



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **23rd DAY OF JANUARY, 2019** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Eudaly, Presiding; Commissioners Fish, Fritz and Hardesty, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney, and Robert Taylor, Chief Deputy City Attorney at 11:24 a.m.; and John Paolazzi and Christopher Alvarez, Sergeants at Arms.

On a Y-5 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		
49	Request of Joe Walsh to address Council regarding freedom (Communication)	PLACED ON FILE
50	Request of Craig A Rogers to address Council regarding trust and local government (Communication)	PLACED ON FILE
51	Request of Brad Perkins to address Council regarding Rose Quarter economic development (Communication)	PLACED ON FILE
52	Request of Bob Schatz to address Council regarding how the Council decision to change zoning has altered lifetime goals (Communication)	PLACED ON FILE
53	Request of Alan Ellis to address Council regarding Olympia Rhythmic Gymnastic delegation from Khabarovsk (Communication)	PLACED ON FILE
TIMES CERTAIN		
54	TIME CERTAIN: 9:45 AM – Accept the second Annual Report on Compliance of Agreement with Mt. Tabor Neighborhood Association for Mt. Tabor Park Reservoirs (Report introduced by Commissioner Fritz) 30 minutes requested Motion to accept report: Moved by Fish and seconded by Fritz. (Y-4)	ACCEPTED
55	TIME CERTAIN: 10:15 AM – Recognize 2018 Fire Prevention Poster contest winners (Presentation introduced by Commissioner Hardesty) 15 minutes requested	PLACED ON FILE

CONSENT AGENDA – NO DISCUSSION		
Commissioner Amanda Fritz		
Water Bureau		
56	Amend Intergovernmental Agreement with Multnomah County for the Water/Sewer Enhanced Fixture Repair Program for \$130,000 (Ordinance; amend Contract No. 30004057)	PASSED TO SECOND READING JANUARY 30, 2019 AT 9:30 AM
Commissioner Jo Ann Hardesty		
Portland Bureau of Emergency Management		
*57	Authorize acceptance of the Oregon Office of Emergency Management Emergency Management Performance Grant Program in the amount of \$339,336 for administering an integrated all-hazard emergency management program for the City (Ordinance) (Y-4)	189351
Commissioner Chloe Eudaly		
Bureau of Transportation		
*58	Authorize the Chief Procurement Officer to execute an agreement with NW Traffic Control, Inc. not to exceed \$17,034 for Sunday Parkways flagging services and to waive application of City Code Chapter 5.33 (Ordinance) (Y-4)	189352
REGULAR AGENDA		
Mayor Ted Wheeler		
Office of Management and Finance		
59	Authorize the First Amendment to the 2013 Amended and Restated Visitor Facilities Intergovernmental Agreement with Multnomah County and Metro (Second Reading Agenda 42; amend Contract No. 30000712) (Y-3; N-1 Fritz)	189353
Commissioner Amanda Fritz		
Water Bureau		
60	Authorize a Collection Agreement with the U.S. Forest Service in the amount of \$283,985 to fund the design and construction of a fish habitat restoration project on the Zigzag River for the Bull Run Water Supply Habitat Conservation Plan (Second Reading Agenda 43) (Y-4)	189354
Commissioner Nick Fish		

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Bureau of Environmental Services		
*61	Authorize the Director of Environmental Services or designee to enter into and sign a Non-Disclosure Agreement with the City of Lake Oswego for the upgrade or replacement of the Tryon Creek Wastewater Treatment Plant (Ordinance) (Y-4)	189355
S-62	Authorize the Commissioners in Charge of Bureau of Environmental Services, or designee, and Portland Parks & Recreation, or designee, to execute agreements for the planning, design, construction and maintenance of watershed restoration projects in partnership with the U.S. Army Corps of Engineers and other partners (Ordinance) 10 minutes requested Motion to accept substitute ordinance: Moved by Fish and seconded by Fritz. (Y-4)	SUBSTITUTE PASSED TO SECOND READING JANUARY 30, 2019 AT 9:30 AM
Commissioner Chloe Eudaly		
63	Authorize the City of Portland to apply to join the SAFE Cities Network to provide technical support to legal service providers (Resolution) 15 minutes requested (Y-4)	37410
Bureau of Transportation		
64	Accept \$1.5 million grant from Oregon Department of Transportation, authorize Intergovernmental Agreement for Columbia Boulevard Safety Improvement project, and appropriate \$500,000 in FY 2018-19 (Ordinance) 20 minutes requested	PASSED TO SECOND READING JANUARY 30, 2019 AT 9:30 AM

At 12:03 p.m., Council adjourned.

**DUE TO LACK OF AGENDA THERE WERE NO 2:00 PM MEETINGS
WEDNESDAY OR THURSDAY, JANUARY 23-24, 2019**

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

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Key: *** means unidentified speaker.**

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9:30 AM

Eudaly: Welcome to the Portland city council session, Karla, please call the roll. [roll taken]

Fritz: Here. **Fish:** Here. **Hardesty:** Here. **Wheeler:** **Eudaly:** Here.

Eudaly: The mayor is absent today so I will be presiding over the counselor as the president of the council. I would like to start by asking the city attorney to please read the rules.

Karen Moynahan, Chief Deputy City Attorney: Thank you. 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 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. 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 said, please feel free to do a thumbs up. If you want to express you did not support something please feel free to do a thumb's down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony of council deliberations will not be allowed. If 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 welcomed, comfortable, respected and safe.

Eudaly: Thank you. Karla, let's begin with communications.

Item 49

Joe Walsh: Good morning. For the record, my name is joe walsh. I represent individuals for justice. Martin luther king was put in jail because he was a pain in the ass. He was murdered after that. Congressman lewis tells us, to go into the streets and do good trouble. I do good trouble. If you are saying that interrupting your gathering for a few minutes to fight for some issue is bad, we very much disagree. I spent most of my time trying to stop these sweeps that murder houseless people on the streets. They take the very stuff that the street angels just gave them days before, and I am not going to list all of the evils of the sweeps. Because commissioner hardesty knows about them. So I will ask this question, are you saying that protecting -- that protesting in the council is worse than the sweeps? Protesting the last council meeting was over the right of a cop watcher to video the council meeting. Of course they have a right to do that. That was my objection. The g4s security guy who covered the cop watch's camera was wrong, and the presiding official should have stopped it. He did not, and that is when I got up and yell to have his

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security stopped and deescalate the situation. Are you saying that we should not stand up against injustice because it is inconvenient to you? I am acutely aware that I have white privilege because I am still alive. If I was a person of color, I think that I would have been murdered years ago. We will continue fighting these forces who control this council, and we want you to understand why we cause an uproar from time to time. I agree with courtney and point out it is not just white men who disturbs the peace of this council. We do have wonderful people who come and express their opinions. The outbursts are not happening in a vacuum. We have been fighting for over ten years for justice in this council. The big question for you is, will you help us? The sweeps have to stop. The sweeps will stop. With this mayor or another, they will stop: Do you want the interruptions to stop council? Stop the sweeps.

Eudaly: Your time is up, mr. Walsh. You are disrupting. Your time is up.

Walsh: We will go over time.

Eudaly: Your time is up. Karla, please call the next item.

Item 50

Item 51

Eudaly: Good morning. Please state your name for the record.

Brad Perkins: I am brad perkins, I represent the sole district business association. Good morning. Good morning, jo ann. Welcome to the new board, huh. Thank you. Okay. Half a billion dollars is a lot of money. How it gets spent should be a concern by the Portland city council. Or half a billion dollars to widen I-5 lanes at the rose quarter does not add lanes to relieve congestion. The half billion dollars does not come from the city's coffers, but once again it will do irreparable harm to a former african-american community. As an officer of the sole district business association, I am also the head of the transportation activity, we are experiencing, once again, the heavy hand of odot and bulldozing through with their plans without listening to alternatives. You commissioners on the city council need to stop and think what damage to the businesses and lost productivity will occur during the three plus years of demolition and rebuilding of five bio-ducts in the heart of the business district on the central east side. We were at the north, northeast quadrant meetings five years ago expressing our opposition to this plan. Now that we are finally at a critical planning stage, half a billion dollars e-marked for it from odot. Pbot believes it is a given, that it's going to happen. But pbot is not asking the community for a better plan. We must take it or leave it. Serious accident counts are a few on this section of i-5 because traffic is slower. A half a billion dollars project that will make a suburban interchange in an urban context should have a citizen's involvement committee. Some parts of it is fine. We have got a bridge planned over the i-5 for pedestrians and bicycles, that's okay, a new entrance from weidler south to i-5 makes sense, as well. But in the city comprehensive plan that calls out for a need to study an hsr, or high-speed rail station at the rose quarter. This new cic citizens involvement committee should study new streets, high-speed rail and development for the rose quarter and i-5 areas. The city should tell odot to use that half of a billion dollars for a new multi-modal bridge for vehicles and trains situated next to the bnsf rail bridge. You know where that is? Over the columbia river. Wow: Wouldn't that be great? A new crossing that relieves congestion at the rose quarter for sure because high-speed rail will be a corridor that could connect to this bridge. It will also have the vehicles on it, as well. A new -- let me finish this one sentence. Hsr is coming. Washington and british columbia have earmarked \$1.2 million for the study.

Eudaly: Mr. Perkins, I need you to wrap it up. Your time is up.

Perkins: Washington is also forming a committee that will make high-speed rail happen, so let's get on board and deal with it.

Eudaly: Mr. Perkins, your time is up, thank you, and – I'm – I don't -

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Perkins: I know you're the commissioner of transportation so this is very important to you, I'm sure.

Eudaly: I would like to let the public know that odot will be opening up public comment for 30 days starting in february, so there will be -- please don't interrupt me. There will be opportunity for public feedback on this project. There will be a public hearing, and we are also working on creating a steering committee that will include all vital stakeholders. And if it seems needed, we will advocate for extending the comment period. Karla, please read the next item.

Item 52

Bob Schatz: Hello, my name is bob schatz, and I own property at 123 southeast 97th avenue. I purchased the property in 2007 with intentions of building new apartment buildings there. And in 2007, the recession started, which slowed down that process, and it isn't until a few years ago that I was able to even start doing that. The buildings there are -- they are built right after world war ii. They are from the 40s, they're 75 years old, they really, weren't meant to last this long. The last few years, the planning commission along with city council has decided to change the zoning of that property. From when I bought it at an ex to the current zone of eg. That new zone doesn't allow me to do what I bought the property to do. The last few years i've been at several meetings. I've done plenty of emails. I have tried phone calls. Urging you to not change the zone on me. By doing so, you have pretty much eliminated the whole purpose of me buying the property. Now all I can build is office and industrial buildings. Since I can't develop what I was planning on building, I am trying to sell it. I've talked to three real estate firms in town, big commercial firms, which have all told me that the value of the property at the old zone is 2.6 million, and the value at the new zone is 1.6 million. So not only has the zoning change not allowed me to build what I plan on building, but it has lost me a million dollars. So I am here to ask you to give me back the zone that I purchased.

Fritz: Did you get a notice about the devaluation, the change in the zoning when it was being done?

Schatz: Not about devaluation, but I did get a notice about the zone change. I did come to several hearings about begging you to not change it on me.

Fritz: What's the response of the mayor's office and the planning bureau as far as why the zone change was made?

Schatz: Because they have other areas of town that are zoned industrial that they would like to be ex, so then they have to find other ex zones and change to industrial to balance it out.

Fritz: I encourage you to keep working with the mayor's office because they are in charge of the bureau of planning and sustainability, which would have to bring a zone change request to council.

Schatz: Yeah but they won't change did back to what it was before.

Fritz: There has to be, there's a process to get a zone change, so I would encourage you to work with the mayor's office to discuss what your options are.

Schatz: I've done that before. It cost 30 to \$50,000, there are no guarantees it will happen. I need to have a really good reason for it. A good -- just because I like it that way isn't a good reason to them.

Fritz: Regardless, that's the way to get a zone change. The council doesn't have the power under state law to just change it without a process through the planning committee.

Schatz: But you have the power to take it away from me. You should be allowed power to give it back.

Fritz: This probably is not a good place to have a dialogue about this, but with the words of process to make that choice, the choice was made, and now there needs to be a different process to start over to change it back it that's what you would like to pursue.

