



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27TH DAY OF FEBRUARY, 2019** AT 9:30 A.M.

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

Commissioner Hardesty arrived at 9:32 a.m.

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

Item Nos. 168 and 171 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		
162	Request of Peggy Moretti, Restore Oregon to address Council regarding update on status of historic Jantzen Beach Carousel (Communication)	PLACED ON FILE
163	Request of Mimi German to address Council regarding City ignores grassroots orgs proven ability to help houseless with villages (Communication)	PLACED ON FILE
164	Request of Ree Campbell to address Council regarding City ignores grassroots orgs proven ability to help houseless with villages (Communication)	PLACED ON FILE
165	Request of Steve Kimes to address Council regarding City ignores grassroots orgs proven ability to help houseless with villages (Communication)	PLACED ON FILE
166	Request of Lisa M Lake to address Council regarding City ignores grassroots orgs proven ability to help houseless with villages (Communication)	PLACED ON FILE
TIMES CERTAIN		
167	TIME CERTAIN: 9:45 AM – Portland Streetcar Annual Report for 2018 (Report introduced by Commissioner Eudaly) 30 minutes requested Motion to accept the report: Moved by Fish and seconded by Hardesty. (Y-4)	ACCEPTED

CONSENT AGENDA – NO DISCUSSION		
	Office of Management and Finance	
*168	Pay bodily injury claim of Isidro Guzman Villaluzo in the sum of \$25,414 resulting from a motor vehicle collision involving the Portland Fire Bureau (Ordinance introduced by Mayor Wheeler and Commissioner Hardesty) (Y-4)	189398
Commissioner Amanda Fritz		
	Water Bureau	
169	Amend contract with Titan Utilities, LLC for the Headworks Septic System Replacement Project in the amount of \$23,213 and accept contract as complete, release retainage and authorize final payment (Ordinance; amend Contract No. 30005996)	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM
Commissioner Nick Fish		
	Bureau of Environmental Services	
170	Reauthorize agreements with the Confluence Environmental Center to support the goals of the Portland Watershed Management Plan for an annual aggregate amount not to exceed \$30,000 (Ordinance)	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM
Commissioner Jo Ann Hardesty		
	Portland Fire & Rescue	
171	Authorize Portland Fire & Rescue to charge a fee-for-service for cost recovery of non-emergent lift assist responses to Oregon state licensed commercial assisted living, residential care and nursing facilities within the City (Ordinance)	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM
Commissioner Chloe Eudaly		
	Bureau of Transportation	
*172	Amend contract with Just Bucket Excavating, Inc. for the amount of \$76,297 to complete street reconstruction, comply with Americans with Disabilities Act requirement, and accelerate project completion (Ordinance; amend Contract No. 30006244) (Y-4)	189391
*173	Authorize an Intergovernmental Agreement with Oregon Health and Science University for reimbursement of the SW Curry St traffic signal construction expenses and to establish repayment terms of Immediate Opportunity Fund grant (Ordinance) (Y-4)	189392
*174	Accept an Engineering Report on a proposed encroachment into the public right-of-way for a second subsurface tunnel under SW Meade St (Previous Agenda 147) (Y-4)	189393

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*175	Authorize Development Fee Agreement with Fernhill Crossing, LLC to pay the City a fee of \$60,000 for transportation system improvements (Previous Agenda 148) (Y-4)	189394
176	Accept a grant in the amount of \$1,512,962 from Oregon Department of Transportation and authorize an Intergovernmental Agreement for 3469 - 3481 NW Thurman St project (Ordinance)	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM
Office of Community & Civic Life		
177	Authorize grant agreement of \$10,000 for East Portland Neighbors, Inc. to provide liability insurance coverage for meetings and events to engage East Portland residents in community building and civic engagement activities (Ordinance)	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM
REGULAR AGENDA		
178	Appoint Bruce Nelson and reappoint Vivek Shandas and Daniel Newberry to the Portland Urban Forestry Commission for terms to expire February 28, 2023 (Report introduced by Mayor Wheeler and Commissioner Fish) Motion to accept the report: Moved by Hardesty and seconded by Fritz. (Y-4)	CONFIRMED
Mayor Ted Wheeler		
Bureau of Development Services		
179	Amend fee schedules for Land Use Services (Second Reading Agenda 142) (Y-4)	189395
Commissioner Amanda Fritz		
180	Amend Civil Rights Code to add non-religion such as atheism, agnosticism and non-belief to the definition of Religion (Second Reading Agenda 120; amend Code Chapter 23.01) (Y-4)	189396
Commissioner Nick Fish		
Bureau of Environmental Services		
*181	Authorize the Bureau of Environmental Services to acquire certain permanent property rights necessary for Columbia Slough water quality improvements through the exercise of the City's Eminent Domain Authority (Previous Agenda 151) (Y-4)	189397
Commissioner Jo Ann Hardesty		
Portland Bureau of Emergency Management		

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182	Amend timeline for placard requirement and tenant notification for unreinforced masonry buildings and required documentation of compliance (Second Reading Agenda 153; amend Code Section 24.85.065) (Y-3 Eudaly, Fish, Hardesty; N-1 Fritz)	189399
Portland Fire & Rescue		
*183	Authorize a purchase order with Hughes Fire Equipment, Inc. for four emergency response apparatus for a total not-to-exceed amount of \$2,816,210 (Previous Agenda 154) (Y-4)	189400
Commissioner Chloe Eudaly		
Bureau of Transportation		
*184	Accept \$2.4 million grant from Oregon Department of Transportation, authorize an Intergovernmental Agreement for the NE Halsey St Bike/Ped/Transit Improvements Project, and appropriate \$300,000 in FY 2018-19 (Ordinance) 15 minutes requested (Y-4)	189401
*185	Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the NE Columbia - Cully Boulevard and Alderwood Road intersection improvements project, through the exercise of the City's Eminent Domain Authority (Previous Agenda 155) 15 minutes requested (Y-4)	189402
*186	Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the Springwater Connector project, through the exercise of the City's Eminent Domain Authority (Previous Agenda 156) 15 minutes requested (Y-4)	189403
187	Accept funding and authorize Intergovernmental Agreement with Washington County for \$1 million for SW Multnomah/Garden Home intersection safety project (Second Reading Agenda 141) (Y-4)	189404
City Auditor Mary Hull Caballero		
188	Assess property for sidewalk repair for the Portland Bureau of Transportation (Hearing; Ordinance; Y1098) 15 minutes requested	PASSED TO SECOND READING MARCH 6, 2019 AT 9:30 AM

At 12:21 p.m., Council adjourned.

DUE TO LACK OF AGENDA THERE WERE NO 2:00 PM MEETINGS WEDNESDAY OR THURSDAY, FEBRUARY 27-28, 2019	
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MARY HULL CABALLERO
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

February 27, 2019 9:30 AM

Eudaly: This is the Portland session for february 27, 2019. Karla, please call the roll.

Fritz: Here. **Fish:** Here. **Eudaly:** Here.

Eudaly: Thank you. From we begin will our city attorney please read the rules of conduct.

Robert Taylor, Chief Deputy City Attorney: Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the city council meetings so 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. If it does not, you may be ruled out of order. 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 u.30 seconds left, a yellow light goes on. When your time is done, a red light goes on. If you are in the audience and would like to show your support for something that is said, please feel free to do a thumbs up. If you want to express you do 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, please do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being rejected for the remainder of the meeting. After being rejected, a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Eudaly: Thank you, and before we begin today's agenda I would like to take a moment to acknowledge the passing of dennis richardson, who dedicated his career to public service. We send our heartfelt condolences to his friends and family as they grieve his passing. Colleagues, does anyone want to make a comment? All right. Karla, we will begin with communication items. Karla, please read the first item.

Item 162.

Moore-Love: She had to cancel.

Eudaly: Okay. Thank you. Please read the next item.

Moore-Love: The next four have requested to come up together. 162, request of mimi german welcome. Anyone can begin, state your name for the record.

