the effort, and when the contractors do come here and hear what you're dealing with on a day-to-day basis as far as social justice through everything that you do I think they start to realize there's a connection between their work and what they are doing and these bigger issues. I appreciate you all for your leadership, I really do. The next one you'll see we also made our targets on the next one. This group of contractors who has been a good partner to us

May 30-31, 2018

for many years and helped us rebuild our sewers has started to change and have embraced these goals and targets. They are starting to be better partners for us.

**Fritz:** Thank you to both the bureau of environmental services and procurement for your work on this. The city's equity initiative is about jobs, contracts and services. Bes has such a lot of the city's money through rate and investing it in these major repairs that it's important in every single bureau. Sometimes people think it only matters in some areas of the city or not. It doesn't. Please tell James Fowler I did notice and I appreciate their efforts. Commissioner Fish, thank you for your leadership in pushing your bureaus, appointing equity managers. I think there's the will, but we have to help people figure out how to find the way.

**Pelatt:** We will send them a handwritten note this afternoon.

**Wheeler:** I'll entertain a motion.

**Fritz:** Move the report.

**Fish:** Second.

**Wheeler:** Please call the roll.

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

**Wheeler:** Aye. The report is accepted.

**Item 566.**

**Wheeler:** Commissioner Fish.

**Fish:** If Larry or Scott are here let's let them guide us through the presentation. Gentlemen.

**Larry Pelatt:** Good morning, mayor. Commissioners. I'm Larry Pelatt from procurement services. You have before you the procurement report recommending a contract award to Landis & Landis construction for the St. John's cathedral sewer rehab project for \$7,115,144. The estimate was 7,740,000. The bureau's confidence level was high. Project was advertised through the electronic procurement system. Bids were opened March 22, 2018. Four bids were received, and Landis is the lowest responsive and responsible bidder, \$584,856 or 7.55% under the engineer's estimate. Bes and procurement services identified the standard aspirational goal of 20%. Landis acting as prime contractor identified the following areas concrete cutting, traffic control, paving, cure in place pipe installation. There is a total of \$1,570,000 or 22.1% disadvantaged minority and emerging small business subcontractor. Dbe, disadvantaged, \$690,000, three firms performing trucking, traffic control and saw cutting. Wbe, \$450,000, performing cure in place pipe installation and emerging small business at 430,000 with trucking and paving. Landis is in Marylhurst, Oregon. They are not a state certified dmwesb contractor. They are in compliance with the city's contracting requirements. If the council has any questions related to the procurement for this project I can answer them. Since Landis & Landis is the prime contractor met the city's aspirational participation goals we did not ask them to be in chambers this morning, however Scott Gibson from BES is here to answer questions if you have any.

**Wheeler:** Any questions? I'll entertain a motion.

**Fritz:** Move the report.

**Saltzman:** Second.

**Wheeler:** Sue, please call the roll.

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

**Wheeler:** Aye. The report is accepted based on the eloquent presentation of Scott. That's as funny as I get. That's my best material. 567.

**Item 567.**

**Wheeler:** Commissioner Fritz.

**Fritz:** I'm very excited to be presenting this and have this presentation. It's been a long time coming. Thank you to the community for your patience. I'll turn it over to staff.

May 30-31, 2018

**Pelatt:** Good morning. I'm Larry Pelatt from procurement services. I'll do the front part of this. You have before you the procurement report recommending a contract award to Raimore construction, LLC, for the couch park play area and loo project. Estimate was \$1,172,019. Bids were opened April 17, 2018. Three bids were received. Raimore construction, LLC, is the lowest responsive and responsible bidder at \$1,056,403, \$115,616 or 9.86% under the engineer's estimate. Portland parks and recreation procurement services identified an aspirational goal of 20% participation for this project. Raimore construction acting as prime contractor for this project identified the following areas for subcontracting opportunities. Trucking, demolition, traffic, playground installation and landscaping. There's a total of \$230,338 or 21.8% of disadvantaged minority women and emerging small business subcontractor participation for this project apportioned as follows: Performing trucking, demolition and traffic control, \$148,338. Emerging small business at \$78,083 performing playground installation. Raimore construction is a state certified mbe contractor and participant in the city's prime contractor development program which makes total disadvantaged minority women and esb participation of this project including the prime contractor at nearly 100% of hard construction projects. Raimore is in compliance with the city's requirements for contracting. If the council has any questions regarding the bidding process I can answer those. Since the contractor has met the aspirational goals we did not ask them to be in attendance today.

**Fritz:** We would like to give a short presentation about the project.

**Robin Laughlin, Portland Bureau of Parks and Recreation:** Thank you, commissioners. Mayor wheeler, commissioners, I'm robin Laughlin, bond project team lead with Portland parks and recreation. With me is Gary Datka, representing the bureau in this project. We're here to support Larry's request for council to accept the bid for Raimore more construction for couch park playground and replacement as well as the associated loo project. It's part of the 2014 parks replacement bond program that has generously passed by voters to approve \$68 million bond measure to fix and repair our most critical needs in our parks without increasing our tax rates. As you know the bond funding goes towards parks' most urgent needs in 7 priority areas playgrounds, trails and bridges, pools, accessibility, protecting workers, pioneer courthouse squares and rest rooms and other facilities. This fits into two areas, playgrounds and rest rooms. It will be the fourth parks replacement program to cover playgrounds in our system going into construction this year. With that Gary will share some of the details of the project.

**Gary Datka:** Thank you. Mayor wheeler, commissioners, i'm a landscape architect and project manager for Portland parks and rec. I'm very excited to present this project. Couch park is three acres in northwest Portland between northwest Glisan and northwest Hoyt and northwest 19th and northwest 20th. It's adjacent to Portland public schools, metropolitan learning center, focuses on existing playground and brick plaza. The playground and plaza provide much needed urban green space and play area this neighborhood and also serve to support the mlc's outdoor play spaces during the school day. Couch park today and of the past shows a very heavily used park, one that many generations hold dear. In the early 1990s as you can see in the image on the top right we installed a well-loved wood fort play structure that became an icon for the park. Unfortunately, this structure with many steps and levels was not accessible to all. Over the years the structure fell into disrepair and has been removed for safety reasons. Prior to its removal parks did install a smaller piece of play equipment but the playground lacked many of the play opportunities we look to provide all users in our parks and playgrounds. The adjacent expansive brick plaza with its heaved and shifted bricks from tree roots and time create a number of ada accessibility deficiencies identified in the transition plan that provide barriers to all users. Number of safety hazards and long-term maintenance difficulties. Additionally, it does not provide adequate seating for picnicking opportunities

May 30-31, 2018

and community spaces. The rest room shown in the lower image, small green building, has its own number of ada deficiencies and creates a number of safety and visibility issues for all users. Our project has a number of goals. The playground renovation was one of the first bond projects started in 2015 and conducted extensive outreach through a series of neighborhood meetings to engage with metropolitan learning center students, friends of couch park and the neighbors in the northwest district association to understand how each group uses the park and gain positive community support for renovations. In partnership with heart first playground for additional funding of \$350,000 as well as metro neighborhood nature and neighborhoods grant for \$150,000, we were able to design a fully inclusive and accessible play area for all users and care-givers to have an equal opportunity to play in a safe and imaginative setting. The new playground includes a new wood fort play structure with slides, climbers and a lookout mound without the need for stairs or handrails. Provides many other inclusive play structures and features, individual group swings, music elements separate areas for social and quiet play for all kids are also included. As with all our bond projects durable rubber and synthetic surfacing are included for maintenance. Better suited to heavy traffic and long term maintenance. We will include a number of stormwater planters to minimize impacts on utility infrastructure, new accessible picnic tables, benches and bike racks. We'll be installing a Portland loo, which will replace the public rest room. The rest room will remain for events and ppr staff to use. This project does hope to begin as soon as possible following the mlc's school year. In contracting we're anticipating starting in July. Construction is anticipated to take about eight months and will take us through the winter 2018, early 2019. With that I would like to turn it back over to Larry and to provide -- you've already given the overview. Ask you for your support and acceptance of the bid for Raimore construction.

**Wheeler:** Colleagues, any further comments?

**Saltzman:** I would move adoption of the report.

**Fritz:** Second.

**Wheeler:** Any further discussion? Great presentation. Thank you. Please call the roll.

**Fish:** Well, looks like a beautifully designed playground and great addition to that park. So thank you for your good work. Aye.

**Saltzman:** Yes, this one has been a long time in the making. Good to see it finally happening. Aye.

**Fritz:** I still have nightmares about going to the PTA at metropolitan center telling them yes, we fenced off your structure, and we don't have any money to replace it. The aghast looks on everybody's faces. That's the reality of what is in Portland parks and recreation. We have a lot of aging infrastructure that city does not have funds to fix. So over the next six months the bureau will be leading a conversation about what do we have and what do we want to pay for and how do we want to pay for it. Thank you for your work with have very important bond measure. Thank you to Cody Goldberg. This is another advance in accessible playgrounds across the city. Every project we have done to the bond measure has included some accessibility features. I am very proud of that and of the largest expansion of rest room facilities in the history of Portland parks and recreation. When i'm gone you can put my name on a loo, i'll be very happy. Thank you for your work. Aye.

**Wheeler:** I think this is a fantastic vision. I appreciate all the hard work that's gone into it. Commissioner Fritz, thank you for your long-standing leadership on this. It's a high volume park used by a lot of people. This will be very well received by the community at large and I believe it will be a community asset that we can all be proud of. I vote aye. The report is accepted.

**Item 568.**

**Wheeler:** Second reading. Call the roll.

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

May 30-31, 2018

**Wheeler:** Aye. The ordinance is adopted. Next, 569, also second reading.

**Item 569.**

**Wheeler:** This is a second reading. Please call the roll.

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

**Wheeler:** Aye. The ordinance is adopted. Next 570.

**Item 570.**

**Wheeler:** Commissioner Fish.

**Fish:** This contract amendment is for the Portland water bureau to upgrade their existing software that allows water bureau operators to make adjustments to our drinking water, infrastructure, such as adjusting valves and turning pumps on and off. The upgrade is also necessary to continue to receive security patches that prevent cyber-attacks. Here with us are Mike Stuhr, Portland water bureau director, and Chris Wanner, water group manager for the Portland water bureau.

**Mike Stuhr, Director Portland Water Bureau:** Good afternoon. Mr. Mayor, commissioners, supervisory control and data acquisition. I'm not sure that's really any clearer than SCADA. It is, however, a very important item in operating the water bureau. What we're looking to do today is two things. We need to extend the term of the contract to December 2019, and second in this amendment authorize expenditure of \$817,696. We're doing another thing that's important in this particular contract. In the past we have done the O&M as one contract and system upgrades as a second contract. At the suggestion of Mr. Pelatt, whom I should have invited to stay, and but we decided to combine them and spread the cost over the time period. This thing will be building upgrades into our O&M system and upgrades are to run on the Microsoft server. It's a separate computer system but has to run on the existing servers. So, we need upgrades to keep up with the city's upgrades to the servers. We need to comply with Windows 10, because this thing runs in the background and we use Windows 10 and so on for it to operate. There's a variety of upgrades to the SCADA system contract itself. We have been using this system about 30 years in various names. Last was Telvent. They were bought by Schneider Electric. It's the same computer system we have always had. We have a whole bunch of security patches that go on. This is very, very frequent. You don't see this stuff but we see a lot of stuff from U.S. about various cyber-attacks in water systems. We try to stay ahead of those. Besides the upgrade aspect this is our contract for the Telvent system. They have been with us as I said almost 30 years. Their engineers have extensive experience with our system. Both the operating system, tanks and so on, and provide 24/7 support. Why this is so important is in a lot of our valves and machinery and so on we have PLCs, programmable logic controllers. The SCADA system talks to those, gives instructions for raising and lowering tanks and communicates with the remote terminal units that we use to operate the system in various locations. We have stuck with this system because it's approved. It's kind of a sole source system, one of those things approved by both procurement and the chief technology officer. That's about what I can tell you. Chris may have more wonky things he can answer your questions.

**Fish:** I have a question. On Friday when we detected a small leak in one of our conduits, was that a sensor that went off that then showed up on our computers? Is that an example of something where technology helps us identify problems?

**\*\*\*\*:** So current technology would not pick up something like that although as a technology advances we're constantly looking at systems that may detect those types of anomalies in our system. That was actually picked up by one of our colleagues working for the city of Gresham. They noticed the water in the street.

**Fish:** Mayor, this is just a coincidence. Shortly after the news flashed last Friday about the terrible events that occurred at Portland State University, we got word that there was a small leak in one of our conduits. In moments like that when you're not quite sure what's

May 30-31, 2018

happening in one place and you start to think is there any potential connection and are these related events or coincidental, mike's team jumped on it and was able to do a site inspection and determine that in fact these are completely unrelated. This was just sort of an anomaly. From one of the things it was comforting was to learn that the pipe that had the leak was actually buried pretty deep, so it would have been extraordinary for somebody to be able to actually cause that leak. You never know. It was just an example of a heightened state of alert that occurred once the new flash went out about what happened at the urban center.

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

**Sue:** No one signed up.

**Wheeler:** Good presentation. Thank you for making that understandable even to me. That was great. This is a first reading of a nonemergency ordinance. It moves to second reading. Next item, colleagues, we have a four-fifths agenda item.

**Item 570-1.**

**Wheeler:** Very good. Shannon, are you kicking us off today?

**Shannon Callahan, Portland Housing Bureau:** Sure. Thank you, mayor, commissioners. Thank you for considering this item on an emergency basis on four-fifths. As was indicated in the title this would be for the city to join in an amicus brief to ensure an injunction against the recantation of a very important fair housing rule. Last month we celebrated the 50th anniversary of the fair housing act but it was not until 2015 that an actual rule to make sure that we were meeting the requirements of the affirmative fair housing act was put into place under the Obama administration requiring that local governments not just evaluate the needs in the community in regard to fair housing but actually submit detailed and concrete plans. The trump administration has proposed with secretary Carson to repeal that rule, and a number of jurisdictions across the nation are seeking an injunction as we mentioned to keep that rule in place. With that I would turn it over to our city attorney who has worked and is working on this, Lisa gramp.

**Lisa Gramp, City Attorney's Office:** Lisa gramp, deputy city attorney. The rule would be suspended, just as a point of clarification. In January ben Carson suspended the rule and we would be signing on to an amicus brief drafted by the state of Maryland along with other state and local jurisdictions in support of the fair housing alliance's suit against Hud and ben Carson, in his capacity as Hud secretary.

**Wheeler:** Very good. Any questions, colleagues, on this particular item? Any public testimony on this item? Please call the roll.

**Fish:** Thank you for bringing this forward. Aye.

**Saltzman:** Aye.

**Eudaly:** Very pleased that we're signing on to this. It's unfortunate how much of our time and resources we have to devote to protecting our community members from our own federal government. This is apparently the reality we live in now. So thank you. Aye.

**Fritz:** I'm starting to lose count of the number of times we're having to sue the federal government. That's so discouraging. Thank you for not being discouraged. Thank you for being lawyers and interim housing director, Shannon Callahan, thank you for your work, standing up for people who don't have a voice. That's what the city is required to do in this situation, to be the voice of those who are discriminated against by this ruling. Thank you, aye.

**Wheeler:** Glad to vote aye. The resolution is adopted. Last item was pulled from the consent agenda. 547.

**Item 547.**

**Wheeler:** Colleagues, PF&R operates three marine vessels at station 17, located on Hayden island, where it responds to both land and marine emergencies on the Columbia river. Rescue boat 17 and fire boat 17 are moored at the Columbia point yacht club. And

May 30-31, 2018

another reserve fire boat is moored at Columbia crossings marina. Portland fire and rescue currently leases a private boat slip at Columbia point yacht club for fire boat number 17. The lease agreement expires on May 31, 2018, and an amendment is required to extend the lease agreement for another year. This ordinance authorizes the current lease extension and provides authorization for future lease extensions. Welcome. Commissioner Fritz.

**Fritz:** Do we know who pulled this?

**Sue:** Lightning.

**Fritz:** He's no longer here. And this is a routine item, I am so sorry that you had to sit here for the entire day, if you would like to go ahead and give your presentation, you can. But I have no idea why this is pulled.

**Wheeler:** We need the fire boat and a place to put the fire boat. And May 31st, to my calendar, may 30, which means if we need to extend the lease we have to do it by tomorrow. That is why this is here on an emergency basis. And therefore, why it was put on the consent agenda. It is a routine lease extension. Any public testimony on this item? Let's honor these people by getting them out of here as quickly as we can. Sue, please call the roll.

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

**Fritz:** I just can't imagine why someone would waste everybody's time to pull this for an annual cost of 3,600. Can you imagine, well, I know how much it would be to build a house, a fire boat, astronomical, such a good deal. Aye.

**Wheeler:** I would still like to have the negotiation leveraged, 3,600, are you kidding me? This once. This once. I will vote for it, I vote aye. Ordinance is adopted. Thank you all for your time.

\*\*\*\*: Just a comment, the fire bureau is here every council session, apparently, somebody from the fire bureau is in attendance, so is that correct?

\*\*\*\*: Okay.

\*\*\*\*: They are here every council session.

**Wheeler:** Great for us.

**Fish:** I know our meetings get hot sometimes.

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

\*\*\*\*: Thank you very much.

**Wheeler:** Ladies and Gentlemen, we are adjourned until 2:00 p.m.

**Adjourned 12:30 p.m.**

May 30-31, 2018  
**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.

**May 30, 2018 2pm**

**Wheeler:** Could you read them together, 571 and 572, please.

**Item 571 and 572.**

**Wheeler:** Very good. Commissioner Eudaly.

**Eudaly:** Thank you, mayor. Hello, everybody. The east Portland action plan was created to provide leadership and guidance to public agencies and other entities on how to strategically address community identified issues and allocate resources to improve live ability and prevent displacement in east Portland. Today's presentation is the annual report to council on the progress made toward EPAP's strategic goals. I will hand it off to Katie and John. Are they here?

**Saltzman:** John is here.

**Eudaly:** That's what my notes say. We'll skip that and go straight to run of show. Is Karen Fisher Gray here?

**Karen Fisher Gray, Superintendent:** Good afternoon. So nice to see you all. Good afternoon, mayor Wheeler, city commissioners. My name is Karen Fisher Gray. I am the superintendent of Park Rose School District. I have been the superintendent of the Park Rose School District since 2007 and on June 18th I will become the superintendent of the Lincoln County School District. It is my distinct honor to serve as the chair for the Oregon Educator Equity Advisory Group, an action group created by the chief education officer of the governor. I'm an original member of the east Portland action plan committee and have been a strong advocate of all things east Portland. I was planning and sustainability commissioner under two mayors and it remains one of my most proudest commissions as a community member of the city of Portland. I'm the 2018 Oregon superintendent of the year. The east Portland action plan has more than 260 action elements that include a strong emphasis on the development of infrastructure, transportation, housing and economic development. We are working very hard to accomplish each and every one of these goals so that we can effectively create and improve healthy connected neighborhoods and increased positive livability in east Portland. To that end I would like to bring to your esteemed attention the concepts of our 2017-18 strategic priorities, our involuntary displacement prevention recommendations and our analysis of eight years of budget mapping. You have copies of the documents that support the aforementioned concepts and now I would like to point out some of the highlights that will be discussed in more detail later on in our presentation. First off, the east Portland action strategic priorities. I'm simply going to read them. I think they are important enough for us to hear. Set a goal that east Portland attains parity with other parts of the city and public facilities and capital spending. Institutionalize graphic mapping of city spending. Develop a quadrant plan for east Portland. Fund EPAP advocacy until the plan is implemented. Engage ethnic communities in neighborhood activities. Establish racially, and ethnically represented community oversight of community health worker programs. Fully fund the east Portland in motion. Fund the Outer Powell conceptual design plan. Prioritize east Portland pedestrian projects. Connect east Portland residents to family wage employment. Maximize east Portland's economic benefits from public projects. Promote catalyst work

May 30-31, 2018

force development projects in east Portland. Establish the gateway education economic development center. Establish policy and practice that balances regional, affordable and American disabilities act accessible housing supply. Increase opportunities for sustainable moderate income and minority homeownership. Implement master plans, connect lava dome areas to begin forest park east trail. Finally, complete planning and design work for the gateway green park project. Second, I would like to mention to the mayor and commissioners about the involuntary displacement prevention recommendations. The hallmark is civic engagement and there's an entire process outlined that we would like to see the city follow as part of our community engagement work with east Portland. So, the recommendations to be implemented are not in any prioritized order are support east Portland action plan civic engagement grants. Living wage provision supported. Local hiring. Minority contracting. Commercial stabilization and commercial rent stabilization. Community reinvestment act involvement. Commercial transit-oriented development. Owner occupied ownership. Rent stabilization. Just cause eviction. Broadening homeownership and cooperative ownership and inclusionary zoning, which we now have. Housing acquisition rehabilitation. No net loss affordable housing preservation ordinance. Community benefits agreements which are very important to the work that we do for east Portland. Anti-displacement impact analysis. These are all headings of the strategy around anti-displacement procedures. They all have lots of definition under them, but we don't have time to talk about them all now. They are all important and we also tried to build those into the comprehensive plan. They are all over the comprehensive plan. Really worth noting. The final thing for me to say in my introductory comments are about the eight-year budget mapping analysis project which you will hear more about from Nick in just a moment. One thing that we wanted to point out that was really important is that because of the partnership between east Portland action plan and the city, over the last eight years, 267 million more dollars have been increased to the work that we're doing in east Portland. That's not small change. We want you to know how much we appreciate that. The fact that we have kind of in fact treasured what we have measured how we spend things across the city is important. The city of Portland geographic budget mapping work demonstrates the importance of our partnership. There is so much more than needs to be done in this part of our great city and I sincerely hope that the work that we do together continues with enthusiasm. Our next speakers are Nick Sobie to speak with you more about the eight-year budget mapping project and Natali Arriola to bring you the civic engagement subcommittee report.