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Schatz: Well, at least you know the consequences of your decision.

Fritz: Thank you.

Eudaly: Thank you. You have a minute left, did you want to continue speaking?

Schatz: Sure. I did have the ability to build one building before the zone was changed, which was a parkour gym which brings a lot of families to the property, a lot of kids train to get healthy there. People really like it. That use isn't even allowed any more at the new zone, which is unfortunate. In that area, there is a lot of homeless people and homeless people and parents with kids aren't a good mix, and i've been here before asking that city council allow the police department to enforce the laws and request the homeless people to pick up their tents and move, and that's what the law says that they can do. When I asked the police to do that, they told me that the city council, specifically the mayor, has told them that they are not allowed to do that. They are not allowed to enforce the law. Please allow the police to at least enforce the law.

Eudaly: Thank you.

Hardesty: Madam president, may i?

Eudaly: Commissioner Hardesty.

Hardesty: I just want to say as a matter of – I just want to say that due to no fault of many people, we find that housing is unaffordable in the city of Portland, and it is not an appropriate response to call the police on people who have nowhere to go. It is a failure of the city to provide housing at all income levels. It is not the failure of the people who find that they cannot afford to live in a city where they work, worship and go to school.

Schatz: Homelessness is not a crime. I understand that. But I am cleaning up poop and needles on my property almost daily.

Hardesty: I think what we need to do is find good ways for houseless people to be able to have sanitary access like the rest of us do, but again, I just don't think that policing is the appropriate response to people who are houseless. But I appreciate your --

Schatz: I agree, if you do find a solution, I would appreciate it.

Hardesty: Thank you. I am willing to work with you to help find one.

Schatz: Can I e-mail you?

Hardesty: Yes.

Eudaly: Mr. Schatz, as commissioner Fritz explained to you, there is a process to go through, but I can have my chief of staff follow up with you to try to help you initiate that process.

Schatz: Okay. Thank you.

Eudaly: I think I have, do I have his contact information? Okay. Thank you.

Moore-Love: Yes, it's in his email.

Eudaly: Thank you. Karla, please call the next item.

Item 53

Eudaly: Welcome.

Alan Ellis: Good morning. My name is alan ellis, I am the president of the Portland Khabarovsk sister city association and I am here to introduce the first ever visit to Portland of rhythmic gymnasts from our sister city. We have had, over the last 30 years, we've had lots of exchanges, lots of different programs, but this is the first time that we have had rhythmic gymnasts here. I will say a few words, and then introduce the director of rose city rhythmic and olympia rhythmic from khabarovsk. This is a program which we've been working on for two or three years. When we go -- when we send delegations to Russia, to Khabarovsk, one of the excursions, we are always taken to the olympia sports complex, and we see these girls, these athletes here today from 11-15 years old, really do extraordinary routines. In fact, they are going to be -- there is going to be an exhibition, the americans and the russians together this coming saturday at the pdx sports center from 11:00 to 2:00. It's a fundraiser for this program. After their stay in Portland they are going

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to be going to la and participating in an international competition. So, and then they will come back here, and we'll have a farewell pizza party and they will be back. This was possible only because of the khabarovsk city administration and the new mayor. They have a new mayor elected in september named Sergey Kravchuk. And he was amenable to convincing the council there to pay for the international airfare of this group coming over. And then rose city rhythmic and our sister city association have covered the rest of the expenses. To save money the group flew from khabarovsk to – Khabarovsk is in the russian far east, it's right above china, chinese manchuria, on the trans-siberian railway, it's an inland port like Portland, and they flew, they flew them 5000 miles, over 5,000 miles from khabarovsk to moscow, on Aeroflot, and then from moscow to jfk, and then from jfk to Portland. They arrived last friday. So they had martin luther king's birthday weekend to recuperate. So I would like to introduce the group. First of all we have jane mccormack, who is as I say director, and she will say a few words, director of rose city rhythmic, and then we have olga borisova, who is the director of olympia rhythmic. And one of the coaches, the other coach here is yanana vovsonovskya. Her daughter, eva vovsonovskya, and irina guskova, and alexander chin, and veronika zabrodina, and they have, after.

Fritz: We missed one.

Ellis: Oh, did I, did I forget, pardon? Oh, the other Irinia. [laughter] There's another irina, I'm sorry. [speaks Russian] ok. So they are going to say a few words and after that, the girls will come up and present a letter to mayor wheeler and from the new mayor of khabarovsk and presents and that kind of thing.

Eudaly: So as a courtesy to our sister city, I have extended your time, but we need to keep this brief because we are well over the three minutes, and we have time certain on the schedule.

Ellis: Okay, thank you. Appreciate it.

Gene McCormick: Hi, good morning, I am Gene mccormack. I'm with the rose city performing arts collaborative. We are a nonprofit rhythmic gymnastics team, very small but we are so thankful to pksca, Portland khabarovsk sister city association for facilitating this exchange between the athletes and unfortunately our athletes couldn't make it today due to school. But speaking on their behalf they have been enjoying the training time together as well as getting to know one another and families who are hosting. So we are very thankful to the hosting families and we just want to say we hope that we can continue to foster this relationship between the two clubs and between our cities together.

Eudaly: Great, thank you.

Veronika Barozova: Director of school, Olympia khabarovsk. Dear friends, Khabarovsk gymnasts are very happy for your invitation. We will start by hospitality concern of the people of the Portland for us. We are sure that the friendship of american and russian gymnasts will remain forever and will help our children to live in peace. Thank you for this opportunity for our children. And many thanks to parents of American gymnasts, [inaudible] and alan, and from me. I think it very beautiful that, that all people from all over the world and all children will want live in peace -- excuse me for my english.

Fritz: It's a lot better than my Russian.

Eudaly: Thank you.

Fish: Madam president, can I first of all just take a moment to thank al ellis for people who may be new to council today, this is what a robust sister city relationship means, and traditionally an event of this significance would be a time certain, so thank you for extending the clock. This is a government-to-government program, and we do extend the courtesy to sister cities. Al has be indefatigable. First of all, he's one of the few people that can pronounce correctly all the russian names, so we thank him for that. Historically, one of the things I remember from this relationship that we have with khabarovsk is that it's a great -- the jazz capital of russia. So we have celebrated music. This is the first time that I

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think in ten years we have celebrated athletes, young athletes and we are honored to have them. And I wonder, madam president, if we could take a moment to have a photograph so that they have a momento.

Eudaly: Certainly, let's do that.

Ellis: We have a presentation to make to you.

Fish: Why don't we come down so we can do it with you.

Ellis: Sounds good.

Fish: Al, why don't you remind us the city where they come from is located where in russia?

Ellis: It's just north of the chinese border in the manchurian area.

Fish: So far to the east.

Ellis: Yeah, and it's an inland port from the pacific ocean. So it's on the same latitude as Portland.

Fish: Wow. So they will appreciate our weather. [laughter]

Ellis: Thank you very much.

Fish: Thank you very much.

Ellis: Oh, we have a presentation.

Fish: So why don't we, the president of the council will receive it on behalf of the –

Ellis: Okay.

[inaudible discussion]

Eudaly: Happy, oh thank you. [laughter, inaudible discussion]

Fish: Which of the young ladies –

*****: Uh, Sasha. Sasha, she speaks English.

Fritz: Speak a little English?

Sasha: A little bit.

Ellis: A little bit, look at that. Welcome. [inaudible whispering]

Eudaly: Okay, thank you alan and guests. Karla, any items been pulled from the consent agenda?

Moore-Love: No. No requests.

Eudaly: Great. So let's vote on the consent agenda.

Fritz: Aye. **Fish:** Aye. **Hardesty:** Aye.

Eudaly: Aye. All right. Let's check the time here. It's 9:58. So we will be going right to our first time certain. Karla, please read the item.

Item 54

Eudaly: Commissioner Fritz.

Fritz: Thank you, madam president. This report is part of the agreement we reached with the mount tabor neighborhood association regarding the reservoirs when I was the commissioner in charge of parks and commissioner. Fish was in charge as the Portland water bureau, and we had one of the most memorable council hearings in either of our tenure on the council. Certainly honor commissioner Fish for his part in finding a compromise as we were seeking to disconnect the reservoirs, and yet preserve them as water features in mount tabor park. The city staff and mount tabor neighborhood association have worked to build this -- build this successful partnership. I so want to note that the signage issue has been one that has been interesting and received a lot of discussion, and we thank Laura John, the director of tribal liaisons, for providing invaluable advise throughout this discussion and also the mount tabor neighborhood association, neighbors who have continued to be good partners. So here we have the water bureau staff and the neighbors here to jointly provide this report. Please introduce yourselves and take it away.

Mary Ellen Collentine, Portland Water Bureau: Thank you, commissioner Fritz. I am mary ellen, a principal engineer with the Portland water bureau.

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Robert Fraley, Portland Water Bureau: I am Robert Fraley, senior city planner with the Portland water bureau.

Susan Meamber, Portland Water Bureau: Susan Meamber, senior engineer with the Portland water bureau.

Stephanie Stewart: I'm Stephanie Stewart, a volunteer, mostly with the Mount Tabor neighborhood association.

John Laursen: John Laursen, also with Mount Tabor neighborhood association.

Collentine: Thank you. So Madam President, Eudaly, and City Council, we are very pleased to be here today to report on the progress we've made with preservation work at Mount Tabor. Before I launch into highlights of the annual report, I wanted to provide a background for those who may be new to the project. And we also were going to be running a slide show of the work that's been going on up there. So as a little background, in 2015, Commissioners Fritz and Fish established a cooperative agreement with the Mount Hood neighborhood association. This agreement was adopted as Council Resolution 37146 and it documents the agreement between Portland Water and Mount Tabor neighborhood association regarding preservation of the historic reservoirs and Mount Tabor Park. This agreement and Council's adoption of the resolution allowed Portland Water Bureau to begin to move forward with disconnection of the open reservoirs at Mount Tabor as required by federal law known as It-2. The resolution includes directives regarding communication, reservoir water levels and water management strategies, historic preservation, and an interpretive program. Another requirement of the resolution is an annual report to Council which is what brings us here today. This report has been a true collaboration with Mount Tabor neighborhood association representatives and is a joint report with Mtna and the water bureau. The last annual report was submitted about mid 2017 for the period from April 2016 to April 2017. The second annual report is for the period from April 2017 to April 2018, and the information we are presenting to you now also includes a semi-annual reporting period from April to October of 2018. We had a little delay in submitting the annual report, but part of it was so we could show Council the substantial progress that has been made with repairs, maintenance, and preservation work by our contractor in 2018, and you will see some of the photos above as we talk. We have now completed the first two years of preservation work as outlined in the resolution. We are in year three, and we are moving forward with this incremental work. So the report is organized as outlined in the July 2015 resolution. I have a few items I would like to highlight, and then I will turn this over to Stephanie and John with Mount Tabor neighborhood association. And last, before I get started, I would like to express our sincere thanks to Commissioner Fish for his support in securing an agreement and for the continuing support of Commissioner Fish and Fritz. So regarding the communications, we meet monthly with Mount Tabor neighborhood association representatives. We also meet, are meeting periodically on the interpretive program. We have set up a project website, which is available to the public and is updated as information is needed to be pushed out to the public. We have a draft water management plan. We've been working together with Mount Tabor neighborhood association to maintain clean water at historic levels in the reservoirs, which is our agreement is between 50 and 85% full reservoirs. We expect to make more progress on the draft water management plan during the coming year when we know more about evaluating water loss and maintaining water quality. We have yet to be able to fully analyze the water management plan because we are still in a construction period, so in particular, Reservoir One has been empty for the last many months. We did a substantial amount of work up there and are ready to do another incremental work this year. We had to leave it empty this fall so that the prospective bidders for the work could inspect the reservoir prior to bidding. We are hoping that once the incremental work is done, we will be able to refill Reservoir One this fall, the fall of 2019. We let a construction