Mimi German: My name is mimi german. A couple of months ago I was here to talk with everybody about the need for a village for our folks in st. John's, our houseless people. I sent a proposal in for what that would look like. And commissioner hardesty was wonderful in staying in contact with me reading all about it, and even though it was requested by the mayor, there was not one response to that information that I sent in. Not one. And commissioner hardesty, thank you very much for your responses on that. And I really appreciate being heard. What I would like to say is that there will be a village in st. John's that is put up by us, the people. The city will not have anything to do with it. It is very

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unfortunate. It's not unfortunate to us. We know what we are doing. We know how to take care of people. We do it every day and night. We've been not sleeping over the last few weeks because we've been busy getting people to shelters and making sure that the people have blankets and that the people who don't want to go to shelters for their reasons are okay, that we have no deaths, as much as we can possibly help that to happen. And a village will be erected. I don't know when, but when it's erected, I expect no pushback from the city. We have come to you -- I have come to you repeatedly for the last 2.5 years telling you what we need in st. John's. We are the desert in st. John's. There are no services. I speak to the people who live outside. I know just about everybody who is in st. John's, including the new people who have arrived on our streets. I speak with them every day. No one comes to them to check in. No one comes to them to ask them if they are on list for housing. No one comes to them to find out if they are being fed. There is nowhere to be fed. This morning I was waiting for the bus in st. John's to come here. A man named robert came to me. There was a piece of cold pizza on the ground. I said robert, here's some money, get yourself some breakfast. Would you mind tell me where you are staying? I would like to know to give you what you need. He told me, gloves, hand warmers, blankets, sleeping bags. We are outside. I said did you want to go to the shelter? I am sorry to talk so fast but my three minutes is almost up. He said i've been to the shelter but they throw people out of the shelter. He said last night they threw out a woman with her dog. I said francesca? He said yes. They have thrown out her numerous times. Her dog weighs one pound. She weighs about two pounds. She's a very, very small woman. This is what do good Multnomah does in st. John's to people I care about in st. John's. Those doors locked last night at 10:00 p.m. I am pretty sure that that's illegal during a weather crisis in shelters. So when that village goes up, I am giving you my transparent notice that's going to happen.

Eudaly: Thank you. Ree, state your name for the record.

Ree Campbell: Good morning. I haven't seen you all in forever. I am ree campbell am I am the co-executive director of boots on the ground pdx. Boy, howdy. It has been too long. I have got so many things, I will try to do this really quick. First of all I really want to talk quickly about the one point of contact office. We were in contact with hell's administration when it went up, and it was missing its counterpart because josh alpert left. It does not have the social workers meant to go into these camps being posted to be swept to help mitigate the damages and get people where they need to be and to make rep operations with the neighborhood. That's why they give a week's notice. There was supposed to be social workers to come in and help. We are not paid. There is literally no way to do this. Unfortunately one point of contact has run amok am I am not going to name any names, but our people are being harmed, and for some reason the one point of contact office is helping a city contractor gain new contracts. Something smells in denmark, folks. Putting that in your ear am next point of business. I've been told by them the reason they don't want to take a look at our camp model is because it's too much work. They literally want to write checks and be done with it. They are writing checks to orgs that are 40 to 60% under the yearly stated goals. This is a problem for me. We went through the county's rfpq. We missed their criteria by six points. We were told that there would be remediation process after the thing was over. Never happened. We were never reengaged. I gave 75 hours last week. I am sorry that I am crying. I am exhausted. We are doing outreach during the day, and we are doing shelters at night, and this leads into the affordable housing, sorry, I told you, of course, I voted yes, with affordable housing bond. But here's the problem. Affordable housing are not low to moderate income units. In the last year we have built well over 5,000 affordable unions. We have built 500 low to moderate income units in that same amount of time, 2,000 more people have come out on the streets. How did homer williams get 1.5 million of housing money? He did not go through the rfpq. Meanwhile rich

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rogers, 80 beds of permanent 80 unions of permanent supportive housing was scrapped for want of a million dollars. I understand the money came from tpi. But homer is a millionaire. Why is he getting money, public funds? I am sorry he saw somebody get shot in front of his building, but he's a millionaire. He does not get to use public funds for his personal therapy. I have to vote no on the next affordable bond measure if we cannot get a check on how these funds are being spent. Thanks very much for your time.

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

Kate Creager: I am steve kimes. Good morning.

Fritz: It's fine you are substituting.

Creager: I am kate kriegler, the crisis arm of boots on the ground.

Hardesty: You don't look like steve.

Creager: I am here to speak about the challenges in working the shelter shifts. Last night we reached capacity very early on in the evening. When consulting with 2-1-1, this is from the nazarene church. We were told we were disallowed cab services to ferry people to open beds because we are not a recognized shelter of clackamas county. This is supposed to be one big team. We are supposed to be working together for the good of our city, and being disallowed by county lines while people are tying on the street is unacceptable. They are in Multnomah county, to be clear. This creates challenges in being able to bill a rapport with our guests, and allowing them to know that we will step up for them whenever we have opportunity. When our hands are tied, by as little as I was told a supervisor approval last night is all that it would have taken to get me cab rides, to get people with amputations, with diabetes, with already frostbite on their bodies, off the streets and into a bed for the evening. That's all I have to say today.

Eudaly: Would you mind sharing where the shelter is?

Creager: Nazarene is on 94th and southeast powell before the freeway junction.

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

Lisa M Lake: Lisa lake, an outreach program for the houseless. I am going to play off of kate. I am coming off of five hours of outreach on the streets last night going into a nine-hour shift at the shelter because we don't have enough volunteers and people are not getting paid for the work they should get paid for. We are all qualified. We are all certified. All kinds of crisis management, and I am sorry, I am breathing heavy because I had to stop at 7-11 where a guy was without shoes. Outside on the sidewalk, so I had to run around trying to find him shoes. So I want to catch my breath. Between advocacy five, boots on the ground, what mimi german has and north Portland, free hot soup, we pour out so much time and bodies and food and thousands of pounds of clothing that we get from the public. Funds that we get from the public, and we have now just started a peer-to-peer loan system. That is helping to stay housed instead of falling onto the streets. It's just -- it's a lot for us. We do it all with our heart but with no funding and we don't get paid for the work we do. I think that what we're all here for is a little recognition. Of the amount of time and effort that we put in, and maybe some how we can, as kate said, one big team, cooperate and see some of those funds that go into other houseless organizations that really there is no accountability for their funding from what I can see, or very little accountability. I would love to see the records, you know, blatantly opened to the public and let all our orgs, their records stand for themselves.

Campbell: We are exhausted. We need the city's hope. We have been closed out of the process, and we are exhausted.

Creager: And any one of us is six bad weeks away from the situation that everybody else is in. We owe them a debt.

Campbell: We hope to fill the winter response grid, and we've been closed out of that and any kind of help. We can't do this and the rest of the miles is on us. It's not sustainability. I am sorry, I am not trying to cry. I don't know what else to do at this point. Somebody came

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into the office thinking that they could cure homelessness in a year, and they closed us out of the process and after they discovered what we're up against, we are still closed out of the process. We are in the trench digging the ditches.

Lake: We applied for the rfpq.

Craeger: Because we were advised, with the impression we would have a chance of getting somewhere.

Lake: So the score is 72-point something and we scored 69.8.

Fritz: First, thank you very much on behalf of the city for all the work and volunteering you do. I appreciate that, so I have two questions. First I know that there are lots of other good heart Portlanders who would like to help. How would they get in touch with you? Is there an organization? Is there a central point where all of the volunteers, shelter services are listed so people can know to go for help?

Lake: There is signups.

Fritz: If someone is watching this broadcast and wants to volunteer a shift or give you money, how can they?

Lake: There is a city, state, shelters are open? Who does, the county?

Creager: You can go to boots on the ground, pdx.

Fritz: Speak into the microphone.

Campbell: You can go to boots on the ground pdx on facebook for volunteering and supplies and for funds and donations of that nature. You can go to advocacy five on facebook. That's the financial arm of one big team. I would like to say that some of our team members we're told that if they listed free hot, or listed advocacy five as their 501c3 on the rfpq, they would not be allowed county storage.