**Nick Sauvie, Director of Rose Community Development** I'm Nick Sobie, director of Rose Community Development, EPAP housing subcommittee. I was one person appointed to the original EPAP by Chairman Wheeler and Mayor Potter. I have a power point. I'm trusting someone will do the technology there. To start I would like to thank city council and city budget office for their ongoing support for budget mapping. This is a valuable tool for transparency, decision making and advancing equity. To my knowledge Portland is the only city in the U.S. that does this kind of mapping. This is a national model.

**Wheeler:** I'm sorry to interrupt. We're very low tech here. You have to poke an arrow to make the slides go. Just so you know.

**Sauvie:** Okay. Thank you.

**Wheeler:** Like a one-man band.

**Sauvie:** Not at all. Thanks for getting me in the loop. So, some background, budget mapping was born out of the great recession. President Obama's stimulus legislation requires jurisdictions to post on their websites locations of projects funded by the federal stimulus. When I looked up the projects I found that only 1% of the geographically targeted funds were going to east Portland. East Portland has more than 25% of the city's population and 40% of the school children but was only getting 1% of the federal funds.

May 30-31, 2018

We measure what matters and east Portland needed to speak up, so we could get our projects in the pipeline. In 2011, mayor Adams directed city bureaus to develop budget maps by district. This shows both dollar and per capita investment. Per capita is measured per user, which is population plus jobs. In addition, the bureau has provided level of service maps. EPAP tracks performance of three key quality of life bureaus, housing, parks and transportation. First, we'll look at housing. After four years of declining investment Portland housing bureau has stepped up its game over the last two years. The 2018 total of 30.9 million is more than double what phb produced in 2012. Now let's look at phb's per capita performance. The red line equals 100%. If east Portland was getting its fair share the back line would be at 100%. Despite the increased investment in 2017 and 2018, phb has never attained a fair share of housing investment in east Portland. EPAP wants its share of bond funding and new sources of funding to prevent displacement for people of color and low-income residents in our neighborhoods. Here are the comparable charts for Portland parks and recreation. Parks is the star of our show. EPAP is grateful to commissioner Fritz and before her commissioner Fish for their commitment to equity in east Portland. Parks investment increased from 13.6 million in 2011 to 35.9 million in 2018. Even more importantly, parks investment has exceeded fair share level for each of the last four years. Equal is not the same as equity. Disinvested communities should get more resource until they catch up with more favored communities. As transportation dollars have more than tripled from 15.5 million in 2011 to 57.7 million in 2018. This includes significant investment in east Portland and motion projects as well as safety improvements from the local gas tax. I remember going back to the earliest meetings that improvements to Powell boulevard has always been a top priority and EPAP is thrilled to see those improvements starting to happen. Here we see in 2018 for the first time PBOT investment in east Portland exceeds the city per capita average. We would like to see this trend continue. Add these totals together you see housing, parks and transportation funding for east Portland has increased by \$267 million since 2011, this is significant game changing investment. Thank you again to city council and the bureaus your commitment is appreciated. Please be aware, however, that the risks that come with increased investment. The goal is revitalization without displacement of people of color and low-income residents. Here's a map produced by dr. Lisa bates that shows gentrification and displacement patterns. You see from 2000 to 2010 east Portland largely does not register on the map. This is the latest map. Almost the entirety of east Portland is lit up in various stages of gentrification. EPAP hope you'll take much stronger measures towards programs and policies that will generate equitable neighborhoods throughout Portland and economic opportunities for east Portland and people of color and low-income residents. Thank you.

**Wheeler:** Thank you.

**Natalie Arreola:** Good afternoon. Mayor wheeler, commissioners, I'm with part of the civic engagement committee. I'm here to share some of our successes this year. I'm proud to say the civic engagement committee was able to advocate for the Multnomah county center program to help community health worker training in Arabic language and culturally specific, that was held for community health worker training. This fiscal year '17-'18 we successfully advocated for oni to get \$100,000 for translation and child care funds. The civic engagement committee was also able to advocate for the city support for sanctuary by providing legal aid services and the mayor thankfully locate 500,000 in fiscal year 2018-19 budget. Along with our successes we had some setbacks. This year we were unable to get overhead funding for the .5% into the mayor's budget for fiscal year 2017-18. That was something we were really looking forward to, however, we did have an example of situations that happened at David Douglas budget hearing at division midway alliance asked for a Burmese interpreter for the budget hearing with two-day notice and the city was not able to accommodate that request. It's examples like these where interpreters

May 30-31, 2018

were not available to bring those voices of historically oppressed communities to budget hearings like the one at the division midway at David Douglas. That we would like to continue pushing for the city to bring in overhead funding to our fiscal budget. While we have been making grade strides we still look forward to continuing to obtain overhead funding in the near future. Thank you for your time and for your help. I'm going to introduce Katie Keenan, Katie Larsell and John Molde.

**Wheeler:** Thank you very much. Appreciate it. Good afternoon.

**Kate Coenen:** Good afternoon. Hi. My name is Kate Coenen. I'm the economic opportunity coordinator for historic park rose as well as chair of the east action plan development subcommittee here to report on our successful advocacy around our strategic priorities. One priority is to maximize east Portland's economic benefits from public projects. On that we have done advocacy around the community equity and inclusion plan along with the metropolitan alliance for work force equity. Our advocacy made the community equity and inclusion plan more robust including compliance for tracking and fees for noncompliance. We look forward to continuing this conversation as the ceip comes up for renewal annually. We will continue to advocate for signatory page provisions for local hiring and local spending as well as to lower the threshold for work force participation requirements. Our second priority is to establish the gateway education and economic development center. Our advocacy has built momentum around that and pushed that conversation forward. Katie Larsell is going to speak more about that in her presentation. We have also done advocacy around the community reinvestment act. We have partnered with the national community reinvestment coalition in hopes of leveraging local community reinvestment act funds to support the gateway education and economic development center. Thirdly, our strategic priority is to promote catalyst work force development projects in east Portland to partner with the neighborhood prosperity initiatives and other urban renewal and economic development efforts to bring living wage jobs to east Portland and on that we are pleased to say that the work force navigator program with the east Portland npi is a success. For example, in nine months in 2017, Natalie, the work forces a navigator for division midway alliance and the jade district, signed up 365 people to the program and approximately 24% of them have received employment. This program shows promise for expansion to other east Portland neighborhood prosperity initiatives. Thank you for your time.

**Wheeler:** Thank you. If I could reflect for one moment on the ceip and your engagement in that, that was a very, very difficult rock to roll up the hill. I want to thank you personally and I want to thank your entire group for helping shape the ceip. I think it's a really important step forward. But as you acknowledged it's going to be fluid and it's going to be a document that evolves with time. I'm really appreciative that you're continuing to engage on that. Thank you.

**Coenen:** Thank you.

**Wheeler:** It was hard work. Thank you.

**Katie Larsell:** Hello. Greetings. I'm the reverent Katie Larsell. As you may know I have been a member of EPAP since the very beginning. I now serve on the planning and sustainability for the city of Portland. I try to look out for east Portland interests on the commission. It's a pleasure to be up here reporting to you about this productive year for EPAP. Today I'm representing the operations committee and it's a committee that often takes the larger view. We focus on how we govern ourselves and on projects that are bigger than any one subcommittee. So, because of that I'm going to update you on a couple of the bigger projects. Gateway education and economic development center and east Portland quadrant plan. Kate spoke a lot about the gateway education and economic development center, so I think I'm going to shorten my remarks up just a little bit. You've heard a lot about it. I think the one thing that you may not have heard is that Mayor Ted

May 30-31, 2018

wheeler is having us after this meeting he's convening a meeting to bring stakeholders together around that project, a meeting that's really been needed. I just want to thank you for that. I'm very much looking forward to it. Let me talk a little bit about the east quadrant plan. That's got an unfortunate name but the reason we keep calling it that is we want to emphasize how important it is. Because the quadrant plans for the center of the city got a lot of attention and planning hours, and we want that sort of plan for east Portland. Right now, there's a couple of big plans going through planning and sustainability, residential infill and better housing by design. You've probably heard about these plans. It's going to be changing the face of Portland. What we want is a plan that looks at east Portland and answers the following questions. How can we grow middle income jobs in east Portland? How can we provide good quality, reasonably priced housing? And how can we provide reasonable transit to jobs outside of east Portland for east Portland residents? How can we do that without displacing those who live here now? This is something that we feel is very timely. You just saw that map, and I'm sure you all -- you may have already seen it. The map of displacement in east Portland. But every time I see it I gasp. So, I think that this is a time for this kind of a plan. That time is now. We were I'll say I was disappointed that that money was not in the budget to begin this plan. However, we heard through Kyle Chesick that there was perhaps money available from somewhere else. If that's the case, then I would be very happy to hear more about that.

**Wheeler:** Very good. Thank you.

**John Mulvey:** Good afternoon. Thank you for listening to us today and for your support for EPAP. I'm John Mulvey. I'm co-chair of EPAP's housing subcommittee. East Portland continues to feel the harsh effects of our housing crisis. We have more vulnerable renters than the rest of the city. As well as the fastest rising rents in the city. We're more likely to move than other Portlanders. We're home to 40% of Portland's children. We are the least likely Portlanders to have seen our incomes rise in recent years. Preventing housing displacement, stabilizing low income families and improving our area's substandard housing stock and ensuring adequate and equitable funding to correct disinvestment are core goals of your east Portland action plan. So, you can imagine this has been a busy year for housing at EPAP. This time last year our committee was considering next steps after the disappointing failure of state legislation that would have ended no-cause evictions an unconscionable rent increases in Oregon. That bill, a city of Portland legislative priority, failed in the state senate. Two weeks ago, my neighbors in east Portland voted for a change in the state senate. We expect to see legislation in 2019 that will finally give our renters the stability they need, and I hope you'll be ready to do your part by passing a tenant protection ordinance on the first day the state grants you that authority. Another city legislative priority was hjr201, a state constitutional amendment referred to November's ballot. It will repeal a 100-year-old provision that limits the ability of the city to stretch its affordable housing dollars further. We spoke to our legislators, submitted testimony in support and sent committee members to hearings in Salem to help secure passage of the bill. We will continue to advocate for its passage by voters this fall. A core priority of the east Portland action plan is addressing the dire condition of some of east Portland's private rental housing. We have heard repeatedly that low income renters are afraid to complain about leaky roofs, mold and nonworking appliances. For two years we worked with the housing bureau to develop a program to address this problem. In this, the second year of program funding, the results have not been what any of us would have liked. We have met with bureau staff on multiple occasions, exchanged numerous written communications, and had many informal conversations in an effort to find a path forward to address this still unmet need. While we did not oppose the bureau's request to reprogram this year's rental rehabilitation funds to other priorities, we're not giving up on our commitment to east Portland's families who are living in substandard conditions. With the city's ongoing efforts

May 30-31, 2018

to identify and register all of Portland's rental homes, we look forward to an environment in which next year's funds can be successfully used for their original intent. Another project we spent considerable time on was implementation of Portland's historic housing bond. My co-chair Freida Christopher was a member of the committee that created the framework for spending those bond dollars and our committee gave detailed comments at multiple points in the framework's development. We're anxiously awaiting an announcement on the first bond purchases in east Portland. Our committee also spent a considerable amount of time working with city staff, allied groups and community members to protect residents of mobile home parks including outreach to mobile home park residents and meeting with staff from the housing bureau, bps, and the mayor's office. In coming months new protections for mobile home park residents will be heard by the planning and sustainability commission then this council. EPAP will continue its advocacy for strong mobile home park protections as this process moves along. Our housing subcommittee has partnered closely with the EPAPs transportation and economic development teams to advocate for infrastructure investments that develop east Portland to its potential while protecting our most vulnerable community members. At David Douglas high school in November 2017 mayor wheeler, you told us, you're absolutely right to demand transportation planning and housing all be worked together. There's no such thing as a pure transportation plan any more. We have to talk about housing. We have to talk about displacement. We agree. We will continue to press for meaningful anti-displacement measures to be a core element of all major infrastructure investments. We work to pass hb 4007, which increased Oregon's document recording fee. That fund will support homeownership opportunities and permanently affordable homes for low income people and veterans and will bring millions to Portland to help transition homeless people off the streets. We have been close partners with bps in developing the better housing by design code amendments you'll consider next month. We're happy to say several EPAP suggestions are part of the bureau's recommendation. We have pressed Multnomah county to include a robust component of permanently affordable homes in their future plans for the hanson property. We have also been involved in the creation of the state's five-year housing plan. It's critical that state decision makers understand the unique housing picture in east Portland and that east Portland is able to access new state funds. We submitted detailed comments to dhcs and are currently awaiting their draft plan. We argued for robust community benefit agreements, for increases transparency at prosper Portland and we have been a constant presence in the fight for equitable allocation of resources for east Portland. So yes, we have been very busy. As your designated forum for volunteer community engagement in east Portland, EPAP will continue to press at all levels every available lever to achieve housing security for our community. We know you share these goals and we look forward to working toward them with you in the next year. Now it's my privilege to introduce three more great EPAP members. Jenny glass, arlene camora and nima shied.

**Wheeler:** Thank you very much. Appreciate it.

**Larsell:** You're welcome. Good afternoon.

**Wheeler:** Good afternoon Welcome.

**Jenny Glass:** Good afternoon. Mayor, commissioners, my name is jenny glass. I'm a proud member of the east Portland action plan for almost eight years now. I'm also a parks board member and one of our EPAP representatives to the park's bureau. This fiscal year our priorities for parks in east Portland were implementing existing master plans at parkland park and clouds butte connecting lava dome to complete the planning and design for gateway green. For years we have been asking for equity in spending in east Portland and Portland parks has met that request. We're the star of the show. The impact is very real for our residents. Our neighbors are enjoying their beautiful new park. Ventura park's

May 30-31, 2018

playground is busier than ever, and people are riding around on the first tracks at gateway green. We're anxiously awaiting the opening of gateway discovery park this summer. Not only do we complete these great projects last year through sdc funds and park replacement dollars, we spent time planning for our next investments. Last fall thanks to you we adopted the master plans for 150th and division, mill and midland. Thanks to the leadership of commissioner Fritz and support from you all we have accomplished so much for parks in east Portland this past year. The parks 2020 vision the goal is for all Portland residents to have access to a great park within a half mile or about 15-minute walk from their home. This is a really big lift in east Portland but ppr is proving they are up to the challenge. In general, I think that parks are such an important part of our city. They are not just a vanity measure. They are an upstream investment in our community's mental and physical health. They are where 40% in east Portland where 40% of our children are growing up they need parks where their families can connect and community members can find respite and a sense of belonging. This level of equity is going to require committed continued deep investment in east Portland. We want to thank you for the investments that you've made and for continuing to prioritize parks in east Portland.

**Wheeler:** Thank you. Commissioner Fritz.

**Fritz:** Parks bureau because when you're doing a replacement bond which is basically fixing things it's hard when you don't have anything to fix. We have found ways to redo the tennis courts and greatly improve Ventura park, making it more accessible. I'm happy with the loos we're putting in east Portland. Moving forward, when I had a small group visiting with me in my office to give me my annual report card, my question is, not to answer now but for discussion, you have long time had parklane and Clatsop butte as your next priority. Given that we have done midland mill and 150th and division whoever is the park commission will be looking for input into parklane and Clatsop, are they still priority or should we move to the master plans we have just done?

**Glass:** Great. I think the operations committee is going to be hearing from east Portland parks coalition and setting priorities and we'll be in touch with you.

**Fritz:** Always helpful when the community sets the priorities. Much easier for whoever is the parks commissioner.

**Arlene Kimura:** Good afternoon. Mayor wheeler, members of the council, yes, we are reviewing our strategic priorities for parks and I will say at least 150th is on that list. So, thank you very much. We also thank you for the effort of getting it implemented. I get to talk about transportation. The wonderful investment that so far has taken place in east Portland for transportation dollars. We're now up to 104% per capita in transportation dollars. While I know that we have gotten money from the state to do Powell boulevard, it is only been with the help of the PBOT staff who has helped us push this thing along and our state legislators. We have managed to get that, and we want to thank you very much for those -- supporting investment dollars to make something big like the 110 million happen. Thank you again. We also want to talk our EPAP strategic priorities which are coming up for further discussion and involuntary displacement. Excuse me. I'm also working with getting there together coalition which looks at transportation, but we have talked about you cannot look at transportation dollars in a vacuum. You must look at it along with metro and city bonds to do it in conjunction with transportation dollars, so they coexist, and we provide infrastructure improvements for anyone at the same time.

**Wheeler:** Thank you.

**Naimah Shaheed:** I'm a part of the EPAP grant committee. I joined about two years ago. My timeline is fuzzy. I have been on the committee and had the honor of reading all the proposals that have come to us. Just so many. Of course, not a lot can be funded. Not all could be funded I should say, but we have had the honor of granting some awesome ones some money. It helps the community come together, helping low income, it helps fund

May 30-31, 2018

racial and ethnic specific languages, a part of just cultural community projects. We have had projects were approved by full consensus at the December 2016 general EPAP meeting. 12 applicants were requested. 104,000 -- sorry. Excuse me. \$104,264, eight projects recommended and funded by the city for our \$74,996. In March 2017 the general EPAP meeting gave full consensus to approve applicants. They requested \$233,974 and 11 projects were funded by the city with a total of \$79,000. There's a bunch out there that would like more, but we can only give what we can give. We're there do that and we're thankful for you helping with that. I think it's great for the east Portland community. And we appreciate you guys. I want to introduce the next few people that are speaking.

**Wheeler:** Before you do that, the thank you is from us to you. You have made our jobs easier by helping us to redistribute at the local level those grant dollars to projects that you know are going to have the maximum impact and the most immediate impact in your communities. You're actually doing a lot of groundwork for us.

**Shaheed:** Oh. Great.

**Wheeler:** So back at 'ya.

**Shaheed:** You're welcome. I get to see a lot of really cool ideas from the community. Of course, me specifically I wish that we could give it all to them because there are some really amazing ones, but we can't do that. With that I'll introduced Ali Ibrahim, Kim Harvey-Trigoso and Mustafa.