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contract in spring of 2018, as a contractor through the prime contractor development program. We did a tremendous amount of work at the gateway house, the weir building at reservoir one, and we did major repair work at reservoir one, particularly, the parapet wall, and you will see some pictures that go by that show what we have done to the parapet wall. It is very beautiful now compared to what it used to look like. We also replaced the reservoir five dam fence on the stairs going between reservoir five and reservoir six. We had a chain-link fence there that was put in around 1998, when we were regulated by ferc. It was not compatible at all with the historic structures up there. We are still required to regulate the reservoirs as dam structures under the state rules because they hold water. So we put in a very nice looking, more historically compatible fence to maintain that slope and prevent erosion on that slope. We hired an art conservator to complete the repair and preservation of what's known as the fountain at reservoir one. We don't really know what -- we don't know the history of that. It's dated 1894, which is the date of construction for reservoir one. It's back at the far side of reservoir one, and we did a fair amount of work on that to restore it. We've completed the design work for this year's construction projects, which are primarily repair work at reservoir one, concrete basin, and we received bids on that yesterday, and we are hoping we will be able to move forward and get all that work done this year. We continue to work with our representatives from mount tabor neighborhood association to prioritize work based on the 2016 mount tabor historic structures report, the addendum that we worked on so that we can make sure that repairs are a priority between both the water bureau and especially the neighborhood association representatives. As far as the interpretive program goes, we have hired a historian through a competitive selection process that mount tabor representatives were a part of, we have subcontracted with a local design firm to assist with interpretive display design. We have done, during the last year, a signature amount of outreach. Both to the public and to gather feedback about the display program. We have had a public open house, an online survey, educational outreach, and a variety of notifications inviting the public to the open house. We have also initiated conversations with the office of equity and human rights, the city's tribal relations director, the native american community advisory council, and the parks accessibility advisory committee. These are ongoing conversations that the entire project team will participate in further as the project displays take shape. We also will continue to have a dialogue with the stakeholders and recommend a preferred design approach to ensure it considers multiple perspectives and is accessible to all park users. We know that the interpretive program will consist of a series of on-site interpretive display panels, joining text and photographs, which will be augmented by a mobile application, so those in the younger generation who know how to use their phones can go around to the site and bring up information as they wander the reservoir sites. Our goal is to have construction, or completion of the interpretive project in june of 2020. As I said earlier, we have -- our allocation of construction funds through this fiscal year is about 2.9 million. We expect through the end of the fiscal year we will have spent all of that with the -- now that we opened bids, for the reservoir one basin repair work. The interpretive program budget is 470,000. We have not spent as much as that, but the bulk of that is for construction of panels, so we continue to move forward and meet on that. We were going to be in this next few months, putting together some draft displays for reservoir one. So in summary, we are very pleased to be able to show council the progress that we have made under council resolution 37146. The work accomplished at mount tabor. This project has been a true collaboration with the mount tabor neighborhood association representatives, especially john laursen and stephanie stewart. They volunteered hundreds of hours to meet and provide critical feedback on the items I outlined above. This project could not have progressed to where we are today without their substantial support and input. I want to acknowledge their enormous contributions to this project along with mount tabor

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neighborhood association members bing wong and kim laken. Thank you and I would like to turn this over to stephanie and john unless council has any questions at this time.

Eudaly: I have questions.

Collentine: Sure.

Eudaly: Do the gatehouses serve a purpose?

Collentine: Gatehouse, gatehouse six has a new generator in it that serves the high level on tabor. We have an active reservoir at the top of mount tabor. The other gate -- five still has some security features in it.

Eudaly: How many are there total?

Collentine: We have a gatehouse at reservoir one, reservoir five, inlet to six and outlet at six so we have four total.

Eudaly: Great, thank you.

Collentine: Any other questions? I will turn it over to stephanie and john.

Stewart: Hi, again, I am stephanie stewart and I serve on the community committee that works with the Portland water bureau, and that committee isn't just mount tabor representatives. We were tasked with building a committee of people from the community, and we also have a representative from friends of the park bing wong, he's here, if he wants to stand up, and then we also have a preservationist/historian, kim laken, and she actually worked on the original documents that helped to craft the national registration. And, of course, we have more people who wanted to be involved but couldn't afford the time. So we maintain sort of an advisory role with other people so. We two, John and myself, we are here working on this specific issue as we have been for years because protecting a park benefits everyone in the city. We all own mount tabor park. As some of you are here, are a little less familiar with the projects we were just updating you on, and with this council resolution, that brings us here every year, we think that it makes sense for me to back up just a little and give you context for how this resolution came into being.

Hardesty: It is certainly not necessary for me. [laughter]

Stewart: Well, I'm going to do a little bit anyway. [laughter]

Fritz: There is always new people watching at home. [laughter]

Stewart: Okay, sorry. I am so glad you are on top of things. We did not expect that, so that's wonderful.

Hardesty: [inaudible]

Stewart: That's so good to hear. Okay, well unfortunately this means some of what I speak about means we are going back to the battle days, which I hate to do, I'm sorry for that, but we are going to go ahead and do it. It's another way for you to see how much progress we have made, right? The relationships are so much stronger than what they were four years ago. Four and a half years ago Portlanders from across the city that we heard from were dismayed by the water bureau's plan for how it was going to handle the construction of the disconnection at the reservoirs at mount tabor. The plan as first proposed left the massive -- left three massive, excuse me, three massive concrete reservoirs empty, and neglected, in the heart of one of our cities finest parks and consequently at the center of a nationally registered historic district, that is mount tabor. The character of mount tabor park was to be forever changed without it, as it seemed, to the community, sensible planning. So people from the community entered into a legal process seeking to compel the water bureau to properly care for mount tabor's public assets. Those being that nationally registered historic reservoirs and their other registered structures, the nationally registered historic park with its protected views across the waters, and of course what they are together, which is a sanctuary for Portlanders, a respite from city life. With the legal battle dragging on, in the 11th hour, quietly, john and I sat down together with the former water bureau director, david shaff, and a water bureau engineer, teresa elliott, seven times for 14 hours of negotiations. Without a mediator,

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without a facilitator, without a net, just us, and together with the water bureau, we brought to city council an elegant solution that settled the dispute for care. Neither the citizens nor the water bureau got everything that they wanted. We -- both sides compromised more than we thought we could in the beginning. We captured our agreement, our solution, in the form of the council resolution that brings us here today. Our solution did not involve a costly redesign of the site. It did meet the requirements imposed by multiple levels of local, state, and federal regulations for historic resources, and it dealt with that shared responsibility we have to care for publicly owned historic resources and public spaces. The solution recognized that the water bureau must continue to own the site because the pipes beneath it are essential to the drinking water system. It honored the city's policy that capital assets must be maintained. And we want to be clear concerning this very last point about our solution. It is and continues to be the most cost effective way to do all of the above. The members of city council applauded that solution and sent us away with the charge to keep working together in order to make that viable. We have taken that charge seriously, building a community team that has contributed literally thousands of hours of free labor.

Laursen: Hi, I'm John Laursen. I want to thank you for the opportunity to appear before you today. I would like to say a bit about the process that has evolved out of where we were back in the summer of 2015. As Stephanie indicated this was historically a contentious situation, and it sounds like you are aware of that which, by December of 2015 had building for well over a decade. Stephanie and I worked together with David Shaff and Teresa Elliot to craft a compromise that is embodied in council resolution 37146. But this was new territory for two groups that had long been locked into adversarial positions, and none of us were quite sure how the process that we were proposing would play out in practice. The negotiation had itself been difficult and tense at times, and now we were taking a leap of faith, really, a leap of trust on the part of both Portland water bureau and the neighborhood that we could find a way to break down the barriers built up over years of disagreement and mutual suspicion and find a way to work together to care for these publicly owned historic treasures. This experiment was greatly aided by the confidence exhibited by the members of the city council in adopting a resolution. And in particular, by the encouragement of Commissioner Fish, then the director of the water bureau and now the director of parks and recreation and Commissioner Fritz, then the director of parks and now the director of the water bureau, each of whom directed their respective bureaus from the outset to embrace the spirit of the resolution and to work collaboratively with the community in a way that was not necessarily familiar or comfortable for bureau staff. We continue to be grateful for the commissioner's support. Mike Stuhr, director of the Portland water bureau, who had inherited this resolution from his immediate predecessor, has been unreserved in his support for our collaboration, and we appreciate his encouragement enormously. And we, together with the other community participants and the preservation and interpretive projects have been extremely gratified by the thoughtful approach and diligence of water bureau staff who have been our partners in building a collaborative relationship between the bureau and the community around the Mount Tabor reservoirs. This has not always been easy. There have, of course, been occasional missteps and misunderstandings in the transition from adversaries to collaborators, but for the most part we've been successful individually and collectively, and we have been extremely mindful of the trust placed on this team by the city council. We have all worked diligently to ensure the taxpayer funds allocated to this project are carefully and thoughtfully spent in order to provide the best value and return. Today we would like in particular to acknowledge the contribution of Mary Ellen Collentine, sitting here with us, who is now retiring. She has been our partner from the beginning in establishing a productive working relationship, along with her colleague, David Gray, now also retired. It has been a profound pleasure to work with

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both of them, and we will miss them greatly. By this time, I believe that all of us see ourselves as doing something more than working to sustain a public resource. Through this collaborative effort we've been exploring a more robust and productive model for public engagement. As board members of the neighborhood association, both stephanie and I have had a great deal of experience with civic participation going back decades and working with a broad swath of city bureaus. Although public involvement is a strongly held value in this city, it often manifests as a bureau presenting community members with what is essentially a fait accompli, with citizen participation relegated to responding to the bureau's plans rather than actively engaging in identifying problems and then developing solutions. From a very practical perspective, involving the community earlier in a way that is genuinely collaborative and respectful of the community perspectives goes a long way towards creating an environment in which there is far more community buy-in and far less likelihood of ending up with conflicts between bureaus and community stakeholders. In the projects we are reporting on today the community members have been part of the planning from the beginning. As such we were involved in hiring the consultants, participating both in writing the rfp's and interviewing the applicants. Those consultants have understood from the time they came onboard that the community voice is legitimate and that the bureau staff takes that voice seriously. This is meant that our questions and concerns are listened to and responded to equally with those of staff. So this is not the more usual kind of public process responding to a train moving down a track already laid out by city employees. This has been a true collaboration between the community representatives and the water bureau with the community having ample opportunity for authentic input. We are a team. We recognize that such an amount of public participation is unusual for city staff and is no doubt uncomfortable for them at times. But we believe that they would agree with us that it has yielded a better set of outcomes and that our collective efforts continue to produce results that both the bureau and the community can embrace and that the city can be proud of. We hope that you agree and we thank you for your continued support.

Eudaly: Thank you.

Collentine: Are there any questions from council after john and stephanie's testimony?

Stewart: Please do consider us a resource if you have questions in the future.

Fish: Yeah, I move the acceptance of the report.

Fritz: Second.

Eudaly: Thank you very much for the report. And for all your volunteer effort. This is the report, so we are not taking testimony. And we have had a motion from commissioner Fritz and a second -- Fish and a second from commissioner Fritz. Have to do that at least once. [laughter] Karla, please call the roll.

Fritz: Thank you all for all of your time. It really has been extremely signature, the volunteer time, and I am including our staff, as well who have put in well beyond the expected amount of hours of the work you do, and thank you for your work as you retire. I appreciate that very much. Thank you, commissioner Fish, for being a solid partner throughout this entire time as we have swapped bureaus back and forward. We have really experienced this from all sides, and I really appreciate seeing the photographs, and that is why we delayed this report to show you some of the work that is being completed. I will be putting in a request for the last million dollars or so for the last piece of the promise. It's very important that the city council keeps its promise when we make an agreement, and I respect what miss stewart said that this is the most cost effective way doing things as well as the best way of doing things. It would have cost far more to have done anything else with the reservoirs than it has been to fix them and now for generations to come we are going to have these beautiful resources that people will visit, and they will be in great shape, and we will be able to look back to the way that it has been done. So thank you to

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bob fraley, susan meamber, teresa elliot, gabriel solmer, and mike stuhr in the water bureau. Susan meamber was previously in parks, so thank you for working again on both sides. Thank you to the interim director of parks, kia selley, who when faced with a some choices regarding this signage, her reaction every single time I asked her when I was in charge of parks was what we can make that work. We can make something work. We'll figure it out. We'll make something work. And that's the kind of bureaucrat that she is, really wanting to find solutions and work with the community, and I appreciate her work. Thank you, john laursen, and stephanie stewart, and the whole mount tabor neighborhood association. Any time you want to increase your participation let me know. I'll propose something really controversial and show up. [laughter] and listen to you and not to whatever I was going to do. So I appreciate that you do have a really robust community engagement process, and it's not just the folks who have been engaged for many many years, and it does include people who have been engaged for many many years. Thank you for all of your volunteer service to our community and your community. And finally, thank you to cristina nieves on my staff for all of her work with the Portland water bureau. Aye.