Fritz: So that's something, maybe for us to think about is to have a central website to where all of the volunteer services could be listed because I go to a group called the gathering in st. John's every quarter, and I know there is a lot of other churches and other folks who are doing these kinds of outreach efforts, so it would be nice if we could help to coordinate that. Second question is, have you talked to the county about this? As you know the city contracts with the county to provide services to people who are houseless.

German: I have talked to deborah kafoury twice, and I went with lisa to speak with her office about what's going on as well as what's going on with st. John's, specifically with do good Multnomah, constantly throwing people out of the shelter and locking people out of the shelter, especially during emergencies.

Fritz: I know that the county board has citizen communication, community communications like we do, and I would suggest that bring it to the entire board's attention would be the way to go because as I say we contract with a home for everyone. We are not in charge of that process.

Campbell: There is a person absent today that is actively blocking any involvement by the grassroots orgs. We never mince words, and we have offended someone irrevocably, and cannot get over it.

Fritz: There are community communication opportunities at the county, and I would encourage you. You have got a lot of support here, and also gratitude for the work you are doing, and we all need to recognize that we decided they were going to do the coordination, so you need to put your advocacy effort there.

German: May I say something before we leave?

Eudaly: Briefly, sure.

German: I would like to say that if the city is going to come up with a main point of focus, we, any one of us, are consulted first with who would be in charge of that. Right now the problem is who is in charge of many of these main points of contact for not giving us what we need. So if we have that the same way in the city, we are having another problem, and

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by the way, I need 200 blankets for people in st. John's. Is there a way for me to get those?

Fritz: That's my point. The city doesn't do that. The county does that. So that's where you need to be making your requests.

German: I thought you were saying that because you also wanted to do that. I misunderstood.

Fritz: I want to be really clear, we decided having some services by the city, some by the county was not a wise use of taxpayers' dollars, and if we streamlined it and the city puts in 30 million to the joint office for homeless services --

Creager: Other main concern is a table has been created that we were not invited to.

Campbell: We understand you don't have any direct power. We are here for your support and we need political will for us to be at the table and there is no political will. If we could get your support that would be awesome.

Eudaly: I will have to wrap this up. He really need to move on but thank you all for coming today. I want to acknowledge and thank you for the work that you are doing. I understand your frustrations. I have jotted down follow-up questions for each of you, but we can't do that right now. Thank you. Karla, have any items been pulled from the consent agenda?

Moore-Love: Yes, 168 and 171.

Eudaly: Please call the roll.

Fritz: Aye **Fish:** Aye **Hardesty:** Aye **Eudaly:** Aye

Eudaly: Let's see, thank you. The consent agenda is approved. Karla, please read -- let's see, what time is it? It's 9:45. So shall we have our first time certain? Please read that item.

Item 167.

Eudaly: It's a pleasure to bring forward our type certain, the annual report from the Portland streetcar. Our world class streetcar system. I want going to let the experts get into the details, but the past year has been an exciting one for Portland streetcar, inc., the nonprofit that operates the system in close partnership with the Portland bureau of transportation. With my focus on transportation, equity, I am proud of the streetcar advisory committee that meets monthly and is made up of a wide array of numbers that focus on how the system can better serve those with disabilities and our elderly community. Two groups who use the streetcar in substantial numbers. With that said let's hear from our panel. Transportation, interim director, chris warner. Psi executive director dan bower, and board of directors chair dennis allen. Welcome and please state your name for the record as you begin.

Chris Warner, Interim Director Bureau of Transportation: Great, thank you commissioner and the rest of the council. For the record, chris warner, the interim director of the Portland bureau of transaction. I would like to recognize Katherine Lavigne, the division manager of the streetcar and the -- one of the all-stars of pbot that really does the day-to-day operations. Streetcar really appreciates her work. This is the fifth annual report for the Portland streetcar's performance, and here we are talking about 2018. Streetcar, as the commissioner said is owned and operated by the city of Portland. We contract with the nonprofit Portland streetcar Inc. And the board of directors for operations assistance, vision, and advocacy, and we also -- this partnership that we have with tri-met that provides rail transit operators and mechanics as well as over 8 million every year in operations funding for streetcar. Streetcar service supports our shared goals for livable community and serve as the commissioner said, the accessibility and the part of public transit is very important for us. We continue to see denser urban development in the central city, and the influence that these fixed rails have really does help to shape our city and how people choose to get around. One statistic I will throw out as we move to the slides is 49 did she 49% of houses built were constructed within a quarter mile of the

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tracks, and that includes a third of all subsidized affordable housing in the city of Portland. Additionally, streetcar is a proud partner in the region's low-income fair program, which is operated by tri-met. The city also, as we implement our enhanced transit corridors, we will be using this fixed rail asset in streetcar to make the central city move better. Today the streetcar carries more passengers per day than two of the light rail lines, and more than any one bus line in the city. It's critical we work together to keep the trains moving and as we have more growth and housing in the central city, we are really excited about the opportunity that the streetcar presents for us. A couple things I will highlight before I turn it over to Dennis and dan. We are excited to announce our contractor will soon be implementing the improvements on northeast grand avenue at the 84 on-ramp which has been a bottleneck for the streetcar on the east side, and we will also, to increase the reliability of the system, with your assistance, we have actually, in the process of purchasing three new streetcars. Those cars, you approved in 2018, which we built here in america at brookville and pennsylvania, and this will really help us to make sure the complete, we have the fare cars but as we improve the amount of service that we give on the existing streetcar, it's vitally important. Council also approved in the last budget 370,000 towards developing cost and benefit analysis and the land use services for the possible extension of the streetcar in northwest Portland. We will be talking about that, and we'll be talking about a federal grant that we had from the fta, which will also do additional analysis for equity work and land use and mobility challenges that we have in northwest Portland and are going in the future. So at this point I will turn it over to dennis, who is the chair of the Portland streetcar, inc. Board, and he will take it from there.

Dennis Allen, Chair Streetcar Inc: Thanks, good morning. Dennis allen, board chair for streetcar, inc. Thanks for having us. Psi was formed over 25 years ago with the same goal as we have today, a public, private partnership where the stakeholders have an input and say into the system that they have to go funded. Our board consists of 16 members. It's always been a mix of public institutions, transit professionals, transit advocates, nonprofit and for profit real estate owners that are along and near the line as well as key members of the city bureaus and tri-met. So a very collaborative group that gets together periodically and has their say in how the streetcar operations are run. Our current and ongoing goals for the organization are to focus on the current operations and serving our riders the best way that we can, so right now that includes focus on the operations, vehicle procurement and getting to new vehicles to keep the operations going, and as well as expansion in the right areas, which dan will talk about, and so that we in the city can achieve our goals of climate, housing, and jobs. Thanks for your time.

Dan Bower, Executive Director Streetcar Inc: Thanks, Dennis. Excuse me, I am dan bower, the executive director of Portland streetcar, inc. The two previous speakers have covered a litany of highlights, so I think that we have pictures to go along with that, but I want to make sure that everybody has an opportunity to understand what we are working on and understands the opportunities you can plug in and help us to make our project more successful. Just real quick for context, there is the map of the system that we have three lines, north, south line from south waterfront to northwest 23, and the a and b loop, which cross the Broadway bridges going clock-wise and counterclockwise. We carry 15,500 passengers a day, which is a very successful transit system in the city. As Chris was saying, it's more than two of our light rail lines and more than any bus line in the city, so very heavily used system. I want to just highlight this. One thing that we did was installed passenger counters on the trains so we can begin to have more robust conversations about who is riding and where and what's being accessed. This is a map showing how often we are deploying the ramps across the system. We deploy the ramps more than 35 times an hour across the system, which is a rate five times that of the tri-met system, so we have a lot of people living downtown trying to access services using the