**Kim Trigoso:** I'm Kim Trigoso with northwest family services. I'm a program manager. It's a multi-cultural organization in the Portland metro area. We have over 35 years of experience providing programs for youth and families and we want to thank you for giving us a grant through the east Portland action plan for our peer court and family empowerment projects. We have been doing those two programs in the east county for ten years and they have been extremely successful. Thanks to the grant we have been able to expand to east Portland and serve David Douglas high school. They promote Latino and culturally diverse parents and student leadership at David Douglas. We brought a crew here. I'm going to be introducing you next. Ava is our peer coordinator.

**Wheeler:** Thank you.

**Ava:** Hello. I'm going to start with some numbers of our accomplishments. This year we trained and recruited 24 east Portland students as youth attorneys and jurors for the peer court program. We have held nine peer court hearings for this academic year. We had four peer court training that took place at the irco building, which was an in-kind space and at the east Portland community center. We conducted nine peer court presentations for outreach and recruited students from the David Douglas high school club fair, Latino parent night, black and Latino student union and key club. Next you'll hear from two youth volunteers.

**Fritz:** Could you explain what is the peer court?

**Ava:** She is going to explain that. Yes. First Annabelle Sukin.

**Annabelle Sukin:** Hello. I'm annabelle sukin. Before I talk about my personal story I'm going to explain more about what peer court is. It is an educative and restorative justice program that engages high school students in jury and attorney general training. Students learn law and develop public speaking skills for holding pierce with first time misdemeanor charges accountable without involvement in the juvenile justice system. Personally, I have grown up in the David Douglas community and it's very diverse. I am coming from a multiracial background. I have grown up and experienced a lot of culture. Peer court has been very empowering for me because it showed me I can be a leader in my community at a young age. Because of peer court I have taken part in many other volunteering opportunities in my community. However, not only does peer court impact the youth that volunteer, it also impacts youth that we represent. These kids that come into peer court are not criminals. They are like teens like us who just make silly mistakes. I believe that having

May 30-31, 2018

teens their age representing them comforts and motivates them to be better and I believe that's a key benefit from this program. That motivation is pushing these kids to be better. That is impacting the future generations like mine to be better. It's really important to us. Thank you.

**Wheeler:** Thank you for your participation.

**David Nunez:** Now I'll be introducing David Nunez.

**Wheeler:** Welcome.

**Nunez:** I was born in Cuba. I'm a proud immigrant. As a freshman at David Douglas peer court has given me the opportunity to help people in my community that I have grown up around all my life and they are the same age as me if not younger or someone older. Peer court has in a short time I have been with it I have done a lot of public speaking opportunities such as this one right in front of the mayor. [laughter] that's something really special that benefits anybody who decides to join this. I think that I would recommend to anyone around my age that this is something that can really help and aid in seeing if you want to perhaps have a career path in law. That would be really interesting. Up next is Latino parent educator Jorge Guzman.

**Wheeler:** Can I ask you a question before you disappear? How did you hear about the peer court? What got you involved?

**Jorge Guzman:** I heard about peer court, it was a presentation in key club at my high school. That's how. Right off the bat I was really interested.

**Wheeler:** Sounds fun. Thank you. Good afternoon.

**Jorge Guzman:** Good afternoon. I'm Jorge. We have been doing some specific classes at David Douglas high school targeting families, Latino families mainly, to help them develop success with their youth based on academic engagement, understanding, mental health, development of the brain and negative consequences of drugs and alcohol that this can have on youth. Our classes like I say are getting only Latino students mainly at David Douglas. With us we have a parent who has attended a few of our classes. We tend classes once per month. I would like to introduce her.

**Wheeler:** Jorge, this is a class for students or for adults?

**Guzman:** It's for both parents and students.

**Wheeler:** Very good. Appreciate that clarification. Thanks.

**Olga Rodriguez:** My name is Rodriguez. I'm co-facilitator with Mr. Jorge. I'm going to introduce our parent, Cecilia.

**Wheeler:** Thank you.

**Cecilia:** Good afternoon.

**Wheeler:** Good afternoon.

**Guzman:** I'll be translating.

**Wheeler:** Do you want to pull up a chair? Grab one and slide it right up there. There you go. Thanks, Jorge.

**Cecilia:** Good afternoon. I'm a parent of the David Douglas school district. I have two children at David Douglas. 16 years of age at the high school and a middle schooler. I would like to thank all of you guys for allowing us to receive these classes because of the funding. Because this class provides the tools to help us understand the development of our youth and how we can support them. It is very important for us to understand mental health development of our teens and how we can support them. With this we can help be a stronger community. We hope that the programs continue so we can continue educating more families in our community. So, we can continue developing a stronger community and families. Thank you.

**Wheeler:** Thank you. Appreciate it very much.

**Ali Ibrahim:** Good afternoon. Mayor Wheeler, commissioners, my name is Ali Ibrahim, from Saco, Somali American Council of Oregon. I'm talking today brief description about the

May 30-31, 2018

work we accomplished and the importance of the workshops and the grant we get from EPAP. The grant's name is improving relationships with the community voice. Because why we say this is because our community as you know most of them came from very rural area back home, like refugee camps in Kenya. Most of them they are not so educated. A few of them are educated but the police system in America is different than back home. There is a thing, they are afraid of the police. When they heard the word police or something involving the police they think it be something very big. We came with this idea to make the relationship between our community and the police to make it better. So far, we have taken seven workshops. How the police work, how the police system is in America, and the police are friendly, they are a member of the community, police themselves. So, we make like these six workshops we make three different workshops. Women group, men group and youth group. The other three we make altogether in groups. They really appreciated the workshops, even the police them self-they take advantage. They pay for a lot of things from our community. They explain about in the workshops different aspects what the police do, how they do it, and according when the youth was taking part in the workshop they just explain, even encourage our youth they can be the police themselves. Now many youth in our community are also encouraged and are applying to be a police. One of them is here sitting there. He's willing to join the police. At the same time, we have programs police referred us. We have many single women who doesn't know how to drive, and nobody is helping them so there was a program which the police was doing which was driver safety education. We have had about 50 women there. The police have helped us. They have a driving license. This funding which EPAP gave us is very helpful. The problem is we serve like 300 now families and it's very, very less. If we would like to continue this program, we would like to get more fund. I will request anybody who can help us, commissioners, mayors. If you can help us because we are a grass roots organization. We just started. This is our first grant. If you can help us to build the capacity between the police and our community more and more, it will be much more helpful. Now we are also planning to have what we call community tea, which we have to invite the police in their free time with the community together and have tea. Already one officer started, commissioner -- forgot her name. Can you remember the commissioner who came to us in the meeting? Natasha. Exactly. She came to us and she has a tea with us. She was very wonderful. She promised she would connect us to distribute the food. Some of our families have less food stamps and they need more food. She is willing us to help more and more. Please and please, mayor wheeler, commissioners, EPAP, we would like sacco to help more people in Portland, Oregon, also Portland, Oregon, area. We outreach 300 more people not only east Portland, even in Beaverton, in the north Portland and northeast Portland so we would like to continue this program if you help us. We only need your help if you help us we can succeed and if you don't we can't. Thank you very much.

**Wheeler:** Thank you very much, Ali. I would like more information on this program. Maybe you could just raise your hand, maybe you could exchange email information. I know chief outlaw has stated as part of her ongoing efforts at the police bureau to create and strengthen community engagement opportunities like this, to build trust, to build a collaborative relationship. In particular I'm very, very happy to hear we're getting more young candidates of color interested in policing. We spend a lot of time in this room talking about police reform and police accountability. One of the best things that we can do to further that is have the police bureau of the community. That's my personal belief. I know chief outlaw believes that as well. Programs like yours are really, really helpful. I appreciate you taking the personal time and energy to help create those opportunities for partnership.

**Ibrahim:** Thank you very much. We appreciate your help. Thank you.

**Wheeler:** Welcome.

May 30-31, 2018

**Mustafah Finney:** Hello. Mayor wheeler, commissioners, thank you for having us this afternoon. Appreciate you. I'm going to be doing the closing for our presentation today. I thought I would just do what we do in our EPAP general meeting, which is do some success tracking. I'm going to go over this really quick.

**Wheeler:** I'm sorry, legal council will get on my case if you don't state your name.

**Finney:** I'm Mustafa Finney, your EPAP co-chair. Thank you. Sorry about that. We heard from Karen. We heard about an overview of EPAP and how important the work is that we do. You know how important this work is. We made sure to reference our strategic priorities and recommendations for displacement prevention, which has guided our work and one of the reasons we have been so successful. We heard from nick. He showed us how important budget mapping was to ensure the city is spending equitably. This project shows the diversity and skills of EPAP members. Very passionate and skilled. We have people like nick who find budget mapping enjoyable. [laughter] we heard from Natalie about health worker training and successfully advocating for oni's money for translation and child care. The need to continually make sure our community members can participate, understand and provide feedback. We heard from Kate around economic development, around community investment funds and working with commissioners to make sure that money is allocated correctly and equitably. The work force navigator program with 365 people signed up. 24% employment rates. So that was very good. We heard from Katie in operations around the gateway economic education development center and meeting with stakeholders which we appreciate. We mentioned quadrant plan and what we would like for east Portland moving forward. We heard from john in housing. Renters' rights and the rising rents. He gave us a snapshot of where our east Portland families are now in the dire conditions of below standard housing. Looking forward for next year and the chance to use those funds more effectively. We heard from Jamie and parks and all the great work that's been done with park improvements and renovations and including many different parks that we have been working on. Thank you for that work. We heard from Arlene in transportation supporting those investment dollars, a reminder of not working on transportation in a silo, instead looking at a complete picture with transportation. We heard from Naima around the applicants for grants and the many different community groups that have come forward, many amazing projects and our ability to connect with those groups on the grounds level and be able to assist them in these processes and make things clear and make city council more accessible for community members who maybe never thought that they could acquire those funds and implement these projects. So, we appreciated that. We heard from Ali and their program around the workshops, working with police and the community to get that education. Also improving relationships with the community, having police in the community working with these communities that have a past with law enforcement. So, bridging those gaps and creating those positive relationships. So lastly, as you have heard we have done great work together and hopefully continue and will continue to do great work together. I have to mention on a personal level I have been involved with EPAP for about two years now. Quickly I was appointed co-chair. Was a little over my head because I'm not that political of a person, but this has been a crash course I tell you that much. You learn the ins and outs of the city and you really get an eye for what your community needs and how to advocate for those needs. So, I have just been in awe and appreciative of being a part of this group. I choked at our last EPAP general meeting and said where else would I have access to this caliber of people and skills and quality of investment, the time they put into EPAP. Yeah. You all know. You all know. So, to end, we're grateful that council will be working with EPAP for our next stages in planning for the east Portland quadrant plan. We just want to remind for transportation it's very important as we know we need to get our east county families to living wage jobs. So, thank you for all the help with the line put out on

May 30-31, 2018

162nd and also for future work to fill in that infrastructure of transportation for our families. Lastly, like John said, investment in housing is critical because displacement is happening in east county. So, to wrap up I thank you for your work in collaboration with EPAP. I thank EPAP for all the work you have done. Thank you for letting me be a part of this great work. We are very hopeful in the future of EPAP and where we're going to be moving into in conversations of how we can evolve and grow and do this work more efficiently. More equitably. So, thank you.

**Wheeler:** Well done. Commissioner Fritz.

**Fritz:** Would you tell folks how did you first get involved in EPAP? What was it that drew you to your first meeting?

**Finney:** Well, my position when I started about two years ago was a new position. I was charged with coming out to east county to see how homelessness affected youth differently than the youth downtown. One of the first places my boss directed me to plug myself into the happenings of east county was EPAP so that was one of my first charges when I first got hired, plug yourself into EPAP so you know what's going on in east county. As I continued to be involved with EPAP it snowballed from there. After about a year I found myself as co-chair, which has been an amazing experience. Yeah. When I got first hired this was the group that I was appointed to. It just goes to show how far reaching. That office is downtown.

**Fritz:** Thank you for your work, for your leadership. One of the many things I love about EPAP that is we have long time volunteers who have been working in east Portland for 30 years or more, then we have people like you go because you were told to go and get inspired by the other volunteers and by the advocates to work with EPAP on staff. Very, very impressive. Thank you.

**Finney:** Thank you.

**Wheeler:** I also want to say personally you have more than risen to the occasion. [laughter] people are -- let's be honest, this is a pretty challenging time in history for a lot of different people, for a lot of different reasons. They are looking for leadership. They are asked all the time where are the leaders? You are I think representative of the kind of leadership that exists in the city that maybe people don't know or just under the radar but just listening to your organization, listening to everybody's presentation today, the degree to which it is organized, thoughtful, data driven. Experiential based, community driven, this makes our job so much easier. A lot of what we do is listen to people yell at us. [laughter] for some people, that's actually helpful. I get my position of privilege and of authority. I know that sometimes people just need to take truth to that authority and that privilege. If that's helpful, then I'm happy. But what I love about this is it's a two-way street where we work really, really hard to keep up with you. You're leading the agenda, you're leading the charge. You're putting the ideas out there, offering up the innovations, putting down the goals. You're making the budget requests. I feel sort of breathless listening to the presentation. Taking notes and thinking about how on earth request we keep up with the vision that folks on EPAP have for east Portland because it's a grand vision. A really great vision. This is one of the things that the city of Portland does well. So I have two hopes for today. Number one I hope Tom Potter is watching this. Wherever he is today, I hope he sees this and appreciates that way back at the beginning when we were sitting around conceptualizing with some of the founding members what this might look like and what it might lead to, I think it's really surpassed -- I'll speak for myself. It's surpassed even my greatest hopes and aspirations of what EPAP could be is a permanent force for positive change across a whole variety of different areas. I'm just sitting here listening with pride but I'm also seeing the challenge. The only bureau here that on a per capita basis is mine: I take the challenge really seriously. Very, very seriously. Same with the bond. So really

May 30-31, 2018

good work. Thank you to you, Mustafa, thanks for your leadership. Is what happens when you don't show up for meetings, people vote you in as vice chair.

**Finney:** I was there and they still voted me in. I could not be the leader I am today without all my mentors behind you.

**Wheeler:** So we have one of these is an ordinance, which means we take public testimony. If people are interested in public testimony -- I don't know if people have signed up.

**Karla:** Shedrick Wilkins.

**Wheeler:** The one, the only. Three minutes. You know the routine.

**Shedrick Wilkins:** I'm Cedric Wilkins. I was gone because I had dental work at Mount Hood Community College, which is on Wednesday in East Portland. I like Mount Hood Community College. It's a nice campus. Anyway, my perspective is to make things work for East Portland is to make sure that Governor Kate Brown is reelected because she has provided cover all health care, which last year was passed by the legislature which covers nonresidential immigrants for health care also in January 2018 the HMO tax also was passed for people who can't afford health care. So 60% of Oregonians care for people about people who don't have insurance. That's surprising. 40% don't but 60% do. I was one of the 60%. I think someday under leadership maybe in East Portland they could make shoes cheap like China does, strangely enough Kate Brown's opponent got \$500,000 for Nike founder Phil Knight, who has done nothing in his life but 20 years ago export -- make shoes in China instead of making them here. So cheap that even I bought the last 20 years shoes from China. If they were \$5 more than 30 I would buy them from here. Somebody could work on that and make jobs in Oregon. Phil Knight was born in Portland, Oregon. Then he decided it was cheaper to make the shoes in China. But somebody ought to bring them back here. I accept immigrants from all races. They are very spirited and skilled. One example is Elon Musk, who was a PayPal billionaire. He makes rockets cheaper than NASA does. Elon Musk was born in South Africa. He came to San Francisco at the age of 24, so he was an immigrant. I have got recently he builds SpaceX rockets from a guy who wasn't born here. So immigrants do have a certain spirit, an open mindedness. To do something like Elon Musk. He wasn't born here.

**Wheeler:** Thank you. Appreciate it very much. Does that complete public testimony? Very good. Any further discussion? Commissioner Eudaly.

**Eudaly:** Just a point of clarification. We have a panel coming up for the grants portion. Is that what we're about to vote on?

**Wheeler:** I didn't realize we had another panel.

**Eudaly:** Using a consensus model to implement their grants program. I would like to introduce the following three people to present this item. Victor Salinas, East Portland neighborhood office director. Jennifer Samuels, and Sean Cruz from the Jim Pepper Culture and Arts Festival. A fourth person has been added, Dr. Alan Buck.

**Wheeler:** Welcome.

**Victor Salinas:** Good afternoon, Mayor, Council members. For the record I'm Victor Salinas with the East Portland neighborhood office and I'm asking for your support today for the 2018 East Portland Action Plan grant recommendations. This year EPAP is recommending 149,515.66 for the 24 grants and 19,975 for a municipal partnership project for a total of \$169,490.66. I would like to request that you consider authorization for the 2018 EPAP grants following the presentations from two of our recommended grantees, Jennifer Samuels, Sean Cruz and Dr. Alan Buck.

**Wheeler:** Thank you.

**Jennifer Samuels:** I'm Jennifer Samuels from reading results. Thank you to Mayor Wheeler and the Commissioners and thank you to all of our amazing East Portland Action Plan community leaders. It's been really inspiring to hear you speak today. In my role as

May 30-31, 2018

director of reading results I'm grateful to have a unique opportunity to see students at schools across our region. What I see is the same. Six, seven, eight-year-olds already behind in reading and don't have access to the individualized attention they need to be great readers. The risk is really high. We know for students who are low income and students of color who are not reading by the end of third grade they are 13 times less likely to be on track from high school than their wealthier peers who are reading at what we consider benchmark. This is the work that reading results does. We partner with primarily title 1 low income schools to provide reading intervention program. We support schools, students, families on their journey toward realizing equitable education. Research tells us that for students falling behind one on one and one on two instruction is the most reliable, effective strategy to accelerate achievement. At each school we serve the students have the access and opportunity to work one on one or one on two with highly trained, dedicated tutors. About a third of the tutors are retired teachers or certified teachers not currently employed, two-thirds are parents and members of the school communities that we serve. From the student experience they get to sit down up to 80 or 90 times a year and get the full attention of a dedicated individual who has prepared lesson instructions for them to be successful in reading looking them right in the eyes and meeting them where they are. The students in our program are doing really well. This year we will serve about 660 students, 35,000 tutoring sessions. Next year we are going to try to serve 720 students in Portland. Funding from the east Portland action plan helps these students helps reading results serve the students and helps them realize their learning goals. This year we will serve about 100 students in the east Portland action plan area. We're going to serve gilbert park, earl Boyles and the David Douglas school district, glen fair and Reynolds school district. Funding support our program expenses, salaries for our tutors, books and program teaching materials, program evaluation assessments. Service also creates 13 part-time jobs in the EPAP area. 11 of which are held by EPAP residents. Also promotes and creates job opportunities. The students in our program are expected anticipated outcomes about 16 months of reading gains in the nine or so months that we serve them helping them accelerate being ready for high school and beyond. Reading results, we believe all children have the right to read and succeed. I know you this vision and I thank you and EPAP for making our work possible.

**Wheeler:** Thank you.

**Alan Buck:** Good afternoon, mayor, commissioners, council. I'm Alan buck. I'm a citizen of the Cherokee nation and pastor at the Wiltshire united Methodist native American fellowship in northeast Portland. I'm also chair of the Jim pepper native arts council. I moved year a year ago. I'm new to your city. Moved here from Edmond, Oklahoma. Didn't know a lot about this area. Left home and left my tribe to come here and be a public servant like you all. Do my best to find the needs, assess the needs, meet the needs, develop community and there are a lot of opportunities and a lot of needs here in Portland and, well, around the globe. So, people looking for those, you know, there are many, many opportunities and you all know as well as I do that sometimes it's difficult to decide where to give yourself, your time, your energy, resources. Where you can make the largest impact. Where you can be most of service. I just want to celebrate and endorse what you all have already said. The EPAP is one of those places where things are happening. Jim pepper native arts festival and their council, the things that they are involved in, I think have alignment with your core values with what I see meeting the needs. Sean will tell you more about what Jim pepper arts council is up to.