Fish: Well, Commissioner Fritz has really just given comments that I could also give, and so I want to just associate myself with what she said, and I think she hit all the high points. It does occur to me that there is good karma in this building today and so maybe that's because commissioner eudaly is, as president of the counselor, is chairing. But we started with a group of gymnasts from the former soviet union, we are celebrating a breakthrough in a relationship between a community and the water bureau and a partnership that the community has described in ways that are rare, frankly, for us. And soon, we are about to celebrate young people who have done art for the fire bureau. It's a good start. This meeting has a lot of soul.

Eudaly: Don't jinx me, commissioner. [laughter]

Hardesty: It's still early.

Fish: David, a number of people mentioned david shaff and the negotiations you had with David to get to the deal. David was here recently when we honored betsey ames, who retired from city service after a long and fruitful career, and she is in the battle of her life addressing cancer. I really appreciate that david rolled up his sleeves and met with community people who are former adversaries and developed this partnership. And I think that it tells us that no matter how gnarly the relationship, no matter what the history, there is always the potential for coming together. And I agree with commissioner Fritz, we have a commitment we made that we have to honor, this is going to be a very difficult budget cycle but we need to honor the commitments that we've made to the community. I also want to thank you for an excellent power point. The quality of the work shines through in the photographs that you shared with us. I can't wait as the new parks commissioner to go up and see it for myself what you have accomplished. And the work to come. And congratulations on your service and thank you. So I am, today with great gratitude for the amount of time, the volunteer time of our community partners and the great work of our staff, I am pleased to accept the report and vote Aye.

Hardesty: I also want to appreciate the incredible partnership. I, actually, remember not so fondly where this started, and just how acrimonious the process was, and it took calm brains and minds and a willingness to find common ground to get to where we are today, so I greatly appreciate, especially the hundreds of hours of volunteer time, it's probably thousands of hours, but we are smart not to count that high, right, not to just go there. I know what it takes to be a strong community volunteer and to push to get your voice heard. And it takes a lot for bureaucracies to really be open to listening to people who may have a different perspective than the community. And so I applaud you all. Work well done. Aye.

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Eudaly: Well, thank you again, everyone, for being here. Congratulations on your upcoming retirement. I am starting to get jealous every time I hear someone gets to retire. I think I have another 30 years of work ahead of me before I'll be able to do that. So enjoy it for me as well. I am pleased to hear you are working with ohr, as well as our director of tribal relations, Laura John and that there is a focus on accessibility. This is a gorgeous park, it has special meaning to me, I was married at the top of Mount Tabor in 1991. The reservoirs are -- do add to its beauty. I have still not quite shaken my shop keeper's brain so when I see a beautiful, old, unused face, I start thinking about what I could possibly stick in it. So I am wondering if there is any potential there for artist residency or some other cool kind of community use. I have no idea. I have never been in the gatehouses and so with that I'll just vote Aye. Thank you very much.

Laursen: Thank you.

Stewart: Thank you very much.

Fish: Thank you.

Fritz: On time. Well done.

Eudaly: Yes, perfect timing. We have our next time certain. Karla, please read the item.

Item 55

Eudaly: Commissioner Hardesty.

Hardesty: Yes. Thank you very much. I am honored to have the winners of the fire prevention poster contest. I want to welcome the fire chief, Mike Myers, and we have -- what do we have here? [laughter]

Mike Myers, Fire Chief, City of Portland: Commissioner, that is Sparky the fire dog.

Hardesty: We have a fire dog. Is it smokey?

Myers: Sparky.

Hardesty: Sparky? Hey Sparky, how are you. Welcome to city council. Chief, please, take it.

Myers: Good morning commissioners, madam president. My name is Mike Myers and I am the fire chief of the city of Portland. This is a special day and I think that we have good karma today, Commissioner Fish. It's very exciting to have some very special guests in our audience, which I will shortly introduce them to you via our senior inspector, Kim Kosmas, who will introduce all of the young individuals who joined us for the art contest. To my left, it was interesting, Sparky the fire dog is here, I had a note with paw prints all over it this morning. It arrived on my desk and it said please tell council that Sparky is very proud to be updated on his shots and tags. Is that what you wanted me to say? So thank you Sparky for joining us. I also wanted to say I would be remiss if I didn't acknowledge a very important component of today's presentation. Senior inspector Kim Kosmas and our prior fire chief Erin Janssens brought this project to you about five years ago. It is a very very important project for the city of Portland and extremely important to the fire bureau and we're very proud of it. I wanted to acknowledge the work of Kim Kosmas and Erin Janssens, so thank you, Kim, for all your hard work. And I will turn it over to you.

Kim Kosmas, Sr. Fire Inspector, Portland Fire and Rescue: Thank you. Thank you for having us here today. To start out just a little bit about our program. Portland fire and rescue prevention division, our focus, our goal is to save lives, property, and the environment by preventing fires before they start so I personally manage the public education office. We work very hard to reduce the frequency and severity of fires and other life safety incidents throughout the bureau. And through a multi-disciplinary approach that includes education, engineering, and enforcement. The prevention division, public education team offers targeted community outreach programs that are developed and implemented through our local schools, community organizations, and events, and in the fire stations, too. This past October during the fire prevention month, Portland area school children were invited to participate in the fire prevention poster contest. The contest helped

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spread the word on critical fire safety messages and encourages fire safety in the home, school, and our communities. A winner from each of the two age categories, which is kindergarten through second grade and third grade through fifth grade, we also have not only the winners but runner-ups. And the winners for this year were selected by fire chief Mike Myers for their creativity and fire prevention messaging. So Portland Fire and Rescue would like to recognize and congratulate the following students. I will call you up one at a time. First of all, I would like to -- and we have their art here, too, to show everyone that's been framed for them to take home. Our first is our second grader from Atkinson Elementary. Opal Browning. [applause]

Myers: Is this your drawing?

Opal Browning: Mmm, hmm.

Myers: It is extraordinary, very well done.

Hardesty: Nice.

Myers: Will you turn around. We'll take a picture with your mom and dad and Sparky. One more?

*****: It's okay.

Myers: Great shot. [applause] Very proud of you. You can carry this one because it's not too heavy. Okay. Proud of you.

Kosmas: And then our fifth grader, who is another one of our winners is from Rose City Park Elementary, and her in that I am is Grace Pollack. [applause].

Myers: Really well done. Congratulations. [cameras] Very proud of you.

Grace Pollack: Thank you.

Kosmas: And the last but not least is our fourth grader from Buckman Elementary, and her name is Lilianna Jasuvski. [applause]

Myers: Very nice, Lilianna. Show the council really quick so they can see it.

Hardesty: Nice.

Myers: Take a picture with you and your parents? [cameras] Congratulations. [applause]

Fish: Thank you. Good job.

Kosmas: Thank you for your time, we appreciate it.

Hardesty: Thank you.

Fish: Thank you. Wonderful.

Hardesty: Madam President, could we take a moment so I can take a picture with the winners?

Eudaly: Of course, yes.

Eudaly: Commissioner Hardesty, did you have any invited testimony for this item?

Myers: So the commissioner would like to take a photo with you --

Fish: Take a picture with Commissioner Hardesty.

Hardesty: I'll hold it for you.

*****: It's a little big isn't it.

Hardesty: I'll hold that for you. Come on over so you can stand next to your picture.

Eudaly: Ah, so cute.

Hardesty: That's beautiful.

*****: One, two, three.

Hardesty: I'm always sleepy. [laughter] Congratulations. [applause] Well done. [whispering]

Hardesty: I don't get too many opportunities to take pictures with little cute kids.

Eudaly: Yeah. Of course. Commissioner Hardesty, did you have any invited testimony for this time.

Hardesty: I do not.

Eudaly: Oh, great. Do I hear a motion to approve the report?

Fish: It's just a presentation.

Eudaly: Oh, okay. All right.

Hardesty: No report.

Eudaly: No acceptance.

Fish: Thank you guys very much.

Hardesty: Thank you. Have a great day.

Eudaly: Thank you. Karla, please call the next item.

Item 59.

Eudaly: This is a second reading, is there any further discussion? Seeing none, Karla, please call the roll.

Fritz: I appreciate all the hard work that's been done on this. I would prefer, would have preferred to have all of the amendments done at the same time, and I don't think that we should be prioritizing one need over another, so although I appreciate the fact that the council will pass this, I respectfully vote No.

Fish: Well, this is a good deal for taxpayers. We are using a revenue source that has been set aside for this purpose, leveraging private resources from an anonymous donor to allow us to significantly upgrade our systems at the schnitz, which we are required to do. So I am very pleased to support this. Aye.

Hardesty: I share commissioner Fritz's concern about piecemealing this intergovernmental agreement. But I will be supporting this today because I don't want to lose the \$3 million from the donor who wants to assist with this upgrade. It is my hope that we will bring the entire package back to the city council in a very timely manner. Aye.

Eudaly: Well, I'll just echo my colleague's sentiments and say that I am hopeful that we will be able to conclude these amendments very soon. In the meantime, I am grateful for this vital improvement to the schnitz. Not only will it improve the audience experience. There is a safety hazard on the stage due to an outdated shell. I vote Aye. The item passes. [gavel pounded] Karla, please read the next item.

Item 60

Eudaly: This is a second reading. Is there any further discussion? Seeing none, Karla, please call the roll.

Fritz: Thank you to our partners at the u.s. forest service and staff at the water bureau for coordinating these partners. Thank you to community interest groups and agencies who helped create the bull run habitat conservation plan. I see many of you in the audience today. And by implementing the actions within this plan we assure long-term regulatory compliance with the endangered species act and the clean water act. Aye.

Fish: Aye. **Hardesty:** Aye.

Eudaly: Aye, the item passes. [gavel pounded] Karla, please call the next item.

Item 61

Eudaly: Commissioner Fish.

Fish: Thank you very much. I'm going to invite the director Jordan to come forward, and I have brief comments. Colleagues, as you know the city of -- excuse me, the bureau of environmental services operates two wastewater treatment plants. The Columbia boulevard wastewater treatment plant serves the majority of Portland and the Tryon Creek wastewater treatment plant within Lake Oswego city limits serves parts of southwest Portland unincorporated areas of Multnomah and Clackamas counties, and the city of Lake Oswego. Environmental services is working with the city of Lake Oswego on options to upgrade or replace the plant, and this ordinance will help us ensure a productive and orderly process, and Mike Jordan is here to make a brief presentation and answer your questions. Take it away, Mike.

Michael Jordan, Director, Bureau of Environmental Services: Thank you, commissioners and members of the council. My presentation will be extremely brief. I am really just here to answer your questions if need be. We've been in discussions with the

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city of lake oswego for some time now. You know that the tryon creek plant exists within their city limits along the riverfront in an area that has been under redevelopment for some time. The city approached us about the possibility of them building a different wastewater treatment facility. So that they could reclaim some of the land that our plant sits on to redevelop in the future. As you can imagine, it's a really complicated discussion with them both financially, legally, and from a regulatory perspective with the department of environmental quality, which regulates the plant. So we believe this agreement will allow us to enter into negotiations on all those fronts with the city of lake oswego and see if there is, let's just say see if there is a there-there for their proposal.

Fish: Thank you, director jordan. That's our presentation. Madam president?

Eudaly: Any questions? No? All right. Karla, is there any testimony?

Moore-Love: Yes, we have five people signed up. The first three are edith gillis, Maggie, and Charles bridgecAne johnson.

Eudaly: Please come forward. State your name before your testimony and remember your testimony needs to be relevant to the item before us, are you for it or against it, and tell us why.