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streetcar to move. The other thing we are running 12 streetcars. The last three years, we've been running 14. We have had to cut that down to 12 due to maintenance issues we will talk about in a bit. Chris mentioned our, access transit lane. We have -- I think i've been sitting in this chair for five years almost talking about this project. We are excited to have a contractor onboard beginning in March. This is a visual of what's going to occur. We had a nice, long conversation about enhanced transit corridors, in this council, and I think it's really exciting the city is moving forward on keeping the buses moving and the streetcar moving. This will give us a chance to move the b loop through rush hour through grand and Davis, so we are very excited. So those are great transportation metrics, but the three-car story contains two sides, we have to talk about the land use piece and when it comes to the benefits. And as Chris said, almost nearly half of the housing in the city in the last 20 years has been built on the streetcar line. This is a plan. That is exactly what the city wanted to do and what's happening. That's not an accident. We have a lot more planned under the construction, a third of the jobs in the city are on the streetcar line and a third of the subsidized affordable housing is on the streetcar line. Now, the people who ride the system, just like any other transit system are the people who live next to it. So, our demographics, which we've been updating, they match the people who live next to the streetcar line so those who ride it are the same people that live next to it. And we have a significant number of people without cars, so consistent with our comp plan goals, reducing the car ownership, significant number of people using the low-income fare program, and a lot of people just using the system to go about their daily lives and reach services in the central city. Talking about mariners, actually, this is probably the most challenging year in terms of keeping our fleet in place. These are two pictures of derailments that we had this year. The car on the top right is still out of service, going to be out of service for a while. And we have, I think, four, maybe five streetcars on, we will call it long-term disability. We don't expect to have enough cars to run our normal service for quite some time, so we are running 12 cars, zero spares and that's the new service so it's a train every 20 minutes on the east side and every 10 minutes on the west side. And in addition to just things like this happening, seven of the cars are 19 years old. If you get on them you can see that they look mid life. They are ready for a refurbishment process, so we are going to have a conversation about what we want to do with these cars that are 20 years old and going to need some type of mid life refurbishment. I was in brookville, pennsylvania, which you can see the pictures from here. And this is a very small town, about 3,500 people in the middle of nowhere, kind of near where punxsutawney phil hangs out for groundhogs day, but they are actively building the projects right now. This is -- this was from milwaukee. We are working with transit now to move that project along, and I am feeling pretty good about that.

Fish: If the manufacturing plants in the middle of pennsylvania, middle of nowhere, how did these cars get delivered to Portland?

Bower: Truck. It cost about 120,000 to ship them from pennsylvania to here on truck.

Fish: By truck. A diesel truck?

Bower: I would guess. Yeah.

Fish: A wide load.

Bower: Yeah.

Fish: That's fascinating.

Bower: I remind them that we have a manufacturing facility in ten miles outside of downtown Portland but we have not gotten there yet. You can see the new paint schemes for the cars on the bottom left here, so there is -- the cars are so slightly different than what we have today in terms of where the windows are and the doors are, so we had to develop a bit of a different scheme but we have those available if people want to dig into that topic.

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So those will be ready, the first one will be delivered in august of 2020 at this point. And then every two months from that point on.

These are pictures of the cars in milwaukee and oklahoma city on the bottom. The cars will look different than these, not quite so round on the nose but you can get a sense of the new product, we also had new systems opening up in milwaukee, el paso and oklahoma city but other cities like tacoma and seattle and kansas city are spanning their system because they are seeing what's happening and wanting to have the project accrue more benefits. We are doing the same here. Chris talked about our opportunity in northwest Portland and I want to spend a bit of time to make sure everybody knows what's happening there. We have been pursuing an extension of the system to the montgomery park. This is at 27th and wilson. Montgomery park is the second largest office building in Oregon, has 3,500 employees. Everybody one of them gets free park. Surrounded by acres of mixed use land, and next to that is the former esco site, 20 acres, which during the comp plan you changed the land use from industrial to general employment, so between those two parcels you have got a significant opportunity to think about shaping the city and thinking about achieving some of the goals that we are all pursuing in terms of climate change, affordable housing, and access to services and jobs. I would encourage the city to be aggressive in this conversation. We are a piece of it but not the only piece. It's a broad conversation. And so we have a couple things going on, on this front. Let me highlight, first this map is showing the streetcar extension going from montgomery park, tying into our existing service system at 18 and 19 crossing the bridge with a new turnaround and convention center. That would allow us to have seven-minute service between where the system ties in at 18th and 19th and the convention center. So lloyd district, pearl district, goes from what we have today at 20 to more than seven to ten. Chris talked about the funds we are using to pursue this conversation. We have three funding sources going on right now. This is what psi is a fundraising privately with our own fundraising efforts through property owners or anybody else. We are looking at trying to answer some of the questions probably more on the private side in terms of if we were to pursue an improvement district, what would that look like. Pursuing graphics and communications to help the property owners understand what's happening. We are doing the project management and trying to stay at the middle of the conversation, which has the opportunity to kind of get pulled in a lot of directions. So we are kind of there as the leadership role in convening body. We have the 370,000 that was provided by the general fund. This current fiscal year, and that's on the bottom left. You can see a majority of those funds are going to the bureau of planning. We are talking about potential land use scenarios in northwest Portland and what that would look like from a housing and jobs balance, and how much affordable housing could be provided if you pursued x, y, and z zoning changes and also the bureau of planning is leading an equity analysis or a balance sheet conversation. Trying to identify the -- who is benefiting and being burdened by both the cost and the benefits of the streetcar extension. That is led by the bureau of planning with prosper and housing, the housing bureau and pbot and staff. So we can talk about that as we need to.

Eudaly: If I could interject, I think it was the Willamette week ran an article this week about the possible northwest expansion. Or extension and indicated that the three cars that we have on order are for that expansion. If you could speak to that.

Bower: That is not correct.

Eudaly: I just wanted to put that out there. Although I am very supportive and excited about this potential extension, the cars are to increase capacity on the existing line.

Bower: Correct. This would require, he think, six cars. And an expansion of the maintenance facility.

Fritz: We have not made that decision yet.

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Bower: Nope. One thing I want to impress is that this conversation is very early so let's key up the questions now. We can provide opportunities but let me just flag through the scope of work.

Eudaly: Commissioner Hardesty?

Hardesty: I do have a question, thank you, commissioner. So there is conversation about creating a service improvement district before we have actually -- a, who is involved in that conversation? And is it just a property owner, that benefits significantly if we make this expansion? Why is that happening separate from the bigger, policy conversation.

Bower: I would not say it's a detailed conversation. It's one about if we are going to go down this path, historically we used a certain type of funding mix to get to the outcome of streetcar, and that tends to be in the 10 to 15% capital of the project funded by the property owners adjacent to the streetcar line. That's how we have done it in the past. They are wanting to have the conversation of what would that look like if we applied that to this community, what would the burden be on the property owners, and that's as far as they have taken it.

Hardesty: So I just want to be clear that I don't want deals being cut before we have had the opportunity to have our due diligent deliberation. I am very concerned that these property owners will make a small fortune if we decide to develop in that area. We should not be driven based on that profit but on the city's needs.

Bower: I think they would agree and welcome input from the city.

Warner: And any kind of local improvement district would have to come to council am.

Hardesty: By the time it has come to council you worked out a deal so I would like to see us be more proactive so the council actually gets to be involved in the deliberation before the deal is cut. We will keep council informed of the activities.

Fritz: They do occasionally change when they get to council.

Bower: I think everybody involved would agree with what you are saying. This is me early on flagging that we need to have this conversation because it's happening and if you are up there you can see the development is occurring with or without -- this is happening.

Fish: Can I ask a question? I want to make sure we are not conflating issues here. There was a talk once upon a time of a baseball taking a look at esco as the possible site. The conversation about connecting Montgomery park began independent of baseball, is that correct?

Bower: Correct.

Fish: And also to what extent have you doing forecasting of the kinds of population growth and other growth in that area that a streetcar might leverage and serve? Do you look at it as the leverage or what you anticipate to be the population. It's a pretty dense neighborhood.