**Sean Cruz:** Good afternoon, mayor, members of the council. I'm Sean Cruz, executive director of the Jim pepper native arts council. Our mission is to improve access to culturally relevant education for native American kids. Jim pepper's name. Also recognizing the educational legacy of the pepper family. His mother, Floyd pepper, important Indian

May 30-31, 2018

educator. His sister Susie pepper henry, the director of special education at park rose schools for a number of years. Jim's nephew Jim is an important educator on a national level. The public policy components of what we do, we're actually born in 2005 legislative session when I was serving senator gordly as chief of staff and with senate resolution 31, which passed that year, and mayor potter also declared Jim pepper day that year. Her work in cultural competency and equity and justice issues, leaving no child left behind, expanded options, and her work with the nine federal recognized tribes as well as the tribal communities in Portland. As an organization and an event, we were actually born in Karen gray's office in the fall of 2012. We talked about the public policy goals and doing better for native kids who statewide suffer the highest dropout rates, highest suicide rates and worst numbers in graduating from high school on time. So our strategy is to address those issues of keeping these kids in school and this year with EPAP support, we are launching our speak soon native programs who are transitioning from producing an annual event to actual direct service provision targeting cohorts and native students and we have begun work, we're starting to actually do the work in June with kids from grand ronde in Portland, chief Elijah school, that's just the beginning. I wanted to recognize we would not be here if it wasn't for the park rose school district and support from the school board, which has provided us with our permanent home. Also travel Portland. Travel Portland has been with us from the beginning. Seeing Jim pepper, the national and international stature of Jim pepper, how he's known away from Portland. Advertising our event is one great reason for people to come and visit the city. Lastly, I just want to say our festival is free. No admission charges. That's in keeping with our mission of improving access because the population we intend to serve is largely impoverished. There are barriers, you know. Most families can't afford concert tickets in particular to bring the kids. We hope to see you all out last weekend of September. This year we're adding a second half day on Sunday. It's going to be a brunch and salmon bake.

**Wheeler:** Where is it?

**Cruz:** Park rose high school.

**Wheeler:** You have dan's attention now.

**Cruz:** Thank you so very much.

**Wheeler:** Thanks all three of you. Commissioner Eudaly? Is there another panel?

**Eudaly:** Those were all our invited speakers. Thank you, everyone. While we're on the topic of native American art on your way out I hope you get a chance to check out the show in the south atrium, a collection of paintings by native artist Peggy Balmoro.

Celebrating native north Portland.

**Wheeler:** Very good. Because I jumped the gun on public testimony before the grant was there anyone else who wanted to testify? Yes? Come on up.

**Salinas:** Good afternoon, mayor wheeler, council members. For the record victor Salinas. That was an ordinance for the grants and we're seeking your authorization to approve the 24 recommended grants.

**Wheeler:** You got it. I'll entertain a motion?

**Eudaly:** I move to accept the report.

**Fritz:** Second.

**Wheeler:** Further discussion on the report? Please call the roll.

**Saltzman:** Well, thank you as always for your high caliber progress report on getting things done for east Portland. I have been around lots of organizations over the years. Few are as results oriented and focused as east Portland action plan is. I really commend you. I want to commend mayor wheeler, mayor potter, senator Merkley I remember about 2006 or 2007 coming to meetings in east Portland where we were talking about forming this and supporting the action plan. Sure enough, you know, many years later you're doing your job

May 30-31, 2018

as intended. I think those originators are proud of you I'm sure. Thank you for the good work. Keep it up. Aye.

**Eudaly:** I said this before, but I'll say it again in case some of you weren't here. EPAP is one of my favorite groups to work with. It's a pleasure to get to do that through the office of neighborhood involvement. My first EPAP meeting, my heart sank when I looked at the agenda and saw there were at least three or four dozen items on it. I thought, oh, boy, this is going to be a long night. In fact, there's no way these people can get through this agenda, but they did. They are incredibly efficient and effective without sacrificing dialogue or process. Especially at this moment in our history it's really incredible and heartening to see a diverse group of community members who may have very disparate interests and priorities but share the same values around inclusion and equity and affordability and who are able to advance this plan. It's really an incredible thing to witness. Of course, thanks go out to Laura and Mustafah and Arlene. It's all the community member volunteers who are the wind in the sails. We couldn't do any of this without you. So, thank you to all of the presenters, to staff, to EPAP members. Pleased to vote aye.

**Fritz:** Thank you, mayor Tom Potter, Ted Wheeler and Senator Jeff Merkley for helping get this started. Thank you to the community. This is one of the first things I did in 2009. Commissioner Fish is sorry he can't be here. He consistently says this is one of his favorite events of the year. It's really meaningful that you come back every year during the day on Wednesday or Thursday when it's not easy to take time off work. We recognize that. Thank you for the dedication that you make it work for people. This is not only city staff who are working in regular business hours it's often more easy for some people to watch from home during the day if they have home-based work like child care or health care or other things. It's surprising how many people watch channel 30. Thanks to open signal. We're one of the most watched daytime shows for good reason. It lets people know what good work is happening in the community. In 2012 I wasn't sure I was going to get reelected so every year before that I had had to remind council by putting in a special appropriation request for east Portland action plan funding because it was one-time funding. I tentatively suggested it go into the office of neighborhood involvement so if I didn't win someone would be looking out to make sure it was in the budget. Throughout the recession the office of neighborhood involvement throughout the first term and my second everybody at the office of neighborhood involvement said we're not going to cut east Portland action plan. It's the last in, should not be the first cut. Then Charlie Hales had a budget note that asked when it is going to phase out and you diligently looked and said, when it's done therefore it needed ongoing funding and it changed to ongoing funding. I know everyone on council believes that's the right decision. We're at a turning point with superintendent Karen Fisher Gray moving on to pastures new. Thank you for your dedication to the students and community members you have touched. Thank you, Laurel Wintergreen. As you look to be retiring at some point it's a crucial point for the east Portland action plan. Because of the people who are here today, because of frankly the love that everybody on council has for you and that their awareness that what you are doing is important work that needs to be done and frankly is some of the best work that is happening in the city of Portland, just a little bit of help from the taxpayers of Portland. That's why it's going to continue. There will be storms, there are always storms when trying to figure out how to get things done, especially when there are insufficient resources. I will invite all of east Portland to join parks bureau as they start looking. We don't have enough money to pay for everything people want. So how are we going to decide what are the services that we want? When I went around and said I have \$25 million to dole out in system development charges, what should I do with it? How should I prioritize that, everybody in the different coalition areas prioritized their area things they wanted done in their area. Everyone said invest most in east Portland because they don't have anything.

May 30-31, 2018

That gave me the mandate to do what you have now shown in the budget mapping and per capita expenditure. People believe in equity and fairness. Believe that everybody deserves a developed park within walking distance of their home. We don't have that yet despite the progress that's been made. I invite you with all of your advocacy skills, consensus skills, with the community of colors and low income folks that you represent, participate in that process to help us help the city, the community figure out how are we going to pay for our parks? That is a crucial issue that needs to be addressed. Thank you to Jeanine Gates on my staff. I did not order her to go. I said to my staff I would like someone to attend and Jeanine volunteers and has been a consistent attendee and is always diligent about reporting back to me what has been happening there. Trying to walk that fine line between being the commissioner's representative and being a community advocate who is passionate about equity. Thank you for welcoming her into your midst, guiding her along her way. Thank you, Mayor, for your ongoing funding and Commissioner Eudaly for your support. Aye.

**Wheeler:** I already gave my long speech. Maybe prematurely. I thought it was okay the first time. I will say this. Great presentation. I have an idea for next year, I'll put this out as sort of a bug. Maybe we can think about it over the course of the next year. I was prompted by Commissioner I think Commissioner Fritz. Maybe it was Commissioner Eudaly who said it's really hard to get here on a Wednesday afternoon during work hours. We get lots of calls and cards and emails and tweets and Instagram's, whatever else I'm forgetting from east Portlanders who I know would have a real interest in this conversation and the work you're doing. Wouldn't this be a fun evening meeting in east Portland? We could maybe broaden the agenda and make it fun and interesting and engaging? I'm also saying that anticipating that next year's charts will look really good. [laughter] I'll make sure that happens. Let's at least think about that and maybe we could do some back and forth on whether that makes sense. We have plenty of time to muse over that. Second of all, as was mentioned earlier, three members of my staff plus Prosper Portland are looking forward to meeting with some of you later today to talk about Gateway. It's my understanding that the developer will not be at this particular meeting but is keyed to be at the subsequent meetings. We'll lay out that framework and the ideas and hear from you and then that will tee up a meeting with the developer which I very much look forward to. Without further ado, great work. I vote aye. The report is accepted. Now to the ordinance. Is there any further discussion? This is where the money comes in. This is actually the better of the two votes. Call the roll, please, sue.

**Saltzman:** I wanted to add my congratulations to Dr. Fisher Gray for her new job and for being superintendent of the year. That's quite an honor. Both of those. I thank Arlene Camora and Wintergreen, people I have worked with over long periods of time. You have certainly been involved with east Portland from the ground up. Kudos to all of you. Aye.

**Eudaly:** Thank you to the presenters today. Thank you to the staff and volunteers. Congratulations to the recipients. That list of recipients will be on the ONI website tomorrow. I have been told for anyone interested in seeing where these dollars are specifically going to. I'm glad to get these out the door before July 1 because this is the end of our fiscal year. Hence the emergency aspect. I vote aye.

**Fritz:** Thank you to everybody who testified, volunteers and people who are testifying for the first time. You spoke for your community and spoke really well. Thank you for taking the time to come. One of the best things about this is that the grant total is \$169,491, more than half of the money that goes to the east Portland action plan. That's not many community organizations to do the amazing organization, provide child care, facilitation services, translation services, food, accessible venues. You do all that and you get most of your money out the door to other groups. Thank you efficiently to the east Portland neighborhood office. Civic and community life. Community and civic life. For those grants

May 30-31, 2018

in addition to the east Portland action plan staff. When you're giving out this number of small grants that's in some cases a lot more work than looking over a small number of larger grants. Thank you very much. Aye.

**Wheeler:** Some good programs listed here. Thank you for your due diligence and hard work. I vote aye. The ordinance is adopted. We're going to adjourn but there's been a request for a photo. I think it's best if we do it just right up front here. Mustafa can you help me? Thank you, everyone. We're adjourned.

**Adjourned at 3:33 p.m.**

May 30-31, 2018  
**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.

**May 31, 2018 2pm**

**Wheeler:** This is the Thursday, May 31 afternoon session of the Portland city council.

We're in session. Sue, please call the roll. [roll call taken]

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

**Fritz:** I have an excused absence at 3:30 so folks can plan their breaks.

**Wheeler:** Good afternoon, Robert.

**Robert, City Attorney:** Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings, so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings, you may sign up in advance with the council clerk's office. For communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you're representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done, a red light goes on. If you are in the audience and would like to show your support for something that is said, please feel free to do a thumbs up. If you want to express that you do not support something, feel free to do a thumbs down. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. There are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

**Wheeler:** Very good. Thank you, Robert. Sue, could you please read the first item?

**Item 573**

**Wheeler:** Colleagues, we tentatively voted to deny the appeal on May 10th and we're back for the adoption of the findings. I move that the council deny the appeal, uphold the decision of the design commission as modified by the design revisions submitted by the applicant, and adopt the findings.

**Fritz:** Second.

**Wheeler:** Please call the roll.

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

**Fritz:** So the revised proposal, this is the Freemont apartments. It addresses most of the concerns I previously expressed as well as those expressed by the park's bureau including increases the minimum width of the greenway trail from 13 to 20 feet. It includes Americans with disability act compliance including extension of the handrail and addition of the ramp to the artists' studios and adds a public drinking fountain. In my view it was unacceptable to call the Willamette river the water feature of the development proposal. This still allows 84% of the plaza to be in shadow at noon and the building doesn't step back adequately from the greenway to meet the required setback, thus it is the council's

May 30-31, 2018

responsibility to provide safety for fragile public assets like the greenway, public plazas and parks. The current shadow standards don't ensure that light and warmth is maintained. This by itself is something that can be approved as a modification. The rest the approval criteria are met. There's a missed opportunity here that had this project been required to apply, reapply instead of having been modified at council it would have yielded between 28 and 55 affordable units. Thank you to ben Nielsen and Hilary Adams, stacy Monroe and Kara fiora who started this on behalf of planning and sustainability. Buck Horner with parks and recreation. Lion king, Linley Reese in the city attorney office, the pearl district neighborhood association, stan Pankin and many others who came to testify. Aye.

**Wheeler:** Aye. Motion carries. Thank you. The next two items, 574 and 575, commissioner Saltzman says they can be read together.

**Items 574 and 575.**

**Saltzman:** Thank you, mayor. When seconds matter, it's important for our first responders, our 911 call dispatchers and call takers to know exactly which address they are responding to. And we have a situation right now that exists in southwest Portland where confusion can reign supreme. If you live on 0255 southwest Nevada, for instance, as opposed to 255 southwest Nevada you are not only separated by i-5 freeway and about 700 feet of elevation, but that is too much time and we can't allow for that kind of imprecision to exist, especially when first responders are involved. It's a fire, public safety, amr response. We can't have our call takers and dispatchers at 911 taking the precious seconds to verify that we're actually going 0255 southwest Nevada as opposed to 255 southwest Nevada. For whatever reason a lot of people don't see a zero when it's the first leading number in an address. We could probably have great philosophical debates about the role of zero in that context, but we won't do that today. What we will do today is hopefully this council will set in motion the steps necessary to eliminate the situation and provide us with a new quadrant or actually a sextant in the city of Portland which would be south Portland. So, we would have south Portland demarcation and southwest. So, the 0255 southwest Nevada would be 255 south Nevada. 255 southwest Nevada would remain 255 southwest Nevada. Our first responders would be trained accordingly. All those coming up through the ranks maybe no longer have to have special training on the geographic peculiarities of the southwest Portland. There are enough geographic peculiarities as it is. So, we could eliminate one and make sure that we are doing the utmost to provide safety to our residents of our city. The people in front of you have worked long and hard on this proposal, and I'm really pleased to be able to bring this proposal forward to council for consideration today and hopefully action next week to make this a reality. I think with that I will turn it over to Andrew aebi, who has done a lot of work on this.

**Andrew Aebi, Portland Transportation Bureau:** Thank you. I'm Andrew Aebi, south Portland addressing project manager. Want to introduce my colleagues here at the table. Captain mike Krebs of the Portland police bureau. To his right is don rush, deputy fire chief for special operations. And to my immediate left is Larry Pelatt, with procurement services, then on my right is dan Diaz, the economic development director of the city of Hillsboro, who is just now wrapping up a very major street renaming and addressing change in Hillsboro. Sue, if we could switch to the presentation. Last time the city of Portland went through a major street renaming ordinance was in 1931, in the great depression. That provided for what we know today as north, northwest, east and southeast Portland. You can see from the actual script from the ordinance in 1931 at the time there was so little population in what we're proposing to be south Portland that it just simply designated a prefix zero be put on east west streets. One of the most important things that this ordinance did was not only to set up the five addressing sectors but also to establish a uniform set of addressing so street names don't change every few blocks in the city of

May 30-31, 2018

Portland. The foresight of our forebears has helped make Portland a city that in most areas it's very easy to find your way around. That green line is Burnside. You can see Burnside is a continuous street including a bridge over the Willamette river carries the same name from the Washington county border into Gresham. It does not change street names along the way. If you looked out on the lower left-hand corner you can see our neighbor immediately to the west, the city of Beaverton, did not adopt this principle when extending their streets as part of the growth of their city. You can see that there are three parallel streets there that in the space of two miles have between three and four street names, which is very confusing. So, this is the logo that we developed for the new addressing sector that we're proposing come into existence in May of 2020. Which is south Portland. It's important to note that this project did not initiate with the city. It initiated by citizens of south waterfront as we were doing outreach several years ago in south waterfront as what became the south portal project we got a lot of feedback from residents in the area that the leading zero was very confusing particularly for visitors. So, since the south portal resolution was adopted in December of 2016, we have done a lot of staff work and a lot of outreach with the community including four open houses and also briefing the Sweeney transportation committee on these changes. So, this slide shows you dramatically how much growth there's been in the area. I worked on the Portland aerial tram local improvement district in the beginning of my career at the city. When we formed that lid we had 78 tax lots in what's now known as south waterfront. By the time that we closed out that lid three years later, the number of taxes lots had increased from 78 to 342, and since then there's been a lot of development and thousands of new residents added to south Portland. Part of the timing of bringing this ordinance before you today is to get in front of future developments so that we don't have more people moving into south waterfront and also grappling with the leading zero issue. The problem is not only in in south Portland neighborhood, south waterfront, we also have a very confusing leading zero addressing boundary in Collin view. It's an imaginary line. It doesn't go in all cases down the middle of the street. It hops across the east fence of a cemetery in Collin view, skirts across backyards. It's not intuitive. You don't know when you're inside or outside of the leading zero area. One of the principles we used when we were laying out the future boundary of south Portland if we wanted the boundary to be intuitive, to be based on a landmark and we wanted it to be a straight line, so I have showed you a map there, state of Idaho among other states borders Montana and Wyoming, we wanted that border between south and southwest Portland to look much more like the Idaho Wyoming border, i.e. A straight line, as opposed to this curve, crooked imaginary line between Idaho and Montana that is not intuitive to people. On viewpoint terrace, once this goes into effect on the east side of the street you'll have a street name sign with south and on the west side a street name sign with southwest.

**Fritz:** What will viewpoint terrace be?

**Aebi:** It will remain southwest similar to Williams avenue is north Williams avenue and divides north and northeast Portland. Thank you, commissioner. That was the perfect segue into the next slide. As we were sitting down with the bureau of development services and reviewing our building code, what we also realized is that the building code had withstood the test of time quite well, but as new streets were created in the rose quarter area, the building code was not followed. If you look at this map, we have a very small segment of boundary between north and northeast Portland. You can see that dashed red line. That's the imaginary southerly extension of Williams avenue, which makes a little bit of a jog as you approach the rose quarter southbound. You can see those properties that are shaded in purple. That is actually the east half of the rose garden. So, depending on which side of the rose garden you're sitting in, the west side is technically according to this north Portland, and the east side of the rose garden is northeast Portland,

May 30-31, 2018

but obviously we assigned single addresses to properties. We're not proposing to readdress any existing buildings. We want to move this line from that imaginary dashed red line to the green line immediately adjacent to i-5 and so both the purple and the red areas will be officially north Portland. The green line then becomes north Williams avenue instead of changing street names every couple of blocks similar to what they have in Beaverton. So, I wanted to just recap for you why are we doing this?

**Fritz:** I don't see that change --

**Aebi:** Do you need the last slide?

**Fritz:** Just the change from northeast to north. That's not in the title of either ordinance.

**Aebi:** Pardon?

**Fritz:** The changing from northeast to north, it's not in the title of any of either of the matters before us today.

**Aebi:** It's not in the title but it's in the body of the ordinance.

**Fritz:** Do the people who use that area know about it?

**Aebi:** These streets here are primarily used by trimet. It's the access through the rose quarter transit center. Trimet has been fully informed and they indicated they are supportive of the change. There are no buildings addressed off these streets. They are basically circulatory streets to the rose quarter.

**Fritz:** Has the coalition been informed?

**Aebi:** We did not involve the neighborhood coalition. The building code already sets forth williams avenue is the dividing line so we're just making the street naming coming into conformance with the building code.