Edith Gillis: Good morning. I am edith gillis. I am concerned about the non-disclosure agreement because it alerts a red flag of what is secretive and why, following the money and the bias, who benefits and loses. I am absolutely committed to government being transparent, accessible, and accountable, and protecting our natural resources, and wastewater treatment is one of them with emergency preparedness for many multiple disasters that could be happening, and encouraging citizen engagement, and I don't see how this non-disclosure agreement is going to support any of those.

Eudaly: Commissioner Fish, I believe that this is a formality between the two municipalities involved, but can you give us an example of information that would be too sensitive --

Fish: What I thought we'd do is take the testimony and then have mike jordan come back--

Eudaly: Oh fantastic.

Fish: And describe what information is subject of the non-disclosure and then what our next steps are in terms of engaging the council in decision-making.

Eudaly: Fantastic. Thank you. All right.

Maggie: I would like to second the motion against non-disclosure agreements, as well.

Eudaly: Please state your name for the record.

Maggie: Pardon?

Eudaly: Please state your name for the record.

Maggie: Oh, maggie. Of homeless town hall. I think we all know what happened in flint, michigan. They switched the water without telling anyone and said oh, these poor people can have this bad water over here, and these rich people over here can have the good water because we don't have enough. That's what happens when you have non-disclosure agreements. So I am all for transparency. Because what happens when you do things in secret, poor people, people who are disenfranchise, people who are marginalized end up getting the shaft, and the rich people end up getting the good stuff. So let's be more equal, more fair, more transparent, more inclusive. Thank you.

Eudaly: Thank you.

Charles BridgecraNe Johnson: Good morning, commissioners. For the record, charles bridgecrane johnson. We do live in a complicated real estate market during late stage capitalism, so perhaps later on we will get a better understanding of the necessities for this non-disclosure agreement, but I think that in an environment that has recently had the discussion of white male privilege, I can hardly think of a more white male privileged type of thing than to involve, of all places the city of lake oswego into a non-disclosure agreement. That seems like the summit of patriarchy and whiteness.

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Fish: Charles can I respond to one thing? It won't go against your time. The wastewater treatment plant is located within their territorial boundaries, and in fact, we cannot do anything at this wastewater plant, including upgrades or other changes going forward without observing their land use processes and getting their approval, so it is a, an unusual situation for Portland to be within the jurisdiction of someone else. We are required to play by their rules, and the confidential information that we are exchanging as mike will describe when we bring him back is stuff that's otherwise exempt from the disclosure under public records law, although that does not prevent people from seeking it through other means. But that's why we are here. We are within the territorial boundaries of another city. And we are required to play by their rules.

Johnson: Thank you, commissioner Fish, and I appreciate also the adjustment of my time there. Karla, you are the best. So the situation, and of course, like I said when I preface my remarks, the city of lake oswego all over, both our cities are experiencing growth, so I can understand there might be some financial and legal incentives to go with the non-disclosure agreement that will result amazingly in a net benefit for us. It's just ironic that generally we talk about open software and transparency as being the best paths, but there are times when, in a complex society that's not the case so it will be interesting to see what we're informed with commissioner jordan. Thank you very much.

Eudaly: Thank you. Welcome. Please state your name for the record.

Moore-Love: Jeanne Connett I believe was the last name and Daniel Mal-

*****: I think I signed up on the wrong -

Moore-Love: Which item did you - why don't you come back up.

Eudaly: Welcome. Please state your name for the record.

Jeanne Connett: Jeanne Connett. Good morning everybody. I was really hoping our fearless leader would be here today. But, since he's not, I will say this, i've been gone for a long time. What I want to know is what happened to the willamette river? You all have been dumping millions into it for years, and it has become more polluted since i've been gone than it was back in the '70s when I marched in the streets to fix it. So when you start talking about -- you were talking about lake oswego like they are a different country, and disclosure is disclosure. I don't think that there should be anything made from our representatives to the people without the people being able to have it totally disclosed. I would like to know where my money goes. I also would like to know what happened to the Willamette river altogether, guys. Millions and millions of this, our leaders taking money and pouring it into a river that -- where I grew up now there is this much sediment that says that if you come anywhere near this or contact it, you will have mental disabilities for the rest of your life. That's funny because me and my brothers, we all played down there as children over years and years and years. And now all of a sudden there is something down there that's making the river even more toxic than it was. I don't understand that, like I don't understand that at ted wheeler made in his effort to become mayor saying he was going to house the homeless. He still hasn't gotten it done.

Eudaly: I need to remind you to stick to the relevant testimony.

Connett: I'm done. That's it. Thank you. Have a great day, guys.

Fish: If I can invite mike Jordan to back for a moment

Eudaly: Yes.

Fish: And director Jordan, could you - we've had a number of people raise questions in their testimony about what kind of information would be subject to a non-disclosure agreement, and we're talking about information that we would share with lake oswego officials, and they would share with us. Could you go a little deeper into that?

Jordan: Certainly. Thank you, commissioner. First of all, let me say that this agreement is really only for the discussions between the two cities. All the products of those discussions, whether it ends up being a land use process in the city of lake oswego, through their

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jurisdiction, or we will be entering at some point into a new intergovernmental agreement, both of those documents and the product of these discussions will have to come back to both city councils for their adoption and deliberation and potential adoption in a public setting. So this real -- and I might add, also, that there is the potential for a third party to be involved in this discussion, which it -- could be a contractor to actually build the plant, and the proposals and the financial discussions between them to try and figure out if this is even feasible, is the kind of information that is subject to this. I might also add that should a public records request be filed for some of this, it would be considered by the city attorney's office, and we're not allowed to not divulge things that would be subject to the public records request, and -- in Oregon. So while this allows us to have confidential conversations, the product of those conversations must come back to the public bodies for their deliberation.

Eudaly: Any questions or further discussion?

Fish: Thank you.

Eudaly: Thank you. This item is an emergency ordinance. Karla, please call the roll.

Fritz: Aye. **Fish:** Aye. **Hardesty:** Aye.

Eudaly: Aye. [gavel pounded] the item is passed. Karla, please call the next item.

Item 62

Eudaly: Commissioner Fish.

Fish: Thank you very much, madam president. Colleagues, each of us set priorities and goals for each year, and two of my priorities are to lead an effort to convert brown field to productive use, particularly in areas that have experienced the negative consequences of vacant land that's polluted and to do so with an equity lens that ensures that there is a community benefit when we make these transitions. The second priority that I have is to continue to build on an extraordinary partnership, which we have with the army corps of engineers, which allows us to welcome juvenile salmon back to the city and meet some of our obligations under the endangered species act. This is one of the shining examples of what partnership looks like, and I am very pleased to introduce this ordinance, which lays forth the next steps, series of steps in the willamette salmon restoration projects and help us to move forward to recover salmon that are protected under the endangered species act. Sometimes we're asked what's the benefit of restoring our rivers for salmon. Well, in addition to the fact that we are required to under federal law, but what we're also doing is restoring our waterways for people. Not only are salmon integral to our cultural heritage, but the health of salmon is one of the clearest indicators of water quality and healthy rivers. We have a lot to do, left to do in our community, but we are building on a record of success, and we have a unique record of collaboration with the u.s. Army corps of engineers on salmon restoration, deploying their construction expertise and in securing substantial federal dollars to move these project forward. Just this fall I had the opportunity with community partners to celebrate the completion of our most recent collaboration, which is the construction of a salmon subway at oaks bottom wildlife refuge. That restoration project reconnected the river and the wildlife refuge for the first time in a century to benefit juvenile salmon and many other wildlife species that rely on oaks bottom. The parks bureau manages oaks bottom, environmental services led to project management, and the corps managed the construction. That's what deep collaboration looks like. Before oaks bottom, the same partners restored crystal springs creek, a project that commissioner Fritz had a big hand in, and just this winter, a city engineer who helped to design the culverts at crystal springs was out on a sunday run when he looked at the creek from one of the culverts and saw a pair of salmon spawning and captured it on film. These projects are working at a very high level, and we can be very proud of them. We now have a unique opportunity to seek federal funding for a package of five new restoration projects under wrda, the water resources development act, a little known

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acronym, but for Portland, a fantastic opportunity, and thanks to our congressional delegation for keeping the eye on the ball, and we'll be hearing from kaitlin lovell in a moment. I understand that she is getting on a plane either today or tomorrow to go back to d.c. to do some additional lobbying. So I am going to introduce kaitlin lovell, the environmental services science integration division manager and a great champion for this project, and emily roth, Portland parks and recreation senior planner who also is a great champion. They are here to give us a brief presentation, and colleagues, before I turn to our guests, I have a substitute that I want to hand out, if you could pass this down. The substitute that I'm furnishing you has some modifications made by staff to tighten up the language and also has a change or two proposed by commissioner Fritz, and I would ask that this substitute be seconded so that we can lay it on the table.

Fritz: Second.

Fish: So madame president, the substitute is now on the table, and I am going to turn the protects over to kaitlin. Welcome.

Kaitlin Lovell, Bureau of Environmental Services: Good morning, commissioners. Thank you for the opportunity to talk to you about the lower willamette river environmental dredging and eco-system restoration project. A project that will benefit salmon, trout, lamprey, tribal fishing opportunities, amphibians, reptiles, migratory birds and mammals. This mouthful is the official federal title of the project, however, here in Portland we use the shorthand willamette salmon restoration projects. We are creating salmon sanctuaries and tributaries throughout the city, but the willamette river really is the silver bullet we need to recover salmon in the city to earn the title, salmon city usa, where we bring science and people together to create a salmon culture that defines Portland. We started with the cso, and this is our next big investment. This time we have the corps of engineers to help. The project, the corps views it as a project with multiple parts. It was originally conceived as a possible restoration project for Portland harbor. The corps actually concluded that we needed it on an independent trajectory. They started out analyzing 45 projects, ironically two of those projects included crystal springs and oaks bottom, so we were getting ahead of them. They ultimately selected five projects based on their cost effectiveness. Those five projects are replacing the culvert under highway 43 at tryon creek which would open up all of tryon creek to salmon for the first time since it that culvert was constructed. Reconnecting oaks crossing adjacent to the sellwood riverfront park. It's sort of a mini-oaks bottom project, a sibling project. The bes plant, there is a wetland next to the bes treatment plant that would be reconnected to the columbia slough, kenton cove is a small alcove in front of Portland international raceway that would be restored in stream and revegetated and then side channels at kelley point park. This package of projects was approved by congress and signed by the president in 2016. We are waiting federal appropriations. All total, the project would improve 74 acres of habitat, 2.7 miles of restored stream and result in 1430 habitat units. I know that's a vague term. It's what the corps uses to measure the benefits. In total it would cost \$30 million, and that was in 2015 dollars. This package represents the fourth partnership with the corps of engineers. It is the largest and by far the most complex, but we have many lessons learned from our past partnerships that position us both to succeed. Bes served as the non-federal sponsor in the columbia slough while bes and parks jointly served as the nonfederal sponsors in crystal springs and oaks bottom. As commissioner Fish stated these projects were great partnerships for salmon and are a welcome example of a federal program where we've been successful in securing substantial federal funding, about \$15 million to date. Salmon are the primary indicator of a clean and healthy river and a healthy environment supports a healthy community physically and economically. These projects serve as prime educational opportunities throughout the city. I would like to note, however, that it's possible that not all these pieces will be built. There's still a lot of design work to be done

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and depending on the corps' timeline and funding both parks and bes will need to agree especially on when and how to proceed with oaks crossing and Kelley point park, both because of potential funding availability as well as potential change site in conditions. The role Portland plays in this is as the official nonfederal sponsor. Our obligation is 35% cost share and in this case that is estimated to be a little over \$10 million. Our primary responsibilities include securing actual sites, doing the permitting, pre- and post project requirements. A key effort is securing partnerships and I would like to call out here in the audience today the johnson creek watershed council executive director, daniel newberry who is a key partner in the crystal springs projects, and mike houck with the urban green spaces institute, who was a champion for decades for the oaks bottom project. They will be joining us after this presentation. While congress has officially approved the project they have not yet allocated funding. Much like we're asking you today to give us the authority to enter into agreements with the corps, you will retain the ability to approve budgets annually. You will also retain ability to approve our federal agenda annually which would include requests for funding. We are working currently as commissioner Fish said with the office of government affairs to influence this year's federal budget to get started on the design work and ultimately construction. Of the 35% cost share that we have it is estimated that the value of our lands, easements and rights of ways would account for \$9.3 million of that. So the actual financial outlay would be satisfied through working kind in cash and we estimate it to be less than \$2 million for all five projects.