Bower: It's a mix. There are existing destinations like we talked about the montgomery park is a large employment site. I would offer there is not a lot of population. It is zoned industrial. Fairly low density land for the most part. We are looking for an opportunity to examine the potential land use changes so we have what is there today. What the bureau of planning is using the money for, both the fta as well as city money, is to examine five different land use scenarios, so if we shifted it from a through d, how much housing would that produce, affordable housing, and what jobs would that produce? And from there you can get a projection of does that match up with the expectations.

Fish: The other thing I will note, and we have had this conversation before at council, we have a number of failed infrastructure systems within this district. We anticipated that 23rd and 405 would be tough, and I use that route a lot. It is really burdened. One of the things I will be interested in, is given the tremendous strains on the existing infrastructure on that part of northwest, how much of that burden do we take off through fixed rail in how do we

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address the problems? There is a lot of traffic. And that particular intersection is -- I think you described it as a failed intersection in terms of the volume of cars.

Bower: That's a great question.

Fish: I am looking at chris.

Warner: Absolutely. One of the things, in fact, I think we'll be doing this later this week is tri-met with the help of us will be doing bus service from northeast Portland across the fremont bridge to northwest Portland, so that's something that we are launching, and hopefully that can take a strain off the intersection but that's been a challenging intersection, and I know that we do have plans to try to address it. It's a big, expensive undertaking, but I think that incremental changes are in the future.

Fish: Thank you.

Bower: Actually, so the last piece, the fta grant. So we -- metro applied for and received 1.3 million grant from the federal transit administration and this is a transit oriented developing planning grant and you can spend the money on land use planning and transportation planning but not on rail and engineering planning. Commissioner Fish, this would be where you get to answer the question of what the transportation issues are today and what would they be in the future land use scenario and what projects do we need keyed up to support a new community or existing community. The fta will support land use and transportation planning around the planned investment. Those three things together, the city money, psi and the fta grant are occurring at the same time and beginning to work now. I want to use this as an opportunity to make sure you have a chance to ask questions today or follow-up with us in the future with us. Now is really the time. I think I will leave it there. I think that concludes our presentation.

Eudaly: Great, thank you for being here. Do I hear a motion to accept the report?

Fish: So move.

Hardesty: Second.

Eudaly: Okay. We have a motion from commissioner Fish and a second from commissioner Hardesty. Karla, please call the roll.

Fritz: Over the years I have gone from being highly skeptical about the streetcar and thinking it was kind of playground for the rich to be looking at every year, your reports which continue to get better and better and thank you very much for the work the Portland streetcar, inc. And the partnership with Portland bureau of transportation is an exemplary one, and I appreciate all the work that many people here have done. Let's highlight again 32% of the streetcar riders earn under 30,000 a year, so this is not a vehicle for the rich. 38% of the streetcar riders come from households without a car. 23% of riders do not have a driver's license, and streetcar drivers use the mobility ramp, more particularly use the devices used 35 times per hour, which I think you said is five times what tri-met does. It's impressive. It's a people mover. And it is notable, 100% renewable. Zero emissions. It's a job creator and a land use planning tool, and everything that commissioner Charlie Hales said was going to happen, in fact, has happened, and I appreciate all of the work that the bureau directors, commissioners in charge and the streetcar, inc. Board and staff have done over many years. Thank you for all your work, as well. And this is the kind of thing that Portland does well, and I appreciate the work. Aye.

Fish: Dennis, thank you for your service. How long have you been the board chair?

Allen: A little under a year. But on the board for six.

Fish: You took over from --

Allen: For Jim Mark.

Fish: I remember -- I am old enough to remember working with you previously when you were helping to lead negotiations or discussions about the Zydell development and now doing this, so this is pure public service, so thank you for doing it. Thank you for your service. I want to echo what commissioner Fritz said. I think I was an early streetcar

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skeptic trying to understand how it fit into an integrated system and who it served and what were the benefits this, in your fifth annual report you made clear what the benefits are. I live and work downtown, and I don't have a car. So it's important to me to have a range of choices. I am doing a lot more walking. Ride share. Getting rides off my daughter. Just trying to be strategic about how I get around, and it is the most liberating thing in the world not to have to focus on owning and operating a car. It's completely liberating, and there is so many other choices. Even with my neuropathy, you take in things you would not see just driving around, so it's an excellent report. I also want to pull out a couple of statistics that you gave us. 82% on-time. That's remarkable given how congested some of the routes are that you are operating on. And how constrained they are, so congratulations on that. And 15,000 riders -- of the 15,000 riders, do we have a sense how many of those are tourists?

Bower: Well, we published it before, is less than 5%. Which is still less than the 300,000 people a year.

Fish: That's a lot of people.

Bower: That's not the basis of our ridership.

Fish: So we go 16 million visitors a year, and we are saying 300,000 people use it.

Bower: Our lowest ridership is the convention center. How is that.

Fish: My anecdotal sense, I see a lot of people visiting our city that use the streetcar, you know. I think one of the goals of the streetcar over time is to get you downtown from one place to another faster than it would take you to walk. So, and that has a lot to do with what pbot is looking at in terms of the circulation and how to speed things up and create better mobility downtown. The land use piece is the extra dividend of streetcar. If the conversations do heat up about the esco site, which is, obviously, an issue but if we get to a point of development it's also an enormous opportunity to build in a specific concrete goal around affordable housing. As we think about providing benefits and public resources, we should make sure that we get the best possible deal, and I would like to see a neighborhood as integrated as the pearl is in terms of affordable housing and market rate housing. Thank you, aye.

Hardesty: Thank you. I guess I am the new concept I can. I don't know how -- how long it took the other two commissioners to not be a -- skeptic. I am concerned when we present information that paints a picture that I question. As I said in my office, I have seen heavy enforcement in areas that are not in the pearl. Right. In the lloyd area, and I have asked for additional information about how poor people are experiencing the streetcar, right. I would like to know if this is a commuting or fun vehicle people use because they want to do something fun in northwest Portland. I appreciate the due diligence but I am a show me person, so I will be skeptical until you show me the information that makes me comfortable with thinking that this is an investment that works for all Portland. And I want to continue to look at the data to make sure this is used as intended, which is an opportunity to get people around town, but if we are talking about getting people out of cars, we are talking about getting people out of cars during rush hour, does this make sense? Many of the cars i've been in are pretty small, so you put a couple of wheelchairs in there, and you cannot get a lot of other people in there, right. So just know that I thank you for the report. It's well done. But I am not sold yet that you should be expanding or we should be investing more dollars. Aye.

Eudaly: Thank you all for being here and thank you for the report. My colleagues have already talked about many of the virtues of the streetcar I would have covered so I will say as a public transit user and especially someone often traveling with a wheelchair user, that the streetcar is my favorite form of public transit. It's the most kind of seamless entry. It's more flexible than the buses and max as far as where we are able to be, and I have never had to let a streetcar go by and not ride it because the wheelchair spots were taken up,

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which I really appreciate. Also I will take this opportunity to let the public know the tri-met's low income reduced fares apply to streetcar, and if you are interested in finding out, if you qualify for that program, just go to tri-met.org. With that, I vote aye. [gavel pounded] the report is accepted.

Eudaly: Thank you. Karla, please read item 178.

Item 178.

Eudaly: Commissioner Fish.

Fish: I want to provide some introductory remarks. The urban forestry commission is comprised of 11 community members who volunteer their time to advise the city forester, the parks director and the commissioner in charge of parks and city council on matters pertaining to trees in our city. The commissioner also acts as an appeals board, excuse me, the commission also acts as an appeals board for certain tree permits, nominates new and approves removal of heritage trees and plays a significant role in updating the city's urban forest management plan. The acceptance of today's report will appoint one new commissioner, Bruce Nelson. He has 30 years of experience as an [inaudible] and a volunteer for Friends of Trees for over 20 years. In addition we are proposing to reappoint two commissioners to their second terms. Vivek Shandas, professor of urban studies and planning at Portland State University. Mr. Vivek Shandas has published 50 peer reviewed publications and two books, which provide practical guidance to decision-makers about addressing environmental issues, and Daniel Newberry, who is the executive director of the Johnson Creek Watershed Council has held a variety of leadership positions in the field of forestry. Mr. Newberry has a Masters in Forestry from the Yale School of Forestry and Environmental Studies. I want to begin by thanking all these community vendors for their volunteer service on the commission and for agreeing to be considered for appointment, and I am also pleased this morning to introduce Jen, the city forester, to make additional remarks and answer your questions. Welcome, Jen.