**Fritz:** Thank you.

**Aebi:** So, in terms of the project objective, I'll just run through these briefly, we want to eliminate the extra step that the 911 dispatchers currently have to do, somebody is on the phone, they could be from a potentially leading zero area. The dispatcher has to take extra time to make sure they are not calling from the leading zero area. We were trying to eliminate addresses incorrectly reported by customers, trying to eliminate human error. We're trying to bring the addressing boundary in alignment with the building code chapter. I think another important aspect of this is we're trying to avoid future situations where we don't know what the next information technology upgrade will be. It may be the permitting system, the water billing system, it may be the police citation system. We're just trying to make it so that we don't have to spend money in the future to pay a software vendor to reprogram an information technology system to work with the leading zero. On my left, Larry Pelatt was going to talk about what that would look like for procurement services.

**Larry Pelatt, Procurement Services:** Good afternoon. I'm Larry Pelatt, procurement services. Part of the problem with this particular thing is that we would end up very likely with a sole source type of technology if we had to go there. The issue with sole source is they are difficult to manage and difficult to control costs in. You end up in a situation where you may think you've bought something off the shelf, but it doesn't perfectly work so you end up with a lot more money invested in them trying to make sure they tack on to every other system that the city already has in place. Then with future upgrades to city systems you end up with additional money tied to this one vendor with basically no capacity to compete it or control the costs in that manner and you have to continually upgrade, maintain it and continually rebuild that so it always stays consistent with everything else the city does. Especially sole source -- technology procurements are tricky and sometimes difficult to manage. When you put them into a context of sole source it makes them even more difficult.

**Aebi:** Thank you, Larry. To recap the bottom of the slide, this is some property owner testimony that I thought was very compelling. This is a property owner whose address will change to south. He is a retired employee of the usgs. He said the project is long overdue.

May 30-31, 2018

Leading zero in an address does not work today. A zero is not used in front of a whole number or any scientific business or common use. The era where the city could afford customized software has passed. They have chosen to invest in the hardware in this case new street signs. I'm not going to read all of these. These were the guidelines that we used. There's about 150 addresses out of the 9600 that are getting more major changes. These are the principles that we used in assigning those new addresses. I should add a couple hundred of the 9600 are just placeholder addresses for vacant properties including the ones you saw in the rose garden. Those will receive new addresses at the time of future development. What was also very interesting we had approximately 150 owner addresses in the leading zero where when those people bought their properties and put down their mailing address with Multnomah county they left the zero off of it, so we actually have residents of the future of south Portland not using the leading zero to reinforce what commissioner Saltzman said in his opening remarks. I just wanted to show you a slide I took. I went out to Beaverton one day to take a picture of the different street signs. In this case if you leave Washington square you go down greenway, which turns into Brockman, which then turns into beard, then turns into nora. As I was going through the Murray boulevard intersection I was an unfortunate passerby to a vehicle making a left turn and running into a motorcyclist. The fire station down the street responded very quickly, they knew what they were doing. What this made me realize, though, is somebody unfamiliar with the area who may be calling in that incident would not know whether they were at hall and greenway or Murray and beard or Murray and greenway. There's a number of combinations of street names. I wanted to show this to reinforce one of the wisest things our forefathers did in 1931 was to have a uniform addressing of a particular contiguous street along its entire length. This is feedback we have received on the leading zero since we rolled it out. I just wanted to show you on the top example I was setting up a meeting with south Portland business association, trying to get an idea as to a coffee shop at which we could meet. I went into google and typed coffee 97239. The first thing that popped up was a coffee shop where they left off the leading zero and the address indicated was 12 blocks out of direction. We didn't wind up meeting me, my point being google doesn't always get the addresses right. We got a comment from a north Portland resident who said I have always felt lopsided. It will be nice to have a counterbalancing segment of south Portland. The middle piece of testimony there is from a ups driver in favor of this change. There's one at the bottom that talks about the different gps problems with the leading zero addressing. Then moving on to slide number 11, this is how south Portland fits into the remainder of Portland. One of the questions that I got quite a bit during the outreach process is why do we even have leading zeros center the reason is because the Willamette river curves significantly to the east. If for example you go to the Milwaukie city hall it's back door is on southeast 21st avenue. The Willamette river at that point is about a mile out of direction. Milwaukie is across the river from river dale, which is among the areas that are included in this street renaming and address change. The largest leading zero address is on military road, 24 blocks east of Naito parkway and viewpoint terrace. Fundamentally the reason we have leading zeros is we could have established the address numbering in 1931 to start at that point in river dale, but had that happened city hall would no longer be on 4th avenue but 28th avenue and it would be confusing because you would be in downtown Portland and wonder where the other 24 blocks went. Full disclosure, I'm a former leading zero resident myself. I grappled with some of these issues. All of these examples are not from me, this is actual feedback from leading zero residents. Another package was delivered to the wrong address. I had to give police directions when reporting a fight. I had to cancel my credit card because their database couldn't handle the leading zero. I give out the leading zero people think it's a typo and take it out. I tell people leading zero they ask me, what do you mean? One of my favorites, I was doing business

May 30-31, 2018

with a company earlier this year and they sent me an email with string on the bottom where they listed a fake north-south address and they said go to this address and look around the corner for this color door. That's our real address but the gps can't find us. [laughter]

**Fritz:** To be fair that's true for a lot of southwest Portland.

**Aebi:** The top one on this page is my all time favorite. Leading zero was dropped and a gas line was cut at my nearby neighbor's backyard instead of my house. We have two houses on the same block which but for the zero are the same number so the gas line got cut at the wrong house. Next, the property owner has a sign saying not 20202 to avoid packages at the wrong address. Fake letter zero, ups won't take the address, use some other carrier to deliver your package. The slide on the bottom is a really egregious example of the addressing being wrong on a street in river dale. You have a 01900 across the street from a 200 without a leading zero. The pink properties at the bottom of the slide are 21 blocks away from where gps would expect to find it. Now I wanted to just take you to a slide. This is a picture of our 911 dispatch center in southeast Portland. When we started working on this earlier this year we actually had a situation where our vesta telephone software did not recognize the leading zero address. If you called from a nonleading zero address the address would populate on the dispatch screen but leading zero wouldn't work. I wanted to turn this over to captain krebs and don russ to share some perspective from an emergency response point of view.

**Mike Krebs, Portland Police Bureau:** Mike krebs, Portland police. I moved here in 1992. I was going through my coaching. You go through the coaching program Portland police. It was very confusing. I had never heard of this leading zero before. I missed a couple of addresses when responding to calls. They weren't emergencies, so no one was impacted, but it can be confusing. The concern I have is in an emergency situation oftentimes people revert back to what they have been doing over and over. We don't get that many calls down here, so if you haven't worked this area for four, five years, you get a call potentially you could miss an address. As commissioner Saltzman said time is of the essence on emergencies. I'm also concerned maybe someone is visiting and they see some kind of crime in progress and make a phone call to dispatch, they find themselves having this conversation over the phone about does it have a zero on the front or not? I think it's -- I'm in favor of this. I think it's anything we can do to make it simpler for police and fire personnel to respond is a good idea. I think it serves the community best when we can get there without any kind of confusion. That's all we have to offer.

**Russ:** Mr. Mayor, commissioners --

**Saltzman:** Could we put the screen on people testifying, please? There.

**Aebi:** Thank you. Don Russ, just wanted to offer some comments from the dispatching point of view.

**Don Rus, Deputy Fire Chief:** Don Russ, deputy chief, Portland fire and rescue. I work closely with chief Meyers. Mr. Aebi approached us about a year ago. We had a meeting with Multnomah county Schaffer's office, bts, chief Meyers was there. He outlaid the issues they had in the proposal to create the south sextant at the time. We rely heavily on bureau of emergency communications and the computer curated dispatch system that we purchased seven, eight years ago. We rely heavily on technology. It wasn't always that way. I have been here for 35 years. I was fortunate I didn't have to drive a lot. Drive the apparatus at station 4, station 10. Back then we didn't have a real transient work force. Individuals went to a station or members and they stayed there. They had an awareness. They were very intimate with the fire management areas they worked in. But I always remember couple times having to drive we would have to have a map; the officer would make us familiar with that area. It was always confusing having a leading zero. We still have the issue today, and Mr. Aebi approached us that south waterfront is growing so

May 30-31, 2018

there's a possibility we haven't solved the problem, yet it could get more significant. Now we have a much younger work force as commissioner Saltzman said for cost reasons and we would like to -- we have a lot of secession, attrition, we're hiring more but we thrust these younger firefighters into driving positions. We rely on the technology we have now. We have mobile data terminals collected to a 4g card. It will show us a dot where we're going if the address is validated correctly. We don't have route recommendation. That's coming. But none of that will work if we don't validate the address quickly. There's a human element at the dispatch center. I'm a member of the dispatch committee I manage the fire liaisons up there. I remember the problem then. The point I'm making, there's a line choice that comes up with a few of these addresses that do occur. This is a low probability but a high risk if there's some seconds involved here with serious cardiac arrest. Another element to think about, the areas where we could have duplication has a freeway between it. If these resources are dispatched to the wrong side of the freeway it takes a lot of time to get other resources to that area. On behalf of Portland fire and rescue and chief Meyers we support this initiative.

**Aebi:** Thank you, don. At our third open house we had a neighborhood police officer there and he was listening to the 911 calls on his ear piece. He got a call for the 600 block of southwest. There was a heroin overdose. About a minute later the call came, we dispatched to the wrong place, it's the 0600 block. I don't know much about heroin overdoses, but I know seconds count when responding to something like that. We can spend unlimited amounts of money to try to get the technology to work, but that doesn't fix the human error element of the equation. This is a map, we have multiple response agreements in areas like river dale. This is not just an issue for police and fire. We have example lake Oswego fire department that responds. They have to contend with the leading zero as well. Here are some examples of some of the address changes that will be coming be. I won't list them all here, but the majority of these address changes are dropping the zero and dropping the w. We have very few major changes, out of about 9600 we have approximately 150 with a major change. The companion ordinance is I reviewed all of the street names in the city of Portland and found two streets that had been misspelled. We're taking this opportunity to clean those up. Martin will get an s on the end, Radcliffe will get an e on the end. I passed out or actually sue passed out double sided copy of this map to you before council started. These two maps front and back are the epicenters of the Bermuda triangles of addressing in Portland. This is where people go and get lost trying to get to where they are trying to go. Talked to a gentleman a couple weeks ago, his address is so badly geo coded when he has visitors coming he has to stand at the nearest intersection and wait for people to arrive and flag them to get to his house. These are some of the problems that we're trying to eliminate. This is just an overview of the timeline here. Council approved this ordinance we will roll out the new south Portland in May of 2020. We will dual sign for five years at which time the southwest Portland street sign will be removed. With that slide I wanted to turn it over to my colleague dan Diaz from the city of Hillsboro. I'll give an intro and he will make some remarks. The city of Hillsboro is wrapping up a much worse addressing problem. This is a stretch of what used to be baseline road in Hillsboro. Used to be driving west to east. You went from 22950 west to 6956 east to 22135 east to 7400 west all in the span of less than a mile. So what we're doing is just much simpler by comparison. I have a picture that I took of the gentleman whose mailbox is changing from 22135 east to 7215 with a different street name. Dan, you want to tell us about Hillsboro's experience?

**Dan Diaz, City of Hillsboro:** Dan Diaz from the city of Hillsboro. Here mostly for support. You're not the only entity that has experienced this. We are in the final stages of this but we had about one fifth of our community that was off primarily of a Portland grid system whereas the other four-fifths had been off Hillsboro's original grid more centralized to the

May 30-31, 2018

historic downtown area. We had to work with a significant portion of our community, about 11,000 businesses and homes combined, to work in changing multiple elements of the housing address. The number in some cases the pre-vehicles, in some cases the street name as was also highlighted. We also had city code issues as well. We had some addresses that were Beaverton in the city of Hillsboro which I did almost added a completely new layer of complexity. We experienced similar challenges and concerns. Obviously, these efforts have significant impacts in terms of the community, in terms of requiring them to change addresses. We worked with our community both the businesses and residential entities in terms of transition plans to try to accommodate changeover of addressing. Businesses sometimes have very complex logistical reasons in shipment orders to update as well. I think in a similar vein you've taken it a step further to give additional time and accommodation to allow this level of a change to -- recognizing the implications to the community but recognizing if not addressed now it does continue to increase itself with growth. One last piece, very much in the same vein of public safety and delivery of services. It wasn't just leading zero, it was across multiple segments of multiple addresses. With that definitely understand the position you're in. Definitely understand also the positions that both the community has stated, and your staff have stated and wish you the best of luck with that effort.

**Aebi:** Thank you, dan. We're in the home stretch of this. This slide shows you a recap of how many intersections we're proposing to change in the city of Portland, just a little over 1%. It's a large geographic area but you have a lot of open space, cemeteries, et cetera. It's a little over 1% of the intersections in the city of Portland. There's a recap of the number of property owners affected. Roughly three-quarters, four-fifths of the change of south Portland neighborhood association. You have the river place area of downtown and Collin view behind it in terms of neighborhoods that have the most benefit from the change. Then my final slide here, this is a very important slide. I really want to emphasize that 305,000 that we want to budget for this if council approves this, this is not a new expense. The vast majority of street signs that we have in this area do not meet current engineering standards. As you can see from this slide some of these street signs have faded so badly over the years that they are pretty much illegible. In some cases, even newer street signs were fabricated without the leading zero addressing on it. The question I have always asked if we forget to put the leading zero on a street sign I'm not sure how a visitor is to know there's a leading zero there. The business case for this is we would rather spend money on replacing our depreciated assets, failed and incorrect street signs, than we would do what Larry was talking about, not knowing where the next i.t. System is that will break with the leading zero and having to spend more money on a band-aid for that. To give you a real-life example, in the past year council approved a contract amendment. It wasn't a brand-new software system, it was an amendment to a contract for a software interface that was \$340,000, which is more than what we're proposing for the street signs for south Portland. That concludes my presentation. Happy to answer any questions you have. I believe we have some invited testimony and property owner testimony. Thank you for your time.

**Saltzman:** Is that the new standard for street signs?

**Aebi:** That's the new standard in terms of the font and the color is unique to south waterfront. Yeah.

**Fritz:** I noticed PBOT has been changing the street signs to make them larger and more easy to read. Like the ones other than the bond one would be replaced anyway.

**Aebi:** They would, commissioner. The main thing is our street sign replacement budget is so small it would take us a very long time to get these changed out. We're not completely keeping up with deterioration in our assets. I know you've heard that before. We don't budget enough for street sign replacement.

May 30-31, 2018

**Fritz:** Somebody with fading vision who has appreciated the larger street signs would be thrilled with how many have been going up. I think this is another good reason to keep doing it.

**Aebi:** And to your point, what we don't want to do is waste money by going into south waterfront and putting up leading zero street signs, coming back and having to replace them a second time.

**Fish:** Could I ask you a question as a history buff? I remember a number of years ago some signs were changed in forest park, the old signs ended up for sale up at the botanical garden, at the gift shop at the rose garden. Apparently there was a healthy market for them. I actually have one in my office. [laughter] what is pbots policy on old, historic signs?

**Aebi:** That is have very good question. I'm an alumnus of Lewis and Clark college. I'm trying to get one of the old palatine hill street signs.

**Fritz:** There's a market for them.

**Fish:** We could put them online or sell them through the botanical garden, make a little money.

**Aebi:** I'm assuming council would rather fund this partially through sale of the old street signs than to form --

**Wheeler:** Now it's just getting late. You have another panel? Is that correct?

**Saltzman:** No, public testimony.

**Aebi:** I think we have invited testimony.

**Saltzman:** I'm sorry. You're right. We have an invited panel of Lewis and Clark, Collins view neighborhood.

**Aebi:** Alex Naito Collins view and south Portland.

**Wheeler:** Appreciate it. Larry, you must be getting tired of us this week. [laughter]

**Pelatt:** But I love it.

**Wheeler:** Glad to hear it. Good afternoon. Those of you coming up to testify, please state your name for the record. We don't need your address unless you want to give it to us for some reason. If you're a lobbyist we need that information of course. About six inches is right. They slide around.

**Len Michon:** Okay. Good afternoon, mayor wheeler, council members. I'm Len Michon. I live in south waterfront. I'm also representing the south Portland neighborhood association, which comprises hill historic district, john landing, macadam plan district and south waterfront district. As a board member on the spna, we have concluded that we are fully in support of this change. We have had discussions with various residents about their concerns of course the big concern is money in some cases. We're talking maybe 1,000 or \$2,000 for people to change their addresses with that their correspondence. But based upon the issue, the main issue I think really is the safety and quite frankly, I am very much concerned about this. I had an incident not in this locale but my wife had a medical emergency, and if it were not for shall we say very good neighbors, something calamitous may have happened just because of the fact that at the time I don't think I could have made the appropriate address call. That's one of the reasons we should be looking at this as a very positive change. That's it for me.

**Wheeler:** Thank you, sir.

**Alex Naito:** Good afternoon, mayor, commissioners. I'm Alex Naito, grandson of bill Naito for whom Naito parkway is named after. I was asked to say a few words on behalf of my family. I think my uncle bob gave some testimony in support. I would like to reiterate his comments and our family support. Personally, the Naito parkway street is a great source of pride for me and my family. A great reminder for my grandfather did and for the city and how much he loved the city. We're honored that Naito parkway will be an integral part of this new area of Portland and I think my grandfather would be proud to be a part of it. He

May 30-31, 2018

was obviously big on development, and growth of Portland. Obviously, the safety of its residents. I actually know that he would be in support of this because my grandmother, his wife, lives in what will be south Portland. Anything that makes her safer he would be a fan of and I support as well. Thank you.

**Michael Harrison:** Good afternoon. I'm Michael Harrison. I worked at Oregon health and science university. Registered lobbyist I think I have to say that. Full-time employees of ohsu. Literally we have thousands of different unique documents. There must be a million pieces of paper with our address, so it's no small challenge to over time phase out all the paper, update patient website directions, information, et cetera. That said we also have about 50,000 children and adults are brought to ohsu every year to our emergency department. So, we're very acutely aware that even a small matter of minutes can make a significant difference. Life or death or functionality of a patient over time. So, we're not hesitant in our support for this change. I was the first family member to arrive at the dentist after my grandfather had a stroke a few years ago. The neurologist on duty was very interested in knowing exactly when the symptoms were first noticed because a few minutes one direction or another and he wouldn't be eligible for a blood clotting drug. We were just a few minutes on the right side of that time, and he regained all of his physical functions and neurological functioning were unimpaired. A few minutes different and that would have changed everything. Personally, and professionally supportive. Thanks.

**Wheeler:** Thanks.

**Roy Kaufmann:** Good afternoon. Mayor wheeler, commissioners, thank you for the opportunity to address you regarding this piece of city business. I'm Roy Kaufmann. I serve as director of public relations at Lewis and Clark college. I'm a member of the college's emergency management steering committee tasked with developing and maintaining the college's planning and preparations for a variety of emergent situations from isolated events like an active shooter to no isolated event like an earthquake. When PBOT program manager and alumnus Andrew Aebi reached out to us to educate us we had our share of questions and concerns. How much time do we have to comply, are there alternatives, how will we ever survive without a zero at the front of our address. Andrew made the time to discuss the changes, addressing with various members of our community. As a result, we feel well informed and can testify in favor of the project. Anticipated improvement to the safety of our campus community is extremely important to us. Our Collins view campus houses approximately 1800 undergraduates during the school year with a total campus population exceeding 3,000 people on any given weekday. From our understanding of the project and presentation today one of the objectives is to improve emergency first responder response times by reducing confusion around existing numbering. We also had concerns about costs and timeline associated with the change. PBOT explained the five-year time change and PBOT worked with us to select preferred addresses which we appreciate. We appreciate the thought. We thank the city and Andrew for proactively seeking comment and addressing our concerns along the route.