Fish: And colleagues, in your red lined version of the substitute ordinance at paragraph 11, we have made clear that the vast majority of the city's estimated cost is satisfied through a credit through the value of lands, easements and rights of way. So our actual out of pocket cost in terms of the overall projects is extremely modest. Again, we could come back to council through the normal budget process and through the normal order to seek authorization for any expenditures going forward.

Fritz: Commissioner presumably staff time would count into the remaining \$2.5 million?

Lovell: Yes.

Fish: I think it does.

Lovell: It's been very valuable. The federal share of this would roughly be about \$19.6 million. So what we need from you today is approval for the authority to enter into these agreements with the corps and other partners to execute these projects. We're not asking you to fund future councils. We will be coming back annually for budget approval. The types of agreements that need to be quickly executed or amended include things like the corps' project partnership agreement, real estate agreements, access agreements such as the one we entered into with dick samuels for the oaks bottom project and many other elements the project that the city leads in order to keep the project on time and on budget. This authorization gives the directors of bes and parks the authority to enter into these agreements but those cost agreements are dependent on council approved budgets. We are not asking to bind future council. This is just a recap. We're federally approved by awaiting appropriations. We can through this authorization enter into some preliminary work such as access agreement, some survey and some geotechnical work. Bes has approved the funding in its five-year capital budget that will be coming to you as part of the budge process. As I mentioned bes and parks will annually seek funding for these. So this is not new. This is actually a renewal of an authorization that council granted to us earlier in 2010 that we used to successfully complete the crystal springs and oaks bottom projects. So I just wanted to touch on those two projects really briefly. The westmoreland 206 partnership with the corps replaced three culverts at southeast umatilla, southeast tenino and southeast tacoma. It created the brandon natural area and most visible, it transformed westmoreland park into a new playground for salmon and people. Emily is here to talk about the oaks bottom project.

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Emily Roth, Bureau of Environmental Services: Thank you. Good morning, council. As you heard from commissioner Fish, the oaks bottom project reconnected the willamette with oaks bottom wildlife refuge. This took ten years of planning and in short finally we're able to upsize the culvert under the springwater trail and railroad, remove a mini-dam, recontour the channel and restore native vegetation. Our relationship with the corps started with a 2011 ordinance and because of all the changes and the stops and starts, we were able to be nimble with the corps as they changed authorities and funding sources. It was a stop and start project. And with all of that happening, it allowed the city to fill the gaps because we were flexible. We were able to negotiate directly with dick samuels for a 30-day railroad closure, by corps and the contractors could use that to haul. Similarly, as you may have heard, we had to close the springwater corridor for four months but because of our outreach and public involvement, we were able to fill those gaps and have detours and keep all of our commuters going. Our fish experts also conducted the fish salvage, an effort to save fish and aquatic animals, in the project site, and transport them out of the construction zone. Because of all of the existing agreements in place signed by our director, this work was categorized as work in kind and counted towards our 35% cost share. We will be having a nice viewing platform that will be built along the springwater that's happening in april as part of the project. A big recreation boost. We are excited about the prospect of adding more projects like oaks bottom to the willamette river, to continue moving forward for a clean and healthy willamette, for people, fish and wildlife, and we rely on these authorizations to be able to continue our financial advantage partnership with the corps. I also just want to note that ultimately the reason we have been so successful at the national level in competing for these projects and in our urban environment with the corps is because parks has an excellent record for protection and stewardship of these lands and a long-term commitment in stewardship in parks that we can be good stewards to these new investments. Without that baseline excellence and the confidence of future success we wouldn't be able to attract the corps nor would we be competitive, especially in an urban area.

Lovell: Thank you. That's the end of our presentation. Do you have any questions?

Fish: We have two invited guests. Should we bring them up? Is mike houck here? Mike is here. We also have our friend from the johnson creek watershed council. So, gentlemen if you would come forward. This is our invited panel. Thank you both for being here.

Daniel Newberry: Thank you, commissioners, for this opportunity. The johnson creek watershed council has a lot of overlapping mission with the bureau of environmental services and what they are doing in the streams around Portland. In particular in johnson creek we work a lot on fist passage too. A lot of the projects that you've just seen are about opening up new habitat that fish are, salmonids not currently able to get into. I just want to point out that one of the reasons that we are doing, in our organization we're doing this kind of work is to provide eco-system resilience with climate change. As we're seeing streams all over the northwest are getting hotter and hotter, and one of the big strategies to try to combat that and to make sure we continue to have salmon is to open up cold water habitat that's currently blocked by culverts. So I would just like to go on record to say I really support this partnership with the corps of engineers that will allow additional cold water habitat to be opened up to salmon. Thank you.

Fish: Thank you very much, sir.

Mike Houck: I'm mike houck director of urban greenspaces institute. I can be very brief. I will start out by saying that i'm very excited about the work at oaks bottom wildlife refuge. I actually got involved with oaks bottom 49 years ago, literally almost a half century, when the city was actually contemplating filling oaks bottom for a motocross course and a number of other uses that we were not very excited about. So it's taken 49 years. I'm grateful I don't have to wait for another 49. The fact of the matter is city staff in parks and

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bes have done amazing work over the years but a lot of its been around the edges simply because there haven't been the resources that have been needed for truly heroic efforts like oaks bottom and these other projects you've heard about. The only way we are really going to have a major impact on improvement in the willamette and its tributaries is by partnering with the corps and other parties. So, I'm just hopeful you'll approve this and we'll move forward on these five projects. I will point out, however, I also got involved with ross island 1979. Council was on the other side of this room when we were talking about trying to protect ross island and the herons that utilize ross island. It's been a long time coming. The responsibility for ross island sand and gravel to do restoration will be relatively minimal compared to what could be out there, and it's not on the list but I would urge the city to consider making sure that oaks bottom, the ross island archipelago, four islands and holgate channel be viewed as an ecological unit and in the future we have an effort with the corps and other partners to truly have one of the most amazing in the middle of the city ecological systems in the country. I would hope that the corps will be brought into that effort as well.

Fish: Thank you for that, mike. I did get your extensive email and materials so thanks for furnishing that to us.

Houck: Great. Thank you.

Fish: That concludes our presentation, madam president.

Eudaly: Karla, is there any testimony?

Moore-Love: Yes, we have four people signed up. The first three are edith gillis, Maggie, and Charles bridgecrAne johnson.

Eudaly: Please come up. You have three minutes. Please keep your testimony relevant to the item at hand and don't forget to state your name for the record.

Edith Gillis: Good morning, my name is edith gillis. I'm coming to you with a lifelong calling and passion reflected in my first degrees at the university of Oregon in field biology, recreation park management and education. I strongly support the general concept of this, and i'm also strongly encouraging you to pay attention to including citizen scientists. As a volunteer for bark I was able to protect the safety of our drinking water by stopping a timber sale when I found a very rare endangered small animal eating plant colony. We have to let the folks know it's not just about saving fish and making nice little parkways for rich white folks to raise their property values and our tax income. We need to have healthy fish because through them they are bringing the marine nutrients to our trees and forests that we need to have in order to culm and attract the clouds which we have to have to manage the safe, healthy precipitation that we need for our drinking water, for our air purification, and for our safety, fire prevention, et cetera. So we really need to let the public know why what you're doing is important for all classes, cultures, income, and recreation interests. It's the best way to invest our funding if we really engage the public in transparent, timely ways to get our information and feedback. I have been able to solve problems that would have saved us billions of dollars and at other times I wish I had known in time that I could have saved us billions of dollars, as well as having volunteers. I love working with solv and others in order to restore our waterways. Congratulations on this good concept. Let's watch the follow-through in the details.

Eudaly: Thank you.

Charles BridgecrAne Johnson: Good morning, commissioners. For the record Charles BridgecrAne johnson. As Edi alluded to, and it was also mentioned directly in the presentation, that the situation for salmon, their return, is indicative of actually a healthy environment for all of us. I don't know how other people have had a chance to review this agenda item online, it comes with an additional 70-page exhibit. I think perhaps the best argument in favor of you all voting for this is the fact that bob sallinger is not here, columbia river keeper is not here, et cetera. So it looks like between the bes and the corps

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of engineers, you have even if these 70 pages don't specifically spell out a big role for ngos and nonprofits at least the process has happened where the most diligent and committed and often paid even less than the lowest water bureau employees, bes employees, people at perhaps even the columbia river intertribal fish commission, have become aware of this. There's no objection here. So let's get to work on repairing and protecting our bio region. Thank you.

Eudaly: Thank you.

Maggie: As a fan of rachel carlson, I think we need to listen to our environmental scientists and realize that even if we lose one thing in the system of an eco-system, it's like a domino. Everything falls. So as long as the corps of engineers are building things up to support the eco-system, i'm all for it. I'm all for consulting our environmental scientists and engineers about protecting all life. Thank you.

Eudaly: Thank you, Maggie

Gillis: I didn't use up all my time. I wanted to quickly say that this project if managed properly attending to the details is also much better for emergency preparedness and disaster resilience.

Eudaly: Thank you.

Moore-Love: The last person who signed up is Jeanne Connett. Is Jeanne here?

Fritz: She left.

Eudaly: Is Jeanne here?

Fritz: No she left.

Eudaly: Alright, we're going to close the list and allow mr. Lightning to give testimony.

Lightning: Yes. My name is lightning. I represent lightning super humanity. I didn't hear anything on what we would do with the contaminated dredging materials and if you have a location to actually take that to because as you know from my position I have a real problem with projects being done and they take it to the center of the river in another location and dumping those contaminated dredging materials at a different location so if that's what you're planning to do i'm absolutely against any of this. Issue number 2 is --

Fish: Can I just address that?

Lightning: Yes, if you could address, thank you, sir.

Fish: We're not doing dredging. We're changing culverts and other water flows in order to promote safe places for juvenile salmon. But this does not -- dredging and the work that's going to be done on the river through superfund is not part of this plan.

Lightning: Okay, and I'll respond to that. Ross island was brought up also, and other locations by some of your speakers. So that's why I said dredging. And on your presentation it also said dredging on your presentation. So that's why I brought that up. That's a big concern to me on where those contaminated materials go. The reason why I say that in my opinion submersible land is owned by the state, controlled by the state and it's their responsibility but i'm not hearing where the state will be adding money and how much they will be adding. Now, I do agree on the federal government stepping in and also when we're talking dredging the superfund site, it's very necessary, but in my opinion, the point brought up on the climate change issues which I think was a very good point you brought up, as you know, the people sitting in this room we're looking at a very serious situation this year on the snowpack itself. We're looking at a very serious situation this summer, plain and simple. I lived on the river 12 years, lived out 750 feet from the bank on the river for 12 years, so I understand how this river can adjust and change just with the snowmelt off, just with the rainfall, and you can analyze that just by standing there and looking from the bank and how that actually changes. With ten years of experience out on the river I have a clear understanding on what we're going to face this summer and again, one of the other concerns I have is I didn't hear anything about the native americans and on the treaties and where their position was on this because to me when we're talking

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about the river and salmon, we basically took away their ability to make any type of income or feed their families, and we should be focusing on that at the top priority on what they think should be done, what they think should be the right thing to do, and how things should be done. I didn't hear anything on that issue from any representatives up here besides commissioner Hardesty. So that's my main focus. I just want to make sure that's looked at very close and understand what do they have to say about this. Period. Thank you.

Eudaly: Thank you.

Fish: That concludes our presentation and I think we need to adopt a substitute and then take the ordinance as an emergency.

Eudaly: All right. Karla, please call the roll on the substitute.

Fritz: Thank you, commissioner Fish, for your amendment -- am I taking it that you, it's, that the substitute at the emergency? Or were you planning to add an emergency clause?

Fish: I'm sorry, it's a nonemergency. Were fine with a nonemergency.

Fritz: I just wanted to know when should I make my big speech. I've got a big speech. So if it's now, now I'm ready.