Jenn Cairo, City Forester: Good morning. Thank you, Commissioner Fish and good morning, Commissioner Hardesty, Commissioner Fish, and Commissioner Eudaly. My only addition would be we are fortunate to have pretty exceptional candidates to advise the city on the forestry policies. So I would ask that you approve those appointments and the reappointments. That's it. If you have any questions, I would be happy to answer them.

Eudaly: Commissioner Fritz?

Fritz: What are some of the issues that the commission will look at over the coming years?

Cairo: Great question, Commissioner Fritz. Last week the commission held its annual work plan development session, and some of the things that they are interested in looking at -- there are about five of those. The first two are related to Title 11, the tree code. And possible amendments to the tree code, so they will be looking at what amendments might be and thinking about what their priorities for those would be. One in particular is the, what we call the large tree amendment. It is for removal of trees and development situations, and that's a temporary amendment that expires the end of the calendar year so that's a timely item. And they will be looking at how to structure communications and outreach to the public around tree advocacy and understanding of tree services to all of us in the city. They will also be looking at their structure for their committees. There are two required committees by city code that the forestry commission operates, the heritage tree committee and the appeals board, which hears residents property owner appeals of certain tree permit decisions. There are some ad hoc committees that they will be looking at, how those are structured, so those are the things that they are focusing on this year. And they have a handful, which is a lot, for volunteer group, of code-required duties that they always perform such as advising me, Commissioner Fish, and Director Long, and you folks on budget as it affects urban forestry.

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Fritz: You mentioned the heritage trees, what is the time line for people to submit nominations for that?

Cairo: Thank you, commissioner. We prefer to receive heritage tree nominations by around may 1 of each year. They can be submitted on a rolling basis. We process them usually in the spring and early summer.

Fritz: So people can go to the website right now and nominate the trees that they own?

Cairo: That's correct.

Fritz: Thank you.

Eudaly: And do I hear a motion to accept the report?

Hardesty: So move.

Fritz: Second.

Eudaly: We have a motion from commissioner hardesty. Second from commissioner Fritz. Karla, please call the roll.

Fritz: Jen Cairo, thank you for your service as this urban forester and to both the new appointee and the repeated appointees and commissioner Fish for your support on this commission. Aye.

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

Eudaly: Thank you, and thank you also to the nominees for their service to the city. We are really lucky to have such amazing experts. And I just want to put it out there that you have a couple tree huggers in myself, as well as michael, who is a project manager for fixing our streets who actually has a background in forestry I just learned yesterday so if you need extra support you know where to come. I vote aye. The report is accepted and Karla please read 179.

Item 179.

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

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

Eudaly: Aye. Thank you. The ordinance is adopted. Karla, please read 180.

Item 180.

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

Fritz: Well, thanks again to cheryl kolbe, the president of freedom from religion, Portland area chapter for bringing to my attention the issue of lack of clarity in our civil rights code to ensure the protections against discrimination based on non-religion. Your advocacy helped us so thank you. It's nice to see you hear today. And I also thank kimberly mccullough, the director for american civil liberties union of Oregon, and the human rights commission, and the city attorney's office and the office of equity and human rights and the city equity managers, and my former staff [inaudible] and current staff cynthia castro and clare [inaudible]. The proposed changes at our city's code may seem like a minor tweak, but they are significant for the Portlanders who identify as non-religious. This has become clear to me through the community testimony I received. I have to say remarkably I have not received one email against this proposal. I think that speaks to the welcoming and inclusive nature of our sanctuary city, and I apologize if anyone has e-mailed me and I didn't notice it, but live been looking and it has been remarkable how much community input has been supportive. By passing it, it very much affirms my belief in Portlanders and welcoming people who acknowledge civil rights to everybody. By passing this we are sending a message we value non-believers and confirm our civil rights code extends to them. With this declaration more non-believers will feel less fearful of being themselves in the open. We are fortunate that the existing Oregon courts have recognized the inclusion of non-religion in the protected class of religion. We must have greater certainty this will be the case in the city, and I am grateful to my colleagues for considering this, and in

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particular to mayor wheeler, who has been supportive and set up the hearing that he was sorry that we put this over so I could vote for it when he was not going to be here, so thanks to the mayor for his leadership. To the best of our knowledge, Portland will become only the second american city to pass this legislation after madison, wisconsin, and I hope that others will join us. Finally, I am grateful to my father-in-law, edward Fritz, a colonel in the salvation army. I asked him what his opinion of this is, and he said your ordinance is an amplification of our constitutional rights in this country. Rights that at times have been denied or ignored. Religious belief or lack of it is never grounds for the denial of our constitutional and legal rights barring discrimination. While we are free to choose what we believe, we are not free to use our beliefs to violate the rights of others guaranteed by the law of the land, so thank you colonel, and I am happy to vote aye.

Fish: Commissioner Fritz, thank you for being this forward, and I am pleased to join you in voting aye.

Hardesty: Aye.

Eudaly: Thank you, commissioner Fritz, I missed the first reading of this, and I am happy to be here for the vote. This seems especially fitting given that Oregon is a state among the states with the lowest rate of religious adherence. I, myself would identify as an agnostic, and while I respect all religions, I reject intolerance towards everyone, so I am happy to vote aye. Thank you, the ordinance is adopted. Karla, please read item 181.

Item 181.

Eudaly: This item has been heard and testimony was taken last week. Colleagues, is there any further discussion? Okay. This is an emergency item. Karla, please call the roll.

Fritz: Aye.

Fish: I want to thank nancy hendrickson and the team at bes who made the presentation. I would like to thank the warren family for their generous donation of 11 acres of open space. We are going to do this through a friendly condemnation, which means that ultimately we will take the land without any liabilities attached to the land, and this is in a particularly sensitive area around the columbia slough watershed, so it's a good deal for the city, and I am pleased to vote aye.

Hardesty: I learned a lot about eminent domain over the course of my due diligence on this issue. I support the work that's being done. I am happy to join my colleagues in voting aye.

Eudaly: Aye. The ordinance is adopted. [gavel pounded] Karla, please read --

Hardesty: Excuse me. Madam chair, could I make a request that we move up several items that I pulled from the consent agenda? I have all these wonderful firefighters sitting here patiently waiting for us to get to two items. Would it be okay to move those up? That would be agenda item 171 and 168.

Eudaly: Typically we move them to the end of the agenda but I am happy to accommodate you, especially since we have people ready and waiting to present. So Karla, please read item 168.

Item 168.

Hardesty: I appreciate you allowing me to move this up. My team would be able to wait until it happens but I feel compelled because I pulled these off the consent. So the first one we are talking about, 168 is in reference to an accident that took place with a fire engine. We know how big fire engines are. We know how fast they must go sometimes to address the emergency ahead of them. In this particular case there was an injury, unfortunately. I totally support the resolution of this injury but wanted to make sure. I tend to pull off the consent agenda, police accident ones. I did not want people to know I was only concerned about police cars having accidents, but of course, we all want to make sure that we are driving as safely as possible, but I wanted to make sure this was on the public record. That's all that I have to say. If you would like to add anything.

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Karren Bond, Risk Management: I am karen bond with risk management, and I don't have anything to add, actually. With me is john, he was here in case there were procedural questions that were asked about the fire department.

Fritz: Has there been follow-up with the driver?

John Derr, Fire Battalion Chief Portland Fire and Rescue: Yes there has, I am the safety officer for the fire bureau, and all our accidents are reviewed internally.

Fritz: Could we call them, not call them accidents? They are crashes. Under vision zero we are trying to get to the point where there are no crashes, and I personally believe that all crashes are avoidable, almost all. So sorry to interrupt.