**Wheeler:** Thank you.

**Saltzman:** Thanks.

**Wheeler:** Was there another invited panel, Andrew?

**Aebi:** I think we're going to have the board members of Collin view come forward.

**Wheeler:** Very good. Come on up. Welcome. Same drill, name for the record. About six inches to the mike. Thank you.

**Maryellen Read:** Thank you. I'm Maryellen Read from Collins view speaking as a private resident of Collins view. I'm not here to address the objectives of the leading zero address project. I think the public's health and safety and the need the first responders to have a reliably efficient 911 system overrules any personal inconveniences of address or nomenclature changes. I am testifying as to our experiences with the process as this

May 30-31, 2018

project unfolded and the surrounding neighborhoods including riverdale. The really hands on leadership by project managers Andrew aebi and deputy fire chief don Russ was an outstanding demonstration of government work at its best as it should be. As a participatory and inclusive process. Fire chief mike Meyers was similarly so very effective in collaborating and integrating with PBOT. Andrew worked many, many hours with our neighborhood association. Especially with our transportation chair to address, so to speak, and adjust boundary and other issues. Andrew and don's presentations to the neighborhood somehow managed to be both concise and comprehensive. Much time was invested in this personal outreach. They listened to residents' questions and complaints and answered them factually and respectfully. Very effective rant control, incidentally. Neighborhood activists are a verbal bunch with many questions and strong opinions. The sense leaving the Collins view meeting was that we were advised with straight information that our perspectives were being sincerely considered and we have access to the project managers if we had further questions or concerns. Mandated change is seldom easy. The city's massive comprehensive changes are in the works. Generating rancorous hearings and online discussions. Residents seem to be expressing frustration and feel under siege unheard. The time Andrew and don invested in the leading zero projects outreach to really listen, to really solicit ideas, to fine tune and be willing to accommodate made a huge difference. Their distinctive direction of this project was a declaration and an affirmation that the city can recognize that each neighborhood has its own unique demographic and geographic challenges. On a personal level that individual voices can be heard and do matter. Thank you for listening.

**Wheeler:** Thank you.

**Fish:** Mayor, can I make an observation? First thank you for taking the time to come and speak glowingly of city employees. We often hear the other side of the ledger when people come to council complaining about one thing or another. But the other thing that I think is noteworthy is Andrew aebi has some of the hardest assignments in this building. But you would never know it because by the time they come to us they are cooked, and they have broad support and there may be an occasional remonstrance. I'm not sure what that means still. There's occasionally a dispute that these be resolved but the reality is all the work he does upstream informing, educating, tacking, engaging, is what makes it a pleasure when these matters come to us. You're not the first and won't be the last but I thank you for taking the time to acknowledge what real public service is about.

**Read:** Yes. I appreciate him.

**Elise deLisser:** I'm elise, chair of Collins view. I would say that that was an incredible explanation of the process that we viewed as cvna organization as well as a resident, thoroughness and the description that she has supplied you is detailed and absolutely accurate. So thank you for that. Mayor wheeler, city commissioners, I have the opportunity, the great opportunity to work with Andrew aebi, city of Portland transportation department, and deputy fire chief don Russ. Along with cvna citizens the communication process of presenting the south Portland addressing project. Change often brings opportunity for communication that includes addressing fears, frustration and often anger. During the neighborhood forums that I attended, Andrew and don met these challenges with precision and excellence. Don's communication skills enabled neighbors to know that their concerns were being heard while he provided information and education that produced a better understanding of the necessities and benefits of the addressing project. Andrew's ability to generate tools to assist neighbors with the transition, problem solve new issues that would continually present, resulted in change and improved outcome of the acceptance at the end of each forum. I appreciate Andrew's tireless efforts, time, transparency, and solution-based focus as he presented a constant stream of information, answers and solutions to questions and concerns raised by the cvna team during this whole process. Our cvna

May 30-31, 2018

meetings resulted in support of the process and a full understanding of the necessity of this change. While there was some discussion regarding the process, most concerns raised were regarding the address change transitioning details and support. I appreciate the combined transportation department and fire department approach. Don and Andrew presented a standard of cleanse as they communicated and facilitated the essential mapping changes that will improve neighbor safety in a number of neighborhoods. It was a privilege to work with this dynamic duo. On a personal note I would say that I found that the city outreach for involving our first responders really created impactful risk management and prevention feedback that really supported this project. So, thank you for your time.

**Wheeler:** Appreciate it, both of you.

**Aebi:** Mayor, Andrew aebi. What was included in the hand youths was an amendment so bds made some final changes to the addressing. I just wanted to respectfully request that council move that amendment and vote on it.

**Saltzman:** I'll move the amendment.

**Fritz:** Second.

**Wheeler:** We have a motion and a second. Why don't we take the vote since it's technical?

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

**Wheeler:** Aye. The amendment is passed.

**Saltzman:** We do have a special guest here, lake Oswego's fire chief, formerly Portland's fire chief. I don't know if he wants to say a few words. Ed Wilson, right? Am I mistaking you? Do you want to say a few words? Okay. My eyesight is failing me.

**Wheeler:** Welcome to the club, dan. [laughter]

**Wheeler:** How many people are signed up today?

**Sue:** Seven testifiers.

**Wheeler:** Very good. So, three minutes. Make sure the green light is on. Once the mic is on just leave it on for the next person. The mikes slide around and as I have said about six inches is right. Name for the record. You do not have to give us your address. If you're a paid lobbyist, please disclose that as well. First three, please.

**Wheeler:** Good afternoon. Welcome, thanks for being here. Would you like to start, sir?

**Bob Button:** My name is bob button, a resident at 6640 southwest Corbett in the area that would become the south waterfront. I moved there three years ago after 28 years in the bridal neighborhood. How many people here have moved in the last three years? In that process I ended up taking 18 months to try to notify all of the various accounts in the area of government, finance, health, insurance and utilities to make all of the changes that were necessary and it was about six to eight months of having different elements of these various organizations not get the message from the primary organization followed by credit problems followed by service problems followed by delivery problems. My daughter lives in a zero, a leading zero location, about eight blocks from where we live in Johns Landing at this point. I took the effort to google some of the leading zero places and basically google found them with absolutely no problem whether I left the zero on or took it off in terms of finding those. I was very confused in this process. I want to state that Mr. Aebi made a great case for this. I had not had the opportunity to hear that and did not find it online when I looked for various elements to educate myself about this process. But I think that I would like to say that there's going to be a lot of people who are going to need to have a lot of information to be if they are in fact forced to change their addresses like this. There is a lot that could be anticipated in terms of helping people, but I would like to say that if there are other alternatives to changing this address system, I first found out about this less than five weeks ago and not heard anything about it before then. There was no one at the meeting to provide that education in this process or have that conversation. I'm still very, very

May 30-31, 2018

concerned about a seven-year process with five years where things appear to have two different addresses. So that's my concern. I wanted to bring them up. I hope they will be addressed appropriately. Perhaps another six months is needed to provide more data to a variety of people in the community to really understand where this is going and to get some comparisons about what the opportunities are in terms of how this could be solved.

**Wheeler:** Thank you. Appreciate your testimony.

**Richard Rizk:** Good afternoon. Mayor, commissioners, thank you for giving me this opportunity to be heard. I'm Richard rizk, president of the south Portland business association speaking on their behalf. I'm also a leading zero. My office is on southwest lowa street, 0434 southwest lowa street, so I have some knowledge about that issue. The first thing I would like to point out is the obvious. First, Andrew Aebi did an excellent job of pointing out an issue that needs to be addressed by the city and I want to recognize him for that. I also appreciate commissioner Saltzman for his focus on the safety and welfare of the citizens of Portland at such a crucial time where that is a major concern. You should be commended for that. I want to just point out very obvious things. We have two issues. One we have leading zero issue and south versus southwest Portland issue. The people who are businesses in my district are from lair hill, Corbett, johns landing, south downtown. We are not a cohesive group because of i-5, macadam, barbur. It's hard for us to organize and make our thoughts heard. Unfortunately, I don't think our thoughts have been heard even though I generally support, some of my constituents do not, this leading zero issue. I would like to talk about three meetings. First, I would like to talk about a meeting I had with Mr. Abei, when he was presenting this. He did admit it was an afterthought and he had decided these issues and was telling us about it rather than hearing from us. We were concerned about that. There's another meeting happened at the hyatt and was a large group of people who expressed displeasure with this, expressed concern over the cost. I wanted to express that to the commissioner and mayor wheeler.

**Fish:** One question. What are the costs that you're referring to?

**Rizk:** Well, there are costs of changing the address. A lot of this is small businesses. All the costs from regulatory -- there's actually a memo that we sent all the commissioners and the mayor rather than use my time here, May 25, 2018 memo that sets out our concerns. Basically --

**Fish:** You're not being charged to answer my question. I'm interested in hearing from you. It won't be charged to your time. The clerk has stopped the clock. What are the costs that you want us to be aware of?

**Rizk:** Specifically, we want to look at first the options to this. We want to know that the city has considered options to changing the identity. This is more than just an address change. This is you're changing southwest to south. You're changing an area's identity. We want to know that the city has considered the cost to businesses and individuals to making these changes. There's a lot of hidden costs. There're too many costs for me to know right now off the top of my head. We want to know that the city has considered those. Andrew did a good job of detailing the problems. Are there alternatives with regard to procedural alternatives, for example using cross streets rather than an address? What options have been considered rather than wholesale change to the identity of a large group of people. So, what we're asking for here is -- in the meeting with Andrew the deputy fire chief was supposed to come to that meeting and explain to us what the costs were. Of course, he had a fire. He couldn't do that because of the fire we never got a chance to hear from him. We're asking that the city delay this decision for a period of six months until we have had an opportunity to be heard and know that this is the right option for the city of Portland. Thank you for considering my testimony.

**Wheeler:** We appreciate it. Good afternoon. Sorry, commissioner Fritz.

May 30-31, 2018

**Fritz:** One suggestion, I was here on council when we changed the name of 39th avenue to Cesar Chavez boulevard. One concern specifically of the business associations was regarding the signs. The signage for the businesses. I know that we have been increasing funding for venture Portland. One thing you might explore, it seems to me that's one of the main things -- the signs are not going to expire whereas other paper goods will have seven years to be replaced. That is just a suggestion to look to venture Portland to see if there may be small grants to help small businesses to help with changing the signs.

**Wheeler:** Thank you.

**Paul Cohen, Portland Bureau of Technology Services Analyst:** Good afternoon. I'm Paul Cohen, I work for the city of Portland, I'm a gis analyst. I work for bureau of technology services. I for about a dozen years now maintain the database of the streets of the city. I also work closely with bureau of emergency communications as well as bureau of development services, addressing team there, to make sure that addresses as they are created, changed, line up with boec's systems. I worked with Andrew and some with don. I guess as a technical resource for this project. There's a reference to the phone system I think it was slide 14. I actually took that photo when I was tasked with going out and working to generate a map for the new vesta phone system that came online in November I believe it was. That system was Larry Pelatt was talking about systems we single course. The single source was state officer of emergency management. Every 911 system in the state has that. We were charged with implementing that last year. One of my first questions to the vendor was how you are going to make the leading zero addresses map. I spent several months, about 80 hours of my time just to make sure the leading zero addresses will plot correctly on the call taker's map. That was for 950 or so wire line addresses that are in south Portland. So, two weeks of my work for just under 1,000 addresses. I can't speak for all the bureaus and all the systems that will be impacted and all the money that could be involved to sort of unwind the leading zero problem that we have had ever since computers came along and before that, but in my work it's something we have to figure out every day, make sure those things work correctly. My work is an example of that.

**Wheeler:** That's very good feedback. I want to make sure that if this goes forward you are integrated into this process. Are you at the table?

**Cohen:** I have been working with Andrew quite a bit, providing technical resource and also BES and boec.

**Wheeler:** I appreciate your expertise and the work you have been doing with the bureau of emergency communications. I want to make sure that continues if that is the case.

**Cohen:** Thank you.

**Wheeler:** Thanks for your testimony. Next three, please.

**Wheeler:** Good afternoon.

**Leslie Goss:** Good afternoon. I'm Leslie Goss. I live at 11888 southwest brahman avenue, also known as 11811 south riverside drive between Selwood bridge and lake Oswego. I act as a facilitator for lack of a better term for the river dale neighborhood association using various electronic bulletin boards and social media platforms to share information with neighbors and arrange community meetings as needed. In mid January Andrew Aebi of PBOT and don Russ reached out to the grade school principal and our neighborhood association to provide a brief overview of the re-addressing problem for southwest Portland and the likely impacts to our schools and neighborhood. River dale grade school and the neighborhood association agreed to host a meeting to hear a presentation about the elimination of zero leading addresses converting and resigning from south to southwest and emergency dispatch. Mr. Aebi offered to clean up quirky addresses. My lot has two completely different addresses. Our neighborhood residents are well educated, high income, high caliber individuals with rigorously constructed arguments for and against

May 30-31, 2018

issues and this is no different. There's been chatter ranging from great enthusiasm to be part of Portland's historical development. You can like the sixth sextant plan developed by one of my neighbors, then outrage. Most residents understand and agree that emergency response is handled without incident primarily by lake Oswego fire and police departments. I have heard complaint that converting to south from southwest will create an inconsistent mess on a neighborhood street along the Clackamas-Multnomah county line. I have also heard the familiar refrain, we're not Portland. Why are they doing this to us? So, I believe many of these comments that I have heard, comments and concerns, have been addressed in the exhibit to you prepared by Andrew Aebi and his comments. I can't give you a neighborhood-wide thumbs up or down, but I join the choir here and commend the work and the approach of Mr. Aebi and deputy chief Russ, and Paul Cohen has come to our neighborhood and helped with some of our quirky addresses. They have been incredibly thorough and articulate, generous with their time through emails and phone calls. Very responsive to all my neighbors' inquiries and have taken steps to clean up some of the tricky addresses in our neighborhood. We're grateful for their service and clear communications. I wish you well with this decision.

**Fritz:** Thank you for summarizing input from riverdale folks. What is your new address going to be and how do you feel about that?

**Goss:** My new address is going to be brahman. I feel good about it because it's where my driveway comes and goes. That will be convenient for trying to find my house. I'm not particularly wedded to the w, for southwest, or not. It will take, there's no denial it will take a long time. My husband is aggrieved that he has to sort out the addresses with all the people we do business with, but if it's going to mean reliable emergency response for my neighborhood I can't stand in the way of that.

**Wheeler:** Thank you.

**Mauri Bauer:** I'm Mauri Bauer. I live in a leading zero area. If this goes through I appreciate the idea of grants to businesses to help with the costs. You're asking about costs earlier. Stationary, business cards, residents, new driver's license, passport, et cetera, et cetera. Also, I'm wondering again how -- seems like Collins view had a lot of ability to hear about all the ins and outs. I heard about it five weeks ago from the letter. So I'm kind of -- I feel like I'm a little bit in the dark. But on the as far as this five to seven-year change, I was wondering too how we're going to have two addresses for this time, how that's going to work. I like the idea of having that much time for the businesses to transition but I was wondering how we have two addresses. How does fire, police and the post office deal with that and will that be efficient and will there still be a problem with them going to the right address.

**Wheeler:** Andrew, do you want to respond now or at the end of the testimony?

**Fritz:** I would like -- the same concerns were registered with this 39th avenue change. I think what we found was that either address is fine and gets through. For things like drivers' licenses, other things, you wait until you have your next regularly scheduled change, so you don't have to change in the meantime. I will have questions for staff specifically for the first responders. Are they going to be able to find both? My understanding is there's nowhere that's going to be confused in the -- with the southwest numbers. I'll get more clarity on that, but it worked out in the previous case for the most part.

**Bauer:** Thank you.

**Wheeler:** Thank you both. Appreciate it.

**Sue:** Our last two.

**Wheeler:** Thank you for being here.

**Merrill Richmond:** Thank you. I'm Meryl Richmond. I am three times affected by this change. A street name, sequencing change and the south to southwest. I moved here

May 30-31, 2018

about six years ago from a small town outside of -- in new York. One of the things that I enjoyed about that town there were only about 6500 people, there was a strong sense of local control. When I moved to Portland it was one of the concerns I had. Are you going to feel your part of a very dispassionate city? So, what I wanted to say today was thank you for being so concerned. The team has been referenced many times, Andrew and his team have been very active with outreach. I first heard about this change in one of the local papers then attended some of the meetings that were organized. Because we're affected by this I have had email exchanges with Andrew personally and have been very impressed with the amount of attention that he's given all that. In the spirit of that local involvement, there are nine houses on aquiline circus that will be part of a street name change. We're losing our circus and we're going to become what was proposed to be aquiline circus avenue. A few of us reached out, put a nine-person petition together saying can you please not make this a reality as part of this name change. The informal conversations with Andrew and his team have been very positive. I think that may be part of your amendment. I wanted to thank you all for demonstrating how a big city can still be very responsive to local concerns.

**Fish:** Sir, I have been racking my brain trying to find a town just outside new york with 6500 people.

**Richmond:** Pleasantville, new york.

**Fish:** I grew up not far from there. Small town. Very good.

**Wheeler:** Welcome. Thanks for being here and sharing that positive message.

**Fritz:** It's circus?

**Richmond:** I live in a zoo, but I live on a circus.

**Eudaly:** What defines, distinguishes a circus from --

**Richmond:** Historical experts may know, palatine avenue and esquiline were the seven hills of rome. Maybe mr. Naito's grandson knows the story. So you had just like picadilly circus.

**Fritz:** Is it just a very small segment?

**Richmond:** I believe there are nine houses.

**Fritz:** There's nothing further either way. It's not a case --

**Richmond:** Palatine on one end, comus on the other. I believe that's right.

**Wheeler:** All the history buffs will be sending us emails within a minute. I promise you.

**Richmond:** That's the street sign you're going to want.

**Fish:** There's a bunch of them I want. [laughter]

**Fritz:** I'm reading the amendments. It says neva street is being renamed in these ordinances. Presumably there will be more discussion on that. I would expect they want to put avenue because of streets bees one way, avenues the other.

**Richmond:** The notice from the city indicated the term circus is not recognized by the postal service. Maybe it's part of a standardization.

**Fritz:** Sure it isn't picadilly circus?

**Wheeler:** Moving right along -- you get the last word.

**Cheryl Beyer:** Yes, thank you very much. I have listened with great intent. This project has been thought through very carefully. Soundly. I agree with it. But there's been two points I have been listening carefully for and would like clarification on. Couple people have addressed cost as an individual and a former banker the first thing that popped into my mind is who is going to pay all the filing fees for these plot changes? Trust deeds, all of that. That doesn't happen automatically. Is the city going to put that in their budget or is the individual going to have to pay for those?

**Wheeler:** Individuals.

**Beyer:** You're asking residents to pay for the new filing fees. That's several hundred dollars. Okay. Then the next thing is I have heard all of the discussion about the preceding

May 30-31, 2018

zero addresses. I do not have a zero in front of my address and I'm curious as to why a number was pulled out of the air to change 7 to 65. I don't see a reason for that.

**Wheeler:** We'll add it to the list for staff when they come back up.

**Beyer:** I have been in the house for 48 years. It's unique because it is one digit. Unless there's a real valid reason to change the number, I would prefer to retain that 7. Like I say, there's no preceding zero on it. Unfortunately, the people around me have zeros but we do not. Those are the two things that I wanted to address.

**Wheeler:** Thank you very much. Our resident experts are looking at the maps as we speak.

**Beyer:** Thank you.

**Fritz:** In addition are you going from being southwest to south?

**Beyer:** No. Everything would be the same. They would take my number away. Like I say, it's unique. It's historic. I have lived there for so many years. We understood the story as to why the zero, river changing, that's one of the things that comes up in conversation every once in a while. It's not like a matter of life or death, but we would prefer to keep that number if possible.

**Wheeler:** Very good.

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

**Wheeler:** Thanks for coming in.

**Fritz:** I'm particularly partial to number 7.

**Aebi:** Mayor wheeler, before I respond I just want to put a call out. Margaret layman indicated she was going to testify and wasn't on the signup sheet. I wanted to see if she was here.

**Sue:** I did call for her.

**Aebi:** Couple of things. Paul, you're the expert on this. The important thing to know is I have met with u.s. Postal service. I want to clarify one thing. There's a five-year dual signage. There's technically not a five-year dual addressing. In May of 2020 your address changes. That said, per my meeting with the u.s. Postal service, the guillotine does not drop the day after we put up the new street signs that they will continue to deliver mail to the old address. What we have is a five-year street dual signage system. Commissioner, you look like you have a question.