Fish: It's a nonemergency:

Fritz: Okay good. So I'll start again. Thank you, commissioner Fish, for your work, for your staff and both bureaus. Thanks to Kaitlin Lovell and Emily Roth. I think between you, you have decades of commitments to our watersheds and our communities and our natural areas, and a lot of the progress we've made is thanks to you two women, so thank you very much for all of your work. Thanks to Jamie Dunphy and commissioner Fish's office, and Meeseon Kwon in mine for work on the amendments. One of the most important to me was adding in the resolved to reflect the fact that has been commissioner Fish's intent all along that this agreement just applies to these particular projects. It's not a blanket or designation of authority. So I'm very pleased to support it. Thank you, commissioner Fish. Aye.

Fish: Well, thank you. We're pleased to bring this substitute forward. We got a lot of constructive feedback from colleagues and from staff. Thanks to both. I just give you a preview what I'm going to say next week which is there's a lot to be discouraged about these days in Washington D.C. But there's this little known program called WRDA, the water resources development act which has become really one of our lifelines. We are so grateful for our congressional delegation for fighting to put this in the budget and then helping us with the appropriations. In the current congress we're now very well positioned with our senators and our representatives in key leadership positions so we have a high degree of confidence but leaving nothing to chance we're dispatching Kaitlin to D.C. to do some lobbying. One of the great joys in my life of having both the parks bureau and the bureau of environmental services report to me is that we now have the two bureaus that are the lead in this effort working together with our office to make this happen, and it's exciting. We won't see our two guests next week but the Johnson Creek watershed is one of our great partners. So we thank you again for all the work that you do. Mike Houck, for 49 years he has kept his eye on Oaks Bottom. Mike is effective because he takes the long view, and we will take up his challenge on Ross Island and Holgate Channel because that is a great opportunity for us down the road. I'll have more to say next week when we adopt this, but again, this is one of my priorities for the year. It is one of the shining examples of an effective partnership between the city and the federal government. And I'm very grateful to everyone who brought this forward. Kaitlin, and Emily in particular, and I also want to acknowledge a Jamie Dunphy in my office. Aye.

Hardesty: I think everything has been said about how fabulous this particular partnership is. Aye.

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Eudaly: I want to thank you for your presentation and I want to thank everyone that gave testimony today. I agree with all of it. Mr. Lightning, I never know where you're going to come down on an issue, but today I have to say I absolutely concur with you and while I can't speak to the level of engagement with tribes on this matter, I can assure you that with the creation of the director of tribal relations and hiring of Laura John that these issues are more in the forefront of our minds than I think they ever have been. The guarantee of fishing rights was critical in the agreement between tribes and the U.S. Government in the 19th century, which led to Native Americans ceding these lands giving Native Americans the right to fish at all usual and accustomed places. Fishing was critical for their subsistence, for trade, and for their religious and cultural activities. I consider the degradation of our river and endangering multiple salmon species to be a failure to honor these treaty rights. The access guaranteed by them. These treaties are not relics. Neither are Native Americans. Doing right by our river and salmon as well as honoring our obligations, our treaty obligations, will benefit us all as well as the environment. I'm very pleased to support the substitute and looking forward to passing this item next week. Aye.

Fish: Thank you.

Eudaly: All right, this item is a nonemergency ordinance. It moves to second reading. Karla, please call the next item.

Item 63

Eudaly: All right. This is mine. Colleagues, approval of this resolution will authorize the city to apply to join in the national network of other jurisdictions. I would like to invite the following speakers to come to the table to present at this time. Winta Yohannes, policy advisor from my office, Lisa Lesage from immigration counseling services. And Victoria Muirhead from Innovation Law Lab. Welcome. Thank you for being here. Please state your name for the record before you begin.

Winta Yohannes, Commissioner Eudaly's Office: Good morning, commissioners. I'm Winta Yohannes and I serve as policy advisor in Commissioner Eudaly's office. Today I'm joined by two members of Oregon Ready Coalition as well as others supporters in chamber to update you on the universal representation work and seek approval to submit an application on behalf of the city to join the Safe Cities Network convened by the Vera Institute of Justice. The Vera Institute founded in 1961 seeks to drive change, to urgently build and improve justice systems that ensure fairness, promote safety and strengthen communities. As a leading national policy and research institute, it is currently operating more than 50 projects in at least 40 states. After nearly a year of the Trump administration's relentless attacks on immigrant communities Vera launched the Safe Cities Network in 2017. Through this initiative Vera aimed to coordinate and support local jurisdictions in their effort to launch universal representation programs to provide legal defense to immigrants facing deportation. The 12 jurisdictions who participated in year one received catalyst grant funding and technical guidance including trainings for legal service providers as well as data collection and strategic communication support. At that time the Office of Community and Civic Life and New Portlanders Policy Commission were convening the Welcoming, Inclusive Sanctuary City Task Force and the Oregon Ready Coalition was developing a proposal for the state's first universal representation program. These efforts converged and the creation of a legal defense fund emerged as the task force's priority recommendation to council in March of 2018. Shortly thereafter, council unanimously approved \$500,000 in funding to launch Oregon Ready's proposal for the first universal representation program in Oregon. Joining the safe network will help Oregon Ready deliver on directives from council to track clear out comes, to leverage the city's initial investment and expand the network to neighboring jurisdictions. Oregon Ready's innovative model coupled with council's shared and unwavering commitment to this work stand to put Portland on the map as an emerging national leader in this area. Finally, today's resolution

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is merely focused on gaining authorization to join the safe cities network, however each time we discuss the topic of universal representation it's important to highlight the following two things for the general public. One, immigration policies absolutely have an impact on local communities. In fact there are currently 776 residents with pending removal cases in east Portland according to the transactional records access clearing house. And two, data from the Portland immigration court indicates that 82% of cases where parties are unrepresented result in orders of deportation. With representation only 29% of the final decisions result in removal. This stark disparity makes it clear that universal representation is ultimately about protecting everyone's constitutional rights to due process and preventing the deportation of those who have a legal right to stay in the communities they call home. This safe cities network will help us advance the city's goals and expand our community partners' capacities. Thank you for your consideration.

Victoria Bejarano Muirhead: Hi, my name is victoria bejarano muirhead. I'm representing the innovation law lab as well as the universal representation committee of the Oregon ready coalition. I would like to extend my thanks to the council for the opportunity to address you today and I would like to recognize my colleagues from the Oregon ready coalition that are here today. I would also like to thank you for making the vision of universal representation a reality here in Portland. Thanks to your generous support, the equity corps of Oregon was launched in october 2018. This crucial investment assures that Portlanders that are in deportation proceedings will have legal representation. And as winta shared legal representation is one of the key indicators of whether or not someone will receive immigration relief. For context, all of the cases won between 2000 and 2012 were reviewed and it was found that 95% of those winning cases had legal representation whereas only 5% were able to be successful without it. Similarly, other jurisdictions have become part of the safe cities network, have seen the number and percentage of cases won rise since implementing universal representation programs. Though it's only been a little more than three months since equity corps of Oregon launched here I want to share what your investment has made possible so far. Since october 2018, firstly, over 50 community navigators have been trained. These community navigators are either staff or volunteers embedded at social services, religious and community organizations. These navigators now have the tools and training to make them empowered to conduct intakes and send referrals to the universal representation program. They have already sent over 70 our way. Secondly, over 140 individuals have been screened for legal representation services. With about 100 ultimately eligible for case placement. Among the cases that we have placed so far include cases for asylum seeking families who were separated at the border as a result of the trump administration's zero tolerance policy. Thirdly, in the span of three months we have held three workshops, two geared around knowing your rights, and one that provided assistance to individuals who were filing formal asylum applications. The workshops were well attended and people were really excited about finally having a tool to complete very important legal work for their cases. Fourthly, because of this investment our equity corps attorneys have provided basic services to individuals who are in removal proceedings. For example, filing the asylum applications and changing immigration court venues for individuals who were released from detention elsewhere and then came to Portland as their final destination. Finally, I want to share with you that the very first case that was placed through equity corps did go to court. Unfortunately, because of the federal government shutdown they have not received appear final decision yet. However, in this particular case, it's important to mention that legal representation was provided for a family that up until then had not been able to secure an attorney. Now because of the equity corps program they have a fighting chance at winning their claim and being able to stay here in Portland. Given the federal government's repeated attempts to unfairly and unlawfully target immigrants of color, local action is more important than ever before.

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Joining safe cities is an important step forward. By doing so we affirm Portland's commitment to being a welcoming city.

Eudaly: Thank you.

Lisa LaSage: I'm Lisa Lesage. I'm an attorney and the executive director of immigration counseling service and we are one of the direct service providers in equity corps. We're also Oregon's oldest and only independent nonprofit law firm providing services to immigrants since 1978, and we also have the state's only unaccompanied minors program where we represent all children who are under the age of 18 detained by ICE here through the Vera Institute of Justice. We have been working with the Vera Institute since 2008 so they have been a partner to us in providing funding with tactical and technical assistance for the support and the legal services that we provide. Vera reached out to ICS when they heard about the city of Portland's discussions surrounding the safe cities or the I should say sanctuary and asked us and Oregon ready [inaudible] to participate in the first Vera sponsored safe cities conference in New York City. It was really inspiring listening to cities and municipalities around the country how this funding for universal defense has made a profound difference in their communities and how they have been able to leverage city and county and state funding to provide legal services. We have been in continued communication with Vera on this issue. This would be a fabulous opportunity for the city to leverage its funds to receive additional support from the Vera national network for this important work, as well as technical support. ICS, as a Vera provider here in the state, stands ready to help the city in any way we can to facilitate the relationship with Vera and we urge you to vote yes on this. Thank you.

Eudaly: Thank you. I believe that concludes our invited testimony.

******:** Yes.

Eudaly: Any --

Fritz: Thank you all for being here. Thank you, Commissioner Eudaly, for leading this work. It's very impressive. My understanding it doesn't cost us anything to join this group and there's a potential for us to get a grant of up to \$100,000. Is that correct?

Muirhead: That's correct, commissioner.

Yohannes: That's correct.

Fritz: Thank you. I'm seeing nods. Where does Vera and Safe get its money from?

LaSage: They get it from a nationwide donor database. So they have been around for since 1961, I believe. So they have major donors that give them funds. This is where they receive at least for safe cities funding is my understanding.

Fritz: And does Vera and/or Safe stand for anything? Is that an acronym or --

Yohannes: Yes, it is safe and fairness for everyone.

Fritz: Great. And do we know the origin of Vera?

Muirhead: I do not.

LaSage: The name?

Yohannes: Yes. The first project that Vera actually worked on was related to reforming cash bail in New York City, and a gentleman who led this work later named the organization after his mother, I believe.

Fritz: Winta Yohannes, you are absolutely fantastic in the amount, the breadth and depth of your knowledge.

LaSage: It's amazing.

Fritz: I know that many of us here at Portland, there's only one person that we associate you with its name, Vera, so it's really very near and dear to my heart that we're doing this. Thank you very much.

Yohannes: Thank you.

Eudaly: All right, Karla, is there any testimony? Thank you.

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Moore-Love: Yes. We have four people signed up. The first three are Robert west, edith gillis, and Maggie.

Eudaly: Welcome. Please state your name before you begin your testimony. Make sure to keep your testimony relevant to the item at hand.

Robert West: Okay, first of all, I would like to say that I support this as long as there's no city money going into it.

Eudaly: This is accepting a --

West: Yeah. Everyone has a right to legal representation regardless what it is. People should even if they are being deported they should have a right to legal representation. And you know, that's under the u.s. Constitution. Because being an illegal alien in this country is a criminal act. I disagree with that but that's the way it is. So due to their charged as a criminal act, they are entitled to a lawyer. Okay? One of my concerns was if the city's putting money into it, are they going to represent criminal aliens and is that going to make Portland look bad.

Eudaly: Mr. West, if I could pause the clock for a moment, this is simply a resolution that will allow us to apply to join a national network with other jurisdictions. There is no financial cost or budget impact.

West: Yes, I said i'm for that. I just said that's what I was concerned of. And when I heard it was just a grant and they are applying --

Eudaly: So the item at hand is whether you're for or against us being able to apply to join this network.

West: I'm for it.

Eudaly: Great. Is your testimony concluded?