Derr: That's correct. So we view them as preventable or non-preventable and this was a preventable accident, crash remember and we review all of them. And we look for ways to remediate those in the future for all crashes.

Fritz: That includes presumably more training for the person involved?

Derr: Correct. We look at that one incident in general, and review for extra training for them, or policies that need to be reviewed or changed for the bureau and we also move outside of that to determine if there is any apparatus, road design or other factor that we can influence to prevent these.

Fritz: Do you look at the driver's record of challenges over time, as well?

Derr: Correct. We keep records of any crashes throughout their career.

Fritz: Thank you.

Eudaly: All right. Karla, there was not sign-up sheet. Is there anyone here that wanted to give testimony relevant to this item? Which is whether or not we should pass an ordinance paying bodily injury claim. Mr. Johnson. The list is closed.

Charles Bridgecrane Johnson: Good morning, commissioner. Charles bridgecrane johnson, I wanted to thank commissioner hardesty for this equity. I think that there is talk about being harsh on the police department but what we really want is equitable, fair lens applied to every you're of the city government, and we sometimes feel that a particular bureau of the city government does not get due scrutiny or goes on with impunity, so I am glad this item, where the victim's attorney, lourde sanchez here, the council should go ahead and approve this relatively low budget item, but I thought it was important that people come forth and say when people try and pull these from the agenda when it's the other bureau, what we're really talking about is not picking on any particular bureau or type of employee but trying to get every city employee to live up to the highest standards and be the best public servants. Thank you.

Eudaly: That concludes the public testimony. Karla, please call the roll.

Fritz: Thank you to commissioner hardesty for pulling this and to both of you for being here today and giving such good explanations. I appreciate it. Aye.

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

Eudaly: Aye. The ordinance is adopted. [gavel pounded] Karla, please read 171.

Hardesty: Thank you, commissioner. This is one of those issues I know all about, all of our offices will hear about, so I thought it was appropriate for us to have a public dialogue about it. What we have found in a fire bureau is that many times there are nursing homes and facilities that use our firefighters as their lift providers. That means that they get many, many repeat calls to the same facilities for the same issue because the staff have been directed to not lift patients, and we believe that it's inappropriate to be using public services for this particular effort, when in fact, those are -- those homes and senior centers should have staff who have been trained to be able to provide this service. And so this is a way for us to be proactive and to make sure that we are using our public safety dollars in a way that makes sense. I have my fine team here that will be able to provide additional information. Thank you very much for showing up today. Please introduce yourself and

Moore-Love: I need to read the title.

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Hardesty: I am so sorry. I am moving on.

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Hardesty: Ditto what I just said, welcome.

Ryan Gillespie, Interim Fire Chief: I am ryan gillaspie, the interim fire chief for Portland fire and rescue, and to my left is -- do you want to introduce yourself?

Sara Boone, Fire Chief: I am sarah boone, and now the division chief of medical services and training.

Greg Espinoza, Division Fire Chief: And I am greg espinoza, the deputy chief of medical services training division.

Gillespie: And thank you, I am president, commissioner Fish, commissioner hardesty, and commissioner Fritz for allowing us to have this, I want to thank you for pulling this to give us this opportunity for us to speak to it and as well as to encourage any open conversation or questions that the council or anyone else -- may have. We are here to discuss this ordinance to enact a fee for service, cost recovery for lift assist calls, non-emergent lift calls at Oregon state license, residential care facilities, assisted living facilities and nursing facilities. And this morning I am going to talk quickly about why, why are we doing this? Commissioner hardesty did address most of that in her statement. And I will just add to that. And Portland fire and rescue, our calls have been increasing over the years, and we are almost at 90,000 calls a year. And the Portland fire and rescue responds to it within the city of Portland. And our mission is to be good stewards of the public's money. We want to increase our efficiency and all aspects the operations so we look to see how we can improve that and how we can be best stewards of the public money. We are working with the bureau of emergency communications to change our dispatch protocols, and to change how we respond to calls and who responds to the calls, and while that process is going on you, we are also looking internally to see what we can change. Our calls range from high you a cute, imminent emergency type of calls, such as a cardiac arrest, and down to lower acute calls which do not require immediate assistance, and that is how -- that is what we are working towards, is to make sure that we get the right resources to those types of calls. These calls that we're talking about today are on the low end of the scale. Low acuity. We are not looking to charge a fee for emergency medical service calls. This fee is for a non-emergency lift only to a bed or chair in the Oregon state license facility. So again, we are not talking about the emergency medical calls. These are the lift calls only, and it's also important to note that this only pertains to those facilities. So we do not, we do not want to be charging individual residences, independent living, that is not the intent of this. The reason why we are looking at the licensed facilities is because through their licensure and their requirements, for their clients, they need to provide an appropriate level of service, for those clients who have differing medical, medical needs. Within those needs are mobility needs, and so they have clients that, that are unable to, when they fall, to get up. That should be part of their -- the needs that they provide for those -- for their clients. The way that we are operating now, we are subsidizing those businesses by providing that, those lift assists by using our public money to do that. We feel those facilities should, they should provide equipment, training, and proper number of personnel to provide the appropriate service to their clients. One of the concerns with this is that those that work at the facilities will be hesitant to call 9-1-1 because they do not want to incur this fee for service. We are being very clear on this, and we will be sending a letter to the facilities explaining this, that if there is any medical need whatsoever, absolutely call 9-1-1 and call for the resources. When we arrive on the scene to one of these calls, we do an initial assessment and patient assessment. And that really starts with the simple question of, are you hurt? Do you have any pain or injuries? If their answer is no, I am fine. I just need to get back up to the bed, those are the calls that we are referring to, if the answer is, is my ankle hurts, I am dizzy. My head hurts, if there is any medical complaint

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we will go down our ems protocols and do a patient assessment and those calls will not qualify for recovery. It is purely the lift assist calls. There are other jurisdictions that have enacted fees such as this. I work closely with a chief from Omaha, Nebraska, who recently enacted a similar ordinance in their jurisdiction. Clackamas county fire district one has adopted a recovery for lift assist calls. Kansas City, Missouri, and Tacoma, Washington also in January of this year implemented a similar policy for recovery of lift assist fees. I will conclude but I want to be clear that this is purely for non-emergent lift assist only in the state licensed, assisted living facilities, residential care and nursing facilities. We do not intend, nor will we reduce our emergency response, and to those individuals who need our help.

Fish: I have questions. So commissioner, thank you for putting this on the agenda so we could have this important conversation. Let me kick things off with three questions. First, how many bills do you anticipate sending out in year one under this pilot?

Gillespie: So, our call volume for these calls for fiscal year 2017-2018 was 345. We anticipate that those may drop because of the recovery of the fee for service. The 500 that we are asking to implement for the fee, we expect this will encourage these facilities to adequately train, equip, and staff their facilities, so commissioner Fish to answer your question, I expect it will be less than 350, although we don't have our final numbers for fiscal year 2018-2019 and they continue to rise.

Fish: Thank you. How did you set the \$500 fee?

Gillespie: The finance folks looked at what is an actual cost of a fire response call. And the math that they used was we looked at our total number of calls and our total budget, and that equation equaled approximately 1050 per incident, that Portland fire responds on. The 500 was set based on industry standards. Again, I worked with the assistant chief in Omaha. Tacoma does a sliding scale where the first call is 350, second call is 500, and the third one is 850. The 500 is also consistent with our fire Marshall's office fees for standby equipment. So, if you needed a fire engine to stand by with four personnel for one hour, that fee would be 500. That's how I landed on the 500.

Fish: And my third question is -- do you have the existing resources to implement this program to bill and do the collections or will you be asking for some kind of assistance from the city?

Gillespie: We have the resources to do this, so our -- you -- the work flow has been set up, and these calls, when they are tracked in our system from our responding companies, the ems battalion chief will review these calls, and that individual is going to get an automatic email. They already do get one, a notification that a lift assist occurred at a facility. The battalion chief will cross-reference that address with the state licensing website to make sure that this facility actually is a state licensed facility and is applicable for this cost recovery, and that will go to our accounting group. And we have set that up to the group is able to send out an invoice to the facility, so no, we do not, we will not be asking for more money to implement this program.