**Fritz:** I remember that we got a memo from the postmaster on chavez that was for longer than whatever the minimum period is. Is it possible to get a longer -- a memorandum of think from them to allow for a little bit longer?

**Aebi:** I will let Paul address this. The quick answer, we maintain an alias address record and Paul, you want to take over?

**Cohen:** So just speaking to the post office, when we didn't meet with them, they did indicate that, yeah, I believe it's technically six months they maintain that forward, but it would be -- it would probably be recognized much longer than that unofficially. Some of these things depend on who the postal carrier -- who is the person bringing it to your door. Is it a regular person, someone who doesn't know the area? The post office didn't want to go on record in guaranteeing longer than six months n. Regards to what Andrew referred to with the old versus new addresses for systems like boec, what we would do in that case -- feel like this microphone -- am I too close? What we do is maintain -- there's two ways that addresses get found. They get found by -- thank you. By address ranges on streets but they also get found by individual address points. We have already started -- I have actually me, I have already started going in and creating new segments for the south Portland addresses with the new ranges. Then the next step would be to -- creating new address points as well. Going forward we would have in the system old and new address points overlapping each other on the map. If the old address or the new address comes in because some vendor hasn't a telephone, a cell phone company hasn't got their data

May 30-31, 2018

updated yet, we would make that happen. In regard to circus, I did try to get the post office several years ago to recognize that as an improved street suffix and went all the way to Washington d.c. And back and they said no.

**Eudaly:** I have an update on circus. It's a British term. It is either a large roundabout, circular arrangement of houses or open circle square or plaza where several streets converge.

**Cohen:** One of the problems with circus is people might tend to abbreviate by saying circ. Which could be confused with circle. So many -- we often do the street types with four -- only four fields for that street type field. It's confusing.

**Fritz:** You took out Fairview and Luray circus, but you have the other circuses?

**Aebi:** Yeah. So, commissioner, the idea was, the circus is not recognized by the postal service if we were changing two out of the four. And didn't want to make these people change your addresses down the line, and also keep the little piece of all the addresses that bugged them, Oregon, wash, idaho, they have the tick her file and they talk to us about stuff that they want to change so this way we are not having to rehash this conversation.

**Fritz:** But they can have circus space avenue?

**Aebi:** Yes. I wanted to respond to the good question from the resident. We decided to do that boundary change, we were trying to get rid of those boundary lines and she by moving the boundary from mid-block, which is a very confusing place to have the address and boundary change, you are driving down a block, and the numbers get smaller and they start to get larger. We made that can go decision to have the boundary change viewpoint terrace, and as a result of that, we had a cluster of houses immediately to the west of the viewpoint terrace that we had to change, a few of them, southwest today, southwest, but we had to change them in order to maintain the proper sequencing. So the way that the deputy chief explained it to me, if you are driving a fire truck at 3:00 in the morning, it's dark, foggy, and you are looking at the house numbers going down the street, and you don't want them to be out of sequence, you want them to be all in order, and I would also add we're doing a fairly major renumbering on southwest military road. It jumped from five digit numbers to four. And as you are driving down the street, all the even numbers are on one side and then it switches to the other side of the street, which is a violation of the cardinal rule of emergency responses, the odd numbers are on one side of the street, and even is always on the other, so we're just trying to clean up all of these the bermuda triangle difficulties of actually finding your way to addresses in this area.

**Fish:** Can I make a suggestion? We have had a lot of people express heartburn about changing addresses, and I think that I could write a book about changing addresses. I lived on what used to be 39th and became cesar chavez boulevard, and I have had a couple of changes in the last two years. The truth is that I am actually more typical of the typical person in Portland now through those moves than the other because people are moving all the time and often because they cannot afford where they are renting or other changed Circumstances. The good news is that some of our systems are getting better to address that. So for example, I learned not long ago that when you contact dmv, to update your address on your license, they automatically notify Multnomah county elections so your address for your voting is updated. I think that must be some legacy of motor voter, but that's positive. And then I have got a sticker in the mail I put on my license that was hardly an inconvenience but, you know, that was -- that killed two birds with one stone. I have found in each, the people that are billing me for services were resourceful about finding my new addresses. So I am heartened to know that they are motivating to it right with or without my assistance. I don't run a business and my wife doesn't out of our home. I will say that one cost but it's not necessarily a cost to everybody, is getting new checks. I know that a lot of banks offer the least expensive checks are free, but, you know, I might have a

May 30-31, 2018

little trim so I might have paid 12 for that. That was not -- that complicated. I had to update the addresses of organizations that I contribute to, or that my kids interact with. That was -- that took some time. But the point that I want to make is the systems we deal with are getting better to help us because people are moving more frequently. And I also found that the post Office to be incredibly helpful in -- the post office people look at the name on the package or the letter and the address. Frankly the entire time, 20 something years I lived on what's now Cesar Chavez. I don't remember someone saying here's a letter that came to my house addressed to your house, so that's of some comfort, but I think it may be worth our consideration providing to the neighborhood associations or on the website, just a little cheat sheet on tips that we get from the post office, maybe from an accountant, and people that do a lot of this, on how to update your address in a way that is as easy as possible. It is a burden. It comes on top of everything else we do, and perhaps we could offer some helpful hints.

**Aebi:** Thank you commissioner. You will be pleased to know we are planning to do that. At least [inaudible] who testified had suggested that very thing, so if council approves this ordinance on June 6, what we are planning to do is to send out a confirmation letter to everybody, and include exactly that, which is a cheat sheet no terms of what to do. I have started talking to the Portland general electric, northwest natural, and Oregon dmv. I have started that conversation to make them aware.

**Fish:** You are one step ahead as always, thank you.

**Fritz:** The issue Ms. Meyer raised about house number seven, there are some place this is Portland, mountain park comes to mind, where the houses are just named numerically starting from one. Presumably first responders find their way there. Why are we, just it's more logical saying they have to be on opposite sides of the street and they have to have the cross streets addressed.

**Aebi:** I think part of the feedback I heard from the neighborhood residents, this is not just a bureaucratic thing, but I will give you a good example, when I was talking to Lewis & Clark, their presidents have what is numbered out of sequence, so they would consistently have guests arrive looking at the house numbers driving down the street. And the president's house at Lewis & Clark is addressed as two houses away. So, in theory, yes, we can honor that request of the president of Lewis & Clark to keep the old number, he's embracing the new number. He's tired of people getting lost and finding his house, so I will throw out a cautionary note of being careful what you wish for, if we keep the old number and change everybody else, then it's going to lead to way finding problems down the line. But also, I would note the ordinance allows the bureau of development services. The administrative authority to change any addresses after you adopt this ordinance, so we will continue that outreach process if there is a good reason to change it to something different. And basically, what will happen is after council adopts this ordinance it reverts back to the administrative procedure, bds is signing the address.

**Fritz:** Have you notified everybody whose number will change?

**Aebi:** Absolutely. Yes. And I heard very little feedback from the folks notified. And one other feedback I heard is we are not wedded to the Esquiline circus and we should change that and that was part of the amendment you approved earlier. We made a lot of changes based on feedback we heard from property owners.

**Fritz:** So, you were saying that they are going to be just Avenue, not Circus Avenue?

**Aebi:** Correct.

**Fritz:** Is that based on all the residents?

**Aebi:** Based on what?

**Fritz:** All the residents?

**Aebi:** Reluctant to say all but nine people living on the street and I am sure I talked to five of them, so I am pretty sure that we have a plurality.

May 30-31, 2018

**Cohen:** There are the signatures for that.

**Fritz:** Change it to avenue not circus avenue. If it is nine you could have group vote. Thank you very much.

**Aebi:** It's nice to have a petition in favor of something I am proposing rather than against it.

**Fritz:** Well done.

**Cohen:** Can I just acknowledge also Jeanette and Lisa? The addressing team who worked with me and Andrew and had some hair pulling. And probably still will have some, but I appreciate their work as well.

**Wheeler:** Thank you. Appreciate it very much.

**Aebi:** And Lisa was indispensable in assigning these, so I want to get that on the record.

**Wheeler:** Great. Colleagues, anything else on this before we pass it on. Very good. With regard to item 574, this is a first reading of a non-emergency ordinance, moves to second reading. [gavel pounded] with regard to item 575, this is also a first reading of the non-emergency ordinance, it moves to second reading. Thank you. Thank you, everyone. Next item, it's time certain. It is after 3:30. Could you call 576, please.

**Item 576.**

**Wheeler:** Very good, this is a procurement report. We have chief financial officer Jennifer Cooperman hiding in the corner and there is Larry.

**Larry Pelatt, Procurement Services:** We were not hiding.

**Wheeler:** I can see that, you were being patient. Thank you. Are you starting us off?

**Jennifer Cooperman, City Treasurer:** Actually, I will let Larry.

**Wheeler:** Thank you.

**Larry Pelatt, Procurement Services:** Are we ready? Good afternoon, I am Larry Pellatt. Manager with procurement services. Thank you for having us here, Mr. Mayor, commissioners. This is a report relative to banking services from the office of management and finance treasury division for banking services. Portland city council passed ordinance 188615 on September 27, 2017, authorizing Competitive solicitation for banking services. The user services such as receiving deposits, providing checking accounts and housing or electronic payment system for vendors and employees essentially these are the same services that you and most citizens have in place with the bank or credit union. Because we are a public institution we are required to use a depository bank which meets the state of Oregon minimum standards and is approved by the Oregon state treasurer's, public funds, collateralization program. This limits the field, if you will, of potential proposers to a few large banks. On October 3, 2017, procurement services advertised rfp748 for banking services, five proposals were received and opened on October 30, 2017. All proposals were responsive to the solicitation requirements. All were evaluated by a team of diverse and qualified evaluators, including a member from the city's minority evaluator program. The city issued a notice of intent to negotiate an award to wells Fargo on December 11, 2017, no protests were received. The evaluation process was a two-step process which included an evaluation of the written responses as well as the series of in-person interviews, the city used information gathered in the written responses to craft questions for the oral interviews. Wells Fargo scored the highest in the evaluation process. As a side note the fact that Wells Fargo was a current and incumbent vendor, did not merit any points in the evaluation process. Wells Fargo has a current steeled business tax registration number, and they are complying with all the city's contracting requirements, and OMF treasury's level of confidence and the cost of the service is high as the city has over 20 years of historical data by which to determine appropriate costs. The price agreement will allow the city to continue the banking services we currently provide, and to continue with the excellent customer service that we are known for. It is requested that the city council approve this report and authorize the chief procurement officer, to execute a contract with wells Fargo, and if banking services in an am not to exceed 675,000. If the

May 30-31, 2018

council has any questions, concerning the solicitation or the resulting agreement, I can answer those. Or if there are questions specific to the actual services required or the services or how they work, Jennifer Cooperman, the new chief financial officer and director of revenue and financial services, is here to answer those.

**Wheeler:** Commissioner Fish, Eudaly and Saltzman.

**Fish:** Thank you. I've received a number of emails and phone calls with some questions, I think it just is helpful in this forum to pose the questions and ask either you, Larry or the chief financial officer to respond. The first was, was consideration given to contracting with a credit union versus a bank like wells Fargo?

**Cooperman:** Credit unions were free to respond to the rfp. We received none. I will just explain that the banking services that we are procuring are pretty vast, and we received five proposals from banks recognized as national, corporate, commercial type of banks. And the volume of services that we require from our financial institution might not be the ones that the credit union or a smaller bank is in the position to be able to deliver.

**Fish:** Thank you. Also, I think it will be helpful if you just distinguished for us the difference as you understand it between wells Fargo's commercial banking operation and its personal banking operation.

**Cooperman:** So wells Fargo like many very large banks runs separate lines of businesses. And we, as the city of Portland, are serviced by the commercial side of the corporate side of the bank. In addition to that, the bank runs what it calls a personal services part of their institution, and that is the side of the bank that if you walked in to a branch and wanted to open up a checking account or a savings account or even if you were a small business, you might be serviced by that more retail side of the house. It is a different part of the organization than what the city of Portland is serviced by, since the types of services that we use as a corporation, as a Public entity are very different from what you might use as a checking account holder or a savings account holder. We use services that are designed for businesses, automated, clearinghouse payments. Positive pay. Anti-fraud measures. Relations, we have 20 odd different bank accounts, and we move money between those accounts on a daily basis. The type of service that we are contracting for is very different than what might be sold or would be sold on the personal banking or the retail side of the institution.

**Saltzman:** So, we're on commercial side of that ledger?

**Cooperman:** Yes, yes.

**Fish:** I think my last question in this round because I very much would like to hear from my colleagues is you can barely turn on the tv these days without seeing ads from wells fargo and from uber, essentially, making the case that they have made significant mistakes in the past, and asking consumers to give them a second, third, fourth chance, whatever. You know miss Cooperman that any decision we make with respect to this contract will be evaluated both on the substance, if we run a clean process on procurement, and the materials that I have reviewed it was a clean process, no protest. That answers one side of the ledger, but there is also those who look at the symbolism. Not the substance of the decision but the symbolism of continuing a relationship with a company that has sometimes been in the headlines for the wrong reasons. You are charged with making sure that we remain credit worthy, that we have integrity in our financial decisions, and that we make wise decisions. Based on everything that you know about wells Fargo, why are you recommending that we enter into this contract?

**Cooperman:** I am recommending we enter into this contract because wells Fargo does great work on behalf of the city. We have banked with wells Fargo, as you said, for over 20 years it, probably is more. We have, and we periodically go out for competitive procurements to reevaluate the market both from a service standpoint and a pricing standpoint. And wells Fargo continues to do well by the city. The issues that they have

May 30-31, 2018

been headlined for are ones that we have not experienced on our side of the bank. I can't point to something that we have had an issue with on the corporate side. And if we have, the bank has always been quick to discuss it with us. Diagnosed it, and remediate it, but there is not anything that rises to the level in our experience like what is going on, on the retail side of the bank. If I can take a minute, I would like to briefly walk through what we did in the rfp process. We award 100 points in our rfp process, and 20 of those are on the corporate responsibility's section of the proposers, proposal to us. 40% is based on the services and the approach because in, at the base level we want to make sure that whoever we are contracting with can do the services that we need for them to do. 25% of the awarded points are on pricing. 15% are based on references and financial strengths, and there is the 20 points on corporate responsibility. And when we had, so we received five proposals. We invited three institutions to come in and make oral presentations to us, and we again focused on corporate responsibility when we talk to the vendors at that point. We had on our evaluation committee representatives from trust, mercy corps, a member of the minority evaluation program, and we had accounting staff and treasury staff, and it was a consensus selection of wells Fargo to, to keep as our depository banking partner.

**Fish:** Thank you.

**Wheeler:** Commissioner eudaly.

**Eudaly:** So I already have gone on record in the past saying that it's my strong preference that we don't do business with wells Fargo. It's my understanding that the other four applicants or respondents to the rfp have some of the same problematic issues for me as well as, as wells Fargo. I understand that the corporate division is separate from the consumer division but not much of a consolation, or the fact that they revised their ethical standards, they are under investigation for their wealth Management division, but my biggest issue is where they invest their money. That being said, I would like to share with the public who the other applicants were, and I don't expect you to say this, so I will just say it. Unfortunately, there is no more attractive alternative than wells Fargo. Because they are all conducting business this the same way.

**Cooperman:** As larry mentioned, the banks that are eligible to bid are banks that participate in the state treasurer's qualified public depository program, so the five proposals that we received were from wells fargo, j.p. Morgan chase, u.s. Bank, KeyBank, and MUFG union bank.

**Eudaly:** I am not familiar with the MUFG union bank.

**Cooperman:** Mufg, mitsubishi, I forget what the ufg part stands for, union bank was a stand alone u.s. Bank. They actually have an office downtown and was purchased so they have different ownership today.

**Eudaly:** And my second and final question is whether we are able to do the business on a smaller scale with any local credit unions or community banks.

**Cooperman:** We do business with smaller institutions. We do business with credit unions. The public qualified depository program was expanded in 2012 to allow credit unions to participate. Prior to that the law was not written to allow them, and it was actually under then state Treasurer wheeler's guidance that the state law was changed. We do business with those smaller institutions on the depository side. We have deposits for, I think, up to 15 institutions right now that includes some of the, all of the smaller banks and the credit unions interested in having deposits. Not many of them are because they are required to put up collateral, and there is a cost for doing that. It is not necessarily the most attractive deposit for them to hold their money, but we do regularly inquire it for their interest in doing that. And I will just add that if there are, when there have been institutions that have expressed interest in doing business with the city, in some cases, what we have found is that they either don't have the full suite of services we need, or if they are presenting those, it's because there is actually one of these banks behind the scenes who is selling it

May 30-31, 2018

on a generic basis, and allowing the smaller bank to put their name on it, and so we're paying for the same service from the same institution, but at a higher price because there is always a spread.

**Eudaly:** I did think of one more question. Could you explain again just for the benefit of the people in the room and people watching at home, we are restricted by certain laws and rules we cannot just bank with anyone, so could you maybe in a nutshell explain why so many institutions would be excluded out of the gate from applying, responding to that rfp?

**Cooperman:** So it goes back to the Oregon revised statutes, and ORS-295 that we are subject to -- that tells us as a jurisdiction in the state of Oregon, who we can bank with, we can keep up to the FDIC, NCUA, insured limit in any institution that has a branch in Oregon. If we want to go above that federal insurance limit, we can only bank with institutions, I keep looking at the mayor and I should not do that, but we can only bank with institutions at the state treasurer has approved for us to bank with, and again, it's those institutions who say that they want to participate in the collateralization program.

**Eudaly:** And that's really, I mean, that's our fiduciary responsibility. We cannot risk the public dollars.

**Cooperman:** It's personal liability on the treasurer's standpoint.

**Eudaly:** Well, congratulations.

**Cooperman:** If we don't do that, so I've been very keen over my six years as treasurer to make sure that we are following the ORS because if we don't, I don't want to be personally responsible for that.

**Eudaly:** And what is FDIC limit now?

**Cooperman:** 250.

**Eudaly:** 250,000, which is not much for our purposes. Okay. Thank you.

**Cooperman:** Right.

**Wheeler:** Very good. Commissioner Saltzman?

**Saltzman:** I am really torn on this. I've banked at Wells Fargo or its predecessors, first national, first interstate, the tellers are saying, you've had an, for 30 plus years. And I have always liked, you know, I think you helped distinguish this for me by talking about the commercial and private side. I liked the private side of the bank. I see a very, a rainbow of employees when I walk in there. I see them very present in our community. Pride and parade and things like that, Wells Fargo is outstanding. But I would ask you the same question, if they had perpetrated, most of the abuses that they are being called to account for are things that happened to individuals so I am assuming that's the private side of the banking. Now if they had done the same thing to us, pressured us into opening accounts we didn't need, purchasing insurance, we didn't need. I can't remember what the others were, but things like that, would you be singing the same tune?

**Cooperman:** I would be the first person to come to you and say, we're not getting the service that we are paying for, and that as a fiduciary I have a responsibility to look out for the interests of the city and therefore, go out to re-procure those services. I am not seeing that. If I had been I would be the first to tell you.

**Saltzman:** My dilemma is can we afford to put blinders on? Do we not have to also recognize the fact that the private side of the banking, where the abuses took place, probably took place because these were small people compared to the city of Portland account. These are businesses, people like myself, small, who it's easier to have these things perpetrated on and get away with it. And that's what I am wrestling with. Isn't our job now on the bigger side of the ledger, to stick up for the little people who have been abused. And you know, like I said, I have mixed feelings but I think that we are at a point where, you know, punishment may be in order. And this is, you know, a small contract. 600,000, over six years, and still where do we come down on this?