West: That's it.

Eudaly: Thank you.

Edith Gillis: Hello, my name is edith gillis. I spend eight to 24 hours a day for a month as a street medic and an all around volunteer in support at the abolished ice camp. You've heard me testify many times about this. For years I have been active in the community praying for and supporting folks, as well as for years providing a safe home for people seeking sanctuary from torture. I want to thank and bless you so much, and all the rest of your teams. You have saved lives and you saved my hope and you too for Portland becoming a more sane, safe, humane and fair community. Bless you.

Maggie: I'm also in support of this resolution. I think trump's policies are a crime against humanity. I would like to see no person who applies for asylum turned away. Regardless of what the reason is. And I would like to talk about her testimony. One of the women who testified about how important legal representation is to them not being -- immigrants not being deported. I want to tie this into what I see on a daily basis with people being evicted from either private housing or public housing, [coughing] elderly, they are in wheelchairs. They have got walkers. They have got parkinson's, they've got dementia, they've got alzheimer's. And they lack legal representation. When I take them down to aging disability

—

Eudaly: Maggie.

Maggie: I find out they do not have their disability. And it's because they lack legal representation.

Eudaly: I need to get you back on track. This is whether or not you support this.

Maggie: And I'm tying this in to --

Eudaly: I understand but you're going off track.

Maggie: These people would be deported without their legal representation. And i'm saying the homeless are unhoused because they do not have legal representation. Thank you.

Eudaly: Thank you.

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Moore-Love: One more person. Charles "bridge crane" Johnson.

Eudaly: And Mr. Lightning and we're going to close the list now.

Charles Bridgecrane Johnson: Good morning, commissioners. For the records, Charles bridgecrane Johnson. As commissioner Eudaly has pointed out we're focused just on this one small, great part of work that the Vera Institute for Justice does. I have to say that I did appreciate the bridge craning of Maggie, because we also have a public defender crisis in the city so I hope that the city as it votes yes to get involved in this network will also know there are other situations where inadequate representation particularly affects people of color is a crisis in Multnomah County. And the Vera Institute which we should vote yes on this item and join, is also focused on some things the city has taken positive initiatives on, reducing mass incarceration, being particularly attentive to the disproportionate effect of marijuana crimes. So I look forward to you passing this item, especially in the spirit of the city doing everything it can to improve representation in a broken Oregon justice system. Thank you.

Lightning: My name is Lightning. I represent Lightning Super Humanity. Yes, I do approve of us moving forward on this. It's my understanding, though, that safe cities is tied to equity corps, which we did already approve a \$500,000 funding in the budget. So when I'm referring back to that number I'm just reading off the resolution itself. Now, again, I absolutely want anyone facing deportation to have representation by an attorney. Plain and simple. So I like that direction. I like to see that happening. I like to see the success rate that we have because of that. Now, some of my other concerns, not really a concern, Vera Institute is really a very impressive institute. I like the fact of we're not just talking immigration. They go into the prison systems, the reform, solitary confinement. These are all very important areas all tied to this subject. They take it very serious. So you know from my position any type of funding that may go to them in the future I wouldn't hesitate on anything, a million or plus, without any doubt to this institute. They do outstanding work. One of the things that we have used is that term universal and I'm hoping the Vera Institute can also maybe do a bigger picture analysis. I'm sure they have. That what happens if we implement the universal basic income? What happens to the migration, the immigration, the system itself? How can that benefit all the people if we're not moving to different locations just for economic reasons only. We really need to start looking at this very close and have that understanding is that a lot of people that might be here that are facing deportation, they possibly might have wanted to remain where they are at. I know there's a lot of other circumstances, but if it's economic, a lot of those people might have wanted to remain where they are at. We really need to start focusing on something more universal that would benefit all the people and we don't get into these type of situations to begin with. Thank you.

Eudaly: Thank you. Colleagues, is there any further discussion? This is a resolution. Karla, please call the roll.

Fritz: This is phenomenal work and I'm very happy to support it. Thank you to the Oregon Ready Coalition for bringing attention to this opportunity. To all the legal service providers participating in the universal representation project. To my colleagues on the Council for funding the initial allocation, and to commissioner Eudaly and her staff for looking into this program and bringing it to us. Thanks also to the Vera Institute for Justice and just everybody who has been involved in this. We are all sharing the urgency of doing things, practical things that can help and I particularly appreciate the statistics that were given showing the outcomes even in the first three months, so thank you very much to all. I'm very happy to support it. Thanks also to Yesenia Carrillo on my staff who is particularly expert in this area because she worked in a law office, immigration law office before joining my staff and I appreciate her guidance to me. Aye.

Fish: Aye.

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Hardesty: I also very much appreciate this resolution and will be voting in support of it. I still want to put on the record that there are others in our community that need legal representation as well. I hope that the city council, my colleagues, won't stop at just making sure that we're providing legal representation for immigrants who are facing deportation. That is an important issue, but we also have people who are being harmed in our community by police and other government agencies that are right here in the city of Portland and those people deserve legal representation as well and I hope we will broaden the conversation so that we can make sure that no one in the community who is being harmed are not receiving of their due process through our legal process. Aye.

Eudaly: I would like to put things in very simple terms. We have just heard a lot of information and statistics. Our federal government is criminalizing immigrants and refugees. They are violating their constitutional rights. As criminals they would have a right to representation. And they certainly have a right to due process regardless. However, we don't supply them with that. So this effort around universal representation seeks to remedy that situation. I'm so proud of the work that equity corps of Oregon has done and for their continuing to be on the front line of protecting some of the most vulnerable immigrants in our community. Building the first universal representation program from the ground up was no easy task. Continues to be challenging. Yet this powerhouse group of attorneys and advocates are doing just that while also simultaneously defending the rights of asylum seekers wrongfully detained and shared in the summer fighting attempted repeal of our sanctuary state laws on the ballot and much more. As we have discussed supporting universal defense of immigrants facing deportation is about safeguarding everyone's constitutional right to due process. It's declaring our values and allocating resources accordingly. It's about saying no to family separation and undue trauma in our communities. I appreciate that governor brown has included universal representation in her proposed budget and I'm pleased to continue to support this work. Joining the safe network gives us access to additional tools and potential resources but it's also an opportunity to show the great work happening right here in Portland as a model for other cities. So thank you again to my colleagues. Thank you to our presenters today and all who continue to push this work forward. I vote aye. The item is passed. On to our final item of the day. Karla?

Item 64

Eudaly: Thank you. It's a pleasure to bring this grant acceptance before council as it is a high priority safety project for the transportation bureau as well as speaker kotek and many of our shared constituents. In 2017, a student from george middle school was struck and killed by a car while crossing columbia boulevard. Columbia boulevard is a high crash corridor and this particular crossing is especially dangerous with school children present. In 2017, with the help of speaker kotek pbob was able to identify \$1.5 million in state funds for a project that would enhance a pedestrian crossing at columbia boulevard near the middle school. We then committed \$650,000 in local system development charges to cover early project development and a match for design and construction. We plan to begin construction this coming summer. The project will install a new traffic signal at the intersection of north columbia boulevard and north banks street right across from george middle school. The project will also install median islands on columbia boulevard and midway street and Oregonian street for access management. Project manager winston sandino is here to provide a few more details and the item will then move to second reading. Welcome.

Winston Sandino, Portland Bureau of Transportation: Thank you very much.

Eudaly: State your name for the record.

Sandino: My name is Winston sandino I'm the project manager for this project and I'm just trying to get the power point presentation here. Just give me a few minutes. Thank you

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very much. Sorry. So this ordinance is to accept the \$1.5 million in-house bill 2017 for a local project program, columbia boulevard safety improvements. Also will approve an iga with the Oregon department of transportation for design and construction of the project. I want to give you a little background of the project. In 2017, a student from george middle school crossed the columbia boulevard and was hit by a car traveling columbia boulevard. As you know, columbia boulevard is a high crash corridor and pbob is wanting to change that and make a safe corridor. In 2017, with the help of speaker of the house tina kotek, pbob was able to receive \$1.5 million for a project that could enhance a crossing on columbia boulevard and also look at the existing pedestrian bridge. So pbob received \$650,000 in sdc funds to start project development phase. So we started the early public involvement with the community. We had an open house in late 2017 where director at the time Leah Treat and speaker of the house Tina Kotek were present at the open house at the George Middle School. At that point we put several alternatives of design for the Columbia. We had a survey, and people were -- what we heard from people were that they wanted a safe crossing, not just a marked crossing but actually a signal crossing. They also talked about reducing the speed at Columbia. So we decided -- as you can see from this slide, it's a five-lane crossing on Columbia. On the left side where you see the street light, that's the entrance to the George Middle School. So it's a five-lane over 60 feet wide to cross to get to the school. This is the existing pedestrian bridge. You can see on the right side it has about three ramps that need to go to get to the bridge. And of course middle school kids don't really use the bridge much. They actually cross the street. So it's not really safe, this intersection. So we decided to do a couple of alternatives and present it to the community before receiving this grant. We had option a, option b, then access management. Option a puts the crossing on the west side of Columbia and as you can see it goes straight to the entrance of the school. This option would eliminate the right turn from Bank West to Columbia. The reason we do that is because if we put it on the west side, it's not a full signal, so if cars are coming from Bank going west, it would -- they are looking at cars coming from the east side, and when they find the gap they will just go and not look at the signal. So that is a conflict. So we want to eliminate that right turn movement from Bank. It will be only right into Bank and Bank would be a dead end, just a local access. Option b would be to put the crossing on the east side of Columbia. So that would have a right in and right out, but we would also eliminate the left turn from Bank going east on Columbia by putting an island in there. We have done a lot of public involvement so far. We have talked individually to the community or the property adjacent to Bank Street. Basically, all of them are in favor of the project and they prefer option a. We have also done a lot of engagement with the community, with the George Middle School, Roosevelt High School, we have presented these options to the Freight Committee and the St. John's Neighborhood Association. We have sent mail and emails to the community and even yesterday we did a walking tour with parents and teachers of George Middle School to look at the route and any questions they had about the project. So the next steps are to once we receive this grant we are going to start design and hopefully we can design one of these options soon and go to construction in late summer or fall of this year. I'm here to answer any questions you may have. Thank you.

Eudaly: Thank you. Colleagues, any questions or -- further discussion? All right, this is --

Hardesty: Madame president.

Eudaly: Oh, yes --

Hardesty: Thank you for your presentation. I'm curious as to, you said that a was the option that was preferred. It was preferred how much over option b?

Sandino: Well, we are going to continue with public involvement. Like I said we only had a project development phase fund to do this. We are going to continue engaging a broader

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audience, but the emails that I received and the phone calls that I had received, everyone, 100%, were for option a.

Hardesty: 100%? How many emails and calls did you get?

Sandino: I probably got about 15, 20 phone calls. But like I said, i'm going to continue with the public engagement in a broader area. So we are not going to make a decision without a higher consent.

Hardesty: Thank you.

Eudaly: All right, this is a nonemergency ordinance. It moves -- pardon? I'm sorry. Karla, was there any testimony on this item in.

Moore-Love: I show four people possibly still here?

Eudaly: Maybe?

Moore-Love: I have Maggie, edith gillis and charles bridgecrane johnson.

Eudaly: The list is closed.

Moore-Love: Is Jeanne Connett here?

Fritz: She left.

Eudaly: Welcome, mr. Johnson. You are the last --

Charles Bridgecrane Johnson: Good morning. Charles bridgecrane johnson. The timeline that was mentioned, I just hope that it's within the capacity of pbot to maybe encourage to see if the project can be pulled off to synchronize -- I don't know. I guess based on what they said -- I don't know how long the project would run. Students and families of Portland public schools have a lot on their plate with other school issue concerns and so if pbot can possibly find time when it has this project near completion at the beginning of the school year that would be ideal. But you know, it's a process so I don't know if that's possible, but I think with everything on the plate of Portland public school students and families, they would have a little extra peace of mind knowing if at all possible this be done as quickly as possible. Thank you.

Eudaly: Thank you. This is a nonemergency ordinance. It moves to second reading. And as we have no pulled consent agenda items, we are adjourned. Thank you, everyone, for a lovely session.

At 12:03 p.m., Council adjourned.