Eudaly: Thank you very much. Commissioner Fritz?

Fritz: Did you say you will send notice to the facilities to let them know this is going into effect?

Gillespie: Yes, commissioner, we will. That letter is being drafted. We wanted to have this opportunity today to present to the council and allow for a dialogue with this, and so that, that letter will be sent to all of those facilities.

Fritz: Could you please consider putting something into that letter giving the employees at the facility a hotline or something to call at the county? I am concerned that -- it tends to be understaffed, and it tends to be staffed with people like me who are in nursing who are not necessarily -- if they don't have the equipment, you be, the physical equipment, that can assist in the lift, that it could be people who are less trained, not only less trained but less

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physically capable of lifting the people, and I would want to make sure those workers in the facilities have somewhere, obviously, they are going to be able to get worker's comp, put on the other hand that back will be bust for the rest of their lives.

Gillespie: So a resource, a resource for the staff to be able to call to get some help on resources available.

Fritz: To let them know if they feel what they are being asked to do now is beyond their capabilities, here's a confidential hotline, I would imagine that Multnomah county's health services have such a thing that the healthcare workers can anonymously report when they feel that they are being asked to do things that --

Gillespie: I understand.

Fritz: If you could look into that.

Gillespie: I appreciate it. And we want to work with these facilities and help them be able to accomplish this, so we have in the past, and I didn't mention this, of the almost 100 facilities within the city of Portland, it's really a handful that are utilizing our services over and over, and like Jermaine Clayton, our high utilizer chat personnel works with individuals, our battalion chief has been working with these facilities for outreach and education, so we want to work with them and let them know that the equipment that's available, and assist them so that they can properly do their job.

Fritz: Thank you. To be clear I have absolutely supported this. Another thought occurs that hopefully many of these employees are members of the service employees international union, so perhaps giving them the contact information for their union, if they are in one as part of this letter and requiring the facility operators to give out that information, if you could look at that, I would appreciate it, thank you.

Fish: What pushback have you had from the industry?

Gillespie: I had a conversation this morning with the gentleman here today who I will let, I believe he's going to speak for that side, for the industry side. I will let that individual speak, speak from their side.

Fish: Have you received other feedback?

Gillespie: No, I have not. I am falling back to the chief, Kathy Bosman I worked with her, from Omaha and their proposal they put together, and they received very little. She had one phone call from a concerned business, and so quite frankly I was not -- I was not expecting a lot of pushback on this because I really -- we really do see it as a, as an extension of the business and services that they should be providing.

Eudaly: I have a question, you said something that triggered a thought, so this is only going to apply to Oregon state licensed commercial assisted living facilities? It will not apply to individuals living in private homes or independent living. However, I think it's safe to say that there are facilities, operating without a license that are not private residences. What would happen in that event. You said that you were going to -- you make sure that it's licensed.

Gillespie: Right.

Eudaly: Before sending the bills so what happens in that event?

Gillespie: That's an excellent question. So for the billing purposes, we will cross-reference what the state licensing facility is because that's going to be the criteria for us to bill. Your question leads to the other side, though, and we want to make sure that our -- that people are protected, and that our living facilities that are licensed correctly, and so I can look further into how we can interact with the state on that, and their licensing ability to make sure that if there are, under the radar facilities operating, that we can make sure that those people are taken care of, so I will look further into that.

Eudaly: Thank you. Commissioner Hardesty?

Hardesty: Thank you. Do you traditionally come across unlicensed facilities?

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Gillespie: We don't -- it's not something that we generally check for. We are not there as an enforcement or a licensing check, so our main concern is that the resident's health and wellbeing, and we do, when we encounter, whether it's a business, whether it's a facility or a private residence, when we find people that are living in conditions not healthy, not -- unsanitary, we work with the county on that and make referrals to make sure that those people have resources sent to them, as far as the specific licensing, it's not something that we look for.

Hardesty: That was what I wanted to get on the record. I was sure if you went into an unsafe environment you would make sure to connect with folks who have the regulatory authority to make sure that they were addressed.

Gillespie: Yes, absolutely.

Eudaly: Again, we probably didn't have sign-up sheet. So is there anyone here that would -- thank you. You can return to your seat. Is there anyone here who would like to give testimony on this item? Please come forward. I see three people, mr. Lightning, mr. Johnson, and mr. Carlsen. The list is closed. Mr. Carlsen, please begin.

Jim Carlson, President Oregon Healthcare Association: President of the Oregon healthcare association, and we are a not-for-profit association that represents about 700 licensed care providers across the state. And approximately 100 here within the city of Portland. That serve approximately 6,000 individuals each and every day in the city that require long-term care services and supports. And I also want to thank chief gillespie and the Portland fire and rescue folks, for the important work that they do, and I don't really believe that we are at cross purposes here, but I think that we have some thoughts about how we might be able to come up with a better ordinance to really address what you are trying to get after. The people who require these services are older, disabled, disproportionately low income. Many of them this, if not most of them in the city rely on medicaid to help pay for the services that they need. Most have complex medical needs. Functional limitations, cognitive impairments, age related dementia and the others so it's a challenging set of individuals to care for. I appreciate commissioner Fritz's comments about caregivers. Caregiving is difficult and demanding yet very important work. It's a disproportionately female workforce, and oftentimes when you are dealing with individual who have fallen in the middle of the night and these things, they are women who are the caregivers. Generally what happens in these cases is that caregivers strain to put a call in, either to the on-call nurse or to the physician. And being directed by the nurse or by the physician to keep the person stable, not to move them until there is a determination if they are okay or not. Oftentimes the nurse or the physician is the one directing the ems call, and is directing that they want to see them transported. Oftentimes by the time that ems arrives on the scene and they are there, that individual may have been on the floor for 35, 45 minutes. Sometimes they just want to get up and go back to bed. But it's very difficult to determine whether that individual has broken a hip, fractured their back. You know. Suffered a serious injury or not. In assisted living and residential care facilities, which are the largest number of facilities that we are talking about, people use the term, nursing facility, generically, and most of what we are talking about here, residential care facilities and assisted living facilities. And you are dealing with unlicensed, untrained caregivers to a large extent. These are not people who are rn's and lpn's or cna's, so it's very difficult for them, our primary concern with the ordinance has drafted specifically, is that it's going to create a disincentive for the caregivers to make the call due to the hefty fines and the impact statement, from Portland fire and rescue on page one, paragraph six, and actually says that it will disincentivize this, and as the chief gillespie's testimony indicated, I think that's the intent.

Eudaly: Commissioner hardesty.

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Hardesty: Thank you, commissioner. Mr. Carlsen, don't you believe that there should be trained staff to deal with issues that are consistently arising in these care facilities?

Carlson: Commissioner hardesty, they are trained in what, and what they are trained to do is to call that nurse or physician in the situation and to follow the physician orders or nurse orders. They oftentimes -- we have a home and community-based system in Oregon, we do not put people in institutions, medical facilities. And so we do not have doctors and physicians on the site around the clock.

Hardesty: We are not talking about home visits. We are not talking about people who are staying with family members. We are talking about licensed facilities that are supposed to be appropriately staffed so that they can take care of the people under their care. That's what they are being paid to provide. So I am not, I am not -- maybe I am not understanding what you are saying, that the issue is, if it's a licensed facility that is charged with caring for people who are elderly and disabled, and they should have the appropriate staff. Do you not agree with that?

Carlson: I absolutely, 100% agree, and we have got very good, strong state rules and regulations requiring that staff. Generally what we are seeing in these situations is more what commissioner Fritz was referring to where they are trying to, basically, ascertain whether this individual needs to be transported in an emergency situation or not. It's not something that they have the capability of making a determination of.

Hardesty: So my final question, mr. Carlsen because I don't think that we are far off. I think that we both want good, quality care, for people who are in the facilities that are supposed to provide that service. I think that what our challenge is, is whether or not using public safety resources, over and over and over again, at the