**Cooperman:** Several thoughts going through my mind with that. It's a small contract

May 30-31, 2018

because one is that we have -- the bank offered to reduce its pricing for us in this contract than what we have been paying for, we are very judicious in the way we use our balances to earn credits, which is how we use, what we use to pay for a lot of our actual services, so the hard dollars that we spend don't happen that often for us to pay for our banking services. That's a way of providing services on the corporate and commercial side of the house that's not eligible for the individual side of the house. It may look like a small Contract in dollars. It's, actually, fairly well engrained in the city's operations. If we were to move our banking relationship, we will incur a six-figure cost to do that, and that will be hard dollar costs, time costs, and it would be a big risk for the city. That's not to say that we would not do it for the right reason. If we are going to do it, I want it to be for the right reason.

**Saltzman:** We have a corporate responsibility criterion in there. For 20 percentage points. Both u.s. Bank and j.p. Morgan did better than wells Fargo on the corporate responsibility. So, shouldn't, why shouldn't we reward one of those institutions that did a better job even though it's only 20% of the criteria, I think that we are -- if you are in my mind, okay, we need to speak up for the other side of the operation, people who have been abused on the other side of the operation. We have an obligation, we cannot just draw the line, sorry, corporate side is, has treated us great. Like I said, I have a positive personal feeling towards wells Fargo. But I am also feeling the offenses committed towards so many people are so outrageous, that we ought to take a stand. And given the fact that they did not do as well in the corporate responsibility, as the other two institutions did, why wouldn't we go with one of them?

**Cooperman:** With the scores in front of me, it looks like they did do fairly well on the corporate Responsibility side. They -- so they were evaluated by the committee. They were not evaluated on paper as high as the -- their competitors were. They did a much better job when they came in on their oral presentations regarding corporate responsibility than their competitors did. So perhaps it was the way that they wrote the proposal as opposed to the way that they came in person. The first responsibility that I have wearing my city treasurer hat is to ensure that we are contracting with a vendor who can perform the services that we need for the city. I recognize that they have not done as well on the individual size, and I think that we are highlighting that, and many of the cities are wrestling with this very same question are highlighting that. The media is highlighting that. And so they are not getting away Scott-free. They have been through an evaluation process and come out the other end as the top vendor.

**Pelatt:** If I could add one thing.

**Saltzman:** I look at the criteria, all the spreads are close, how big is big? In terms of the difference. But I saw 101 points in responsibility for the other two and 93 for wells Fargo, and again, that's not that big of a gap but considering the point spread was less than, you know, 30 points between three institutions.

**Pelatt:** Relative to the corporate responsibility, in the first round, that was a question that Came forward from the evaluation team was they seemed, wells Fargo's proposal seemed vague on their corporate responsibility aspect. So, utilizing that in the second round, the committee specifically built the question. Tied to directly to their answer. Gave them an opportunity to really expand on what they had brought to the table. On the front end, so yeah, maybe not quite as clean on the front. But when you got specific, when the committee got specific and said, okay, tell me about this, they did very well. So in the second round they did score higher than all others on the corporate responsibility section. But there again, because it was a specific question, tell me about. And they did well.

**Saltzman:** So legally what are our options here? Do we either accept this or reject it or can we pick one of the other finishers?

**Pelatt:** In the current, in the current climate as my understanding of the legislative

May 30-31, 2018

capacity, if you accept the report you direct the chief officer to initiate or execute the contract. If you reject the report, you would end up saying, go and do it again. So.

**Saltzman:** We cannot amend the report?

**Pelatt:** No. There is not a legislative capacity to amend the report that I am aware of. They are sitting right there.

**Wheeler:** Are you done, dan?

**Saltzman:** I am done.

**Wheeler:** Commissioner Fish.

**Fish:** When I moved here over 20 years ago and had a chance to learn more about Portland from some people that had lived here and had deeper roots, one of the things I learned is that it was not that long ago that we had banks, headquartered in Portland, that had presidents and CEOs, headquartered in Portland. And over time that changed. We became less a headquarter city and more of a branch office city. I guess this is a philosophical question for you, Jennifer, but it may be relevant to my thinking. Is there a difference between weather wells Fargo was headquartered here, national bank, and practices were emanating from them as the national, national headquarter bank in our backyard? Versus the situation that we are presented with, which is a branch office of a national company that we have had a long-standing relationship with?

**Cooperman:** So it's very easy when your banker is two blocks away to visit and to talk about issues or problems or ask questions. There are not many services that we, at least in treasury, are using today where the vendor is two blocks away. Until two years ago, our wells Fargo relationship manager was in Portland, and he retired, and we were moved through a relationship manager individual out of Seattle. He's down here frequently. We always answer the phone. It's really -- immaterial that he's physically here versus Seattle. Does that answer your question?

**Fish:** Sort of. Let me shift to another question. What I hear, commissioner Saltzman, part of the concern that I hear him expressing is that it's bad enough what we learned about what the company has admitted to. But this is a six-year contract?

**Pelatt:** Five.

**Fish:** Five-year. But we are now potentially entering into a five-year agreement, and we don't know whether there's been a fundamental change in culture. There can be other episodes that cause us to reconsider. Two questions on that front. One is do we have an ironclad exit clause in the agreement should there be some event that comes to our attention that causes us to reconsider our relationship?

**Pelatt:** Yes. I will take that part. Yes. The city has a cancellation for convenience clause.

**Fish:** Convenience? Almost at our discretion?

**Pelatt:** Means exactly at our discretion. We would be able to, for any reason at any time terminate on a 30-day notice the contract.

**Fish:** And just as in terms of sort of our thinking about this, miss Cooperman, can you assure us were there to be, in the future, were there to be new information or new circumstances That cause you to have any concerns about the relationship that we have with wells fargo, you would bring that to our attention so the council could decide whether to exercise that clause?

**Cooperman:** Absolutely.

**Fish:** The final question for me, someone gave me a copy of an online editorial that the Oregonian ran, and one of the paragraphs begins with the statement, but wells Fargo's quote, "misleading answer on the application to a question on corporate responsibility," blah, blah, I didn't check the hyperlinks, didn't see anything that referred to that. It goes to the question of the integrity of the application. What -- do you know what the Oregonian editorial board is referring to in terms of an alleged misleading answer on wells Fargo's application?

May 30-31, 2018

**Cooperman:** Yes. And in our section of the rfp regarding qualifications, we asked a question, we asked the proposer to disclose whether in the last five years that the entity or any key personnel was the subject of any regulatory action or significant civil or criminal actions related to the services described in this rfp. And the bank's response was to give us a link to their annual report or sec filing, and where they have a section regarding actions against the institution. So, one needed to click the link. Go read their response. Rather than see the response written out for them. It was because of that question that we then followed up in the oral presentation with the Following question. Elaborate on your response to question 8. Explain your process to discover and remediate the fraudulent sales practices such as taking fake accounts, etc., elaborate on the accomplish elements to remediate the culture and compensation system.

**Fish:** Are you satisfied based on your follow-up question that, did you make a judgment during the process that their ensure answer was misleading?

**Cooperman:** It was not as -- it was not misleading in that they denied having those issues. It was just hard to find.

**Fish:** So you took the opportunity in the interview to press them on that?

**Cooperman:** Yes.

**Fish:** And you were satisfied with their response?

**Cooperman:** Yes. The bank brought a team of individuals, each of whom spoke to that issue.

**Wheeler:** I have a couple of questions. First of all, Jennifer here we are again. This, yes, I want to go through these in no order. Number one, commissioner Fish asked a philosophical question about the loss of the headquarters of banks, and us becoming, as he described it, something of a branch city. I would like to say that we lost a tremendous amount during that process. I would argue that this is a national trend. It is not just something happening in Portland, Oregon. I am mindful of the fact that we have George sitting here today Who served in the capacity as chairman and president of wells Fargo, Oregon, and southwest Washington. There are many people who work in the wells Fargo regional network, including Tracy Curtis, who is responsible for it. And I know her personally, and I know the commitment that the regional bank has to social movements, philanthropic support here in this community, and frankly, I find the local organization out of step with the national organization. I find that a good thing. I think that the national organization of wells Fargo could learn a thing or two from the regional organization. I would like to know something about -- oh, and by the way just with regard to the credit unions, yes, I did champion the bill along with current treasurer Tobias reed, who was state representative Tobias reed around credit unions participating in public fund depository actions, and the hope was to bring them into parity when it comes to public funds depository operations. The problem is they are way, way too small. You have to be a really large, sophisticated, banking operation to be able to do the business at the scale we do business. You will notice there is a lot of big named banks not even on the list because they don't have the capacity to do it. You mentioned that our primary client relationship is with somebody in Seattle. I assume that it sounds like you feel that individual and the operation here at the regional Level is responsive. And I got that feeling, but I wanted to explore that a bit more.

**Cooperman:** Our account representative is very responsive to all of our inquiries. The bank has a team that is available to us, so I might call on a macro issue and someone on the treasurer team might call about a particular check, and was that cashed, so the bank has a variety of resources that are available to us. Some are in California. Some are in the state of Washington. And they are all available to us every time that we call.

**Wheeler:** So the next two on the list in no particular order, j.p. Morgan, that's Jamie diamond's operation. And the u.s. Bank, I was a huge fan of malia, one of our primary

May 30-31, 2018

banking relationships for the state of Oregon. We had 90 billion dollars of assets. About, I believe, about 175 million, or excuse me, billion dollars in transactions annually. We did business with, I believe, about 28 different banking institutions here in the state of Oregon. Malia Wasson, when she ran the u.s. Bank operations here, it was fabulous, and her team was fabulous. And they were highly responsive to our needs. And this gets back to commissioner Fish's philosophical question, u.s. Banks shifted some of its operations and nationalized them, if I can use that term. Malia retired, and the quality Of the relationship deteriorated precipitously and rapidly. Effectively for certain lines of business, my recollection is that they were terminated. J.p. Morgan, again, a big bank, lots of capacity, and my capacity as state treasurer, my recollection is I sued them. At least once. So when we look at these big banking institutions, we are somewhat behold ton the reality that there are a few banks of large scale and sufficient capacity to be able to do the business that we do, and to do it competently but that's obviously coming with some trade-offs endemic to the modern banking industry. We all saw this exposed in 2008. There were books written on this subject too big to fail, amongst others. And we need to find a way to encourage local capacity around banking operations, but in the meantime, our choices are precipitously limited if our primary focus is ethics. And that is too bad. It really is to me. And as somebody who started my banking career at a California-based bank called bank of america, I watched it grow and nationalize, and it's headquartered operations move around, and I believe that I sued them as well as state treasurer and I think it was one of my first acts as state treasurer.

**Fish:** That's litigious, ted.

**Wheeler:** It feels that way. And that's what we are dealing with, now dan made a really good Case here around ethics. A really good case, and I know dan to be an ethical and principled plan so when he talks about it, I listen. Seattle went down this road. What happens in Seattle?

**Cooperman:** Seattle, the city of Seattle has banked with wells Fargo for a number of years. They had similar discussions at their city council about the appropriateness of continuing to bank with wells Fargo. They did publicly, they were going to rebid for their banking services. And they wanted to change from wells Fargo to another institution, they received no bids. There were no banks that stepped up to say that they wanted to bank, to provide the services for the city.

**Fish:** They came back to wells Fargo?

**Cooperman:** The city realizing that they were left without a provider, picked up the phone and called wells Fargo and said that, would you mind remaining our bank? And the bank said yes. And so, my understanding is that they are currently negotiating a new contract.

**Wheeler:** Not a great position to negotiate. Not particularly great politics either, I might add.

**Fish:** I don't want to rain on what has been an outstanding discussion, I have an absence coming up, and I have to introduce someone at psu.

**Wheeler:** Could I ask one more question and I am done. How many banking relationships do we currently have at the city of Portland?

**Cooperman:** About 15.

**Wheeler:** About 15, and so this is not the only bank that we do business with.

**Cooperman:** This is the only bank that provides us the depository and other related services. We do a signature amount of work with u.s. Bank. There are custodians, they do our lock box, merchant activity, and the rest of the relationships are on the depository side.

**Wheeler:** And they are very good at those services, I should say. I rained on them a bit but in those areas, they have been very good and I want to acknowledge that publicly. Very good. So that ends my line of questioning. Colleagues anything else?

**Fish:** I move the report.

May 30-31, 2018

**Wheeler:** A motion. I will second it. Sue, could you call the roll.

**Fish:** First of all, I want to say that I greatly appreciate this conversation and this conversation really predates this hearing when Jennifer Cooperman offered briefings to each council office about the process, and the looming decision. Really appreciate the time Jennifer you have taken to educate us about this. I want to begin by disclosing something. It's not a conflict. I am not required to disclose it, but I think transparency is the best way to go. I currently bank at OnPoint credit union. Have a couple of things including an auto loan through them, and I have an account with wells Fargo, I think I am probably in their lost leader account file because I don't have a mortgage or any loans, but they do provide very low-cost checking services if my wife and me. I am not required to disclose that, I don't have a state personal financial stake, but I think it's important. I believe that this is a very close call. I think that historically we have been very reluctant to over-turn a procurement report unless there was an extraordinary circumstance. First of all, I have reviewed this to see did we follow our process. I think that you made it very clear in your written submission and oral presentation the process has been clean, and the fact that there were no protests filed is a reassuring thing to us because protests are often how we learn that there is some concern about the process. Nowhere have I learned that wells Fargo was ineligible to apply. And I am guessing, although this is just surmise, that they were subbed to a heightened scrutiny given the times that we live in. I thought that something that miss Cooperman said in passing was interesting about an important, about the six-figure cost of switching to another bank. That should not be a deterrent for us deciding what we think is best for our city. But I think that it is something to be factored in. I am encouraged that we have an ironclad clause, that allows us to terminate the relationship at any time at our discretion. Now as a candidate, I learned that there is great enthusiasm in our community for things like a city bank, great enthusiasm at the statewide level for state bank. And who knows what the banking landscape will look like tomorrow, much less next year and the year after. I think it's important that the contract that you are asking us to enter into has an ethics clause that is at our discretion. I have confidence that we can enter into this relationship with our eyes wide open. I have great confidence that Jennifer Cooperman and her team will bring to our attention any conduct which she thinks calls into question the viability of our relationship with wells Fargo. She would do that promptly and the council would have the right to make its decision. I very much appreciated what the mayor said about wells Fargo locally. I don't know whether they got points, perhaps, it fits under corporate responsibility. I have been truck struck by the number of good causes that they support, and underwrite, and I am particularly appreciative of their Stallworth support of the lgbtq community. I was reflecting on the prospect of not awarding this to wells Fargo but going to j.p. Morgan chase, which as I just -- a casual reader of the paper they seem to be in the front lines of Trying to gut in every possible way in many of the reforms put in place to prevent the meltdown that occurred once in my lifetime, and we hope doesn't happen again. The Seattle experience is instructive. Be careful what you ask for. Seattle looked at this, said it was a close call. Looked beyond the procurement process to the symbolism, went out and looked for other banks, found the door closed and came back to wells Fargo. I would prefer not to put you through that exercise, even though in this case, our only option if we voted to decline the report would be to reopen the process and wait to see. So, we cannot predict what would happen. It seems to me that on a very close call, you have made a case for us to continue what has been a productive relationship with what at least locally has been a good corporate citizen. And therefore, I vote aye.

**Saltzman:** As I said, I have mixed feelings here but I think that I am going to come down on the side of the conduct on the corporate side of the operation and, I mean, the conduct on the private banking side of the operation, the small people, the retail customers you know, like you and i, who have been taken advantage of by this institution, through

May 30-31, 2018

fraudulent practices of pressuring people to open more accounts, opening accounts in people's names, and without telling them. Forcing them to buy insurance that was probably unnecessary. And this was not just applied Probably to every account holder but applied to those who were poor and probably largely minority account holders. And that is to me something us banking on the corporate side ought to take note of and ought to take an action. It's a symbolic action as I said. It's small potatoes to a wells Fargo, to a j.p. Morgan chase, very small potatoes, and we may end up in the Seattle situation but that's never stopped us from taking what we believe are important actions in the past. We have taken plenty of actions here in this city council, without regard to cost. And six digits is probably one of the smaller costs that we have incurred for some of the symbolic actions this council has taken so I don't buy that. I do believe that we need to send a message. And as I said earlier, punishment is in order. If we don't punish wells Fargo now, what -- I can't imagine what circumstances might bring us back to the table to exercise the convenience clause, if we don't do it based on what's in front of us right now we will never do it. So, I believe that we should find another bank, and five years, put wells Fargo on a corrective action plan, if they can come back and really show a, they remedied every customer that's been harmed by their fraudulent practices, b, they learned some lessons. And c, we mean more to them than maybe other banking customers. Five years from now, maybe the city council will have a change of heart, but I believe right now that punishment is in order and I vote no.

**Eudaly:** Well, I appreciate the deliberation on this subject. And your presentation. I especially appreciate the principled stand my colleague just took. I largely agree with him. However, I don't believe that there is a viable alternative that is any more attractive than wells Fargo. I am concerned that, I am concerned that if we reopen the process, we will be in a weakened bargaining or negotiating position, and I am concerned about the cost to the city. I do want to say that would love to see us pursue other alternatives that we have not talked about today, specifically municipal banking. But with regrets and reservations, I vote aye.

**Wheeler:** So, this has been, as interesting of a conversation as I predicted it would be. First of all, I want to thank the chief financial officer, Cooperman and Larry, I want to thank you for withstanding hours of testimony with us this week. I have spent more time with you than my family probably by a factor of three. This is not an easy one. Obviously. First, I also want to acknowledge the selection committee. We had a lot of people from great, well respected institutions who agreed to do This process with us and put their institutional names on the record, and they did not have to do that. As I look at sort of the top three banks on the list here, if this had failed today, and I am going to obviously vote to support the procurement report, I will put my trust in my, and my faith in you, and I have a lot of trust and faith in you, and the diligence of the selection committee, and everything that I have heard leads me to believe that they did a very thorough job. But I think about commissioner Fish cracked a joke, am I a lawyer, actually the attorney general and I were very busy with all of these institutions. Not all of the institutions on the list, but the vast majority, and I am thinking of foreign exchange fraud, and one of the banks that we just mentioned, the London wail, ring a bell? There was a lawsuit there as well. And none of these institutions are squeaky clean, and they should all be. They should all be. And so, the comments that commissioner Saltzman made about taking a principled stand, I just don't think that it practically gets us anywhere. You will simply bring back one of those other institutions, and I will have to sit here and say, and in all full disclosure I fired that institution. How could I hire them here if they were not good enough at the state treasury they are not good enough for me now at the city of Portland or if I had to sue them one or two or three different Times for malfeasance why would I vote for them now? And I am putting a bet on Tracy Curtis. I am putting is a bet on George because there are people from our community who support our community, engaged in philanthropy in our

May 30-31, 2018

community. I know where to find them. And I know where wells Fargo is because I look out my window at them. So, I feel more confident in this engagement than the potential other options on the table here. And for the longer term, I think that there is an interesting question for our chief financial officer. This contract of necessity is large, and it is complex. And it is large and complex because of the way that we organize our systems and our desire for centralization and economies of scale to keep costs low. In our banking operations. This is Portland, Oregon. People in Portland, Oregon like dan said, or at least intimated, care a lot about ethics and about morality. Many people like me are very disturbed about the direction that our banking and our finance institutions have taken in recent years, and their seemly reluctance to make genuine steps towards the kind of reform that the public needs to see to have confidence in our not only national but global financial system. Maybe we need to actually do something different in terms of breaking our system down a bit. Maybe sacrifice some of that centralization or sacrifice some of those economies of scale in exchange for being able to get the next rung of regional banks into the mix. To bid on it. There is a cost. I want to be very clear. I don't want to pretend that there is not. Maybe that incremental cost is actually worth it in terms of supporting institutions that are regional in nature. For example, Umpqua. And I am not making a commercial or a pitch, but they are not on the list. They are not on the list because even they don't have the capacity, apparently, to bid for this size of business. This size and complexity. So maybe we need to do more to encourage the cultivation and the development of some of our more local banks. I think that the more, the closer you go to Portland, Oregon, the closer you will get to our valleys, that's my personal belief. I vote aye to accept the report. The procurement report is accepted, and we are adjourned. Thank you.

**Adjourned 4:30 p.m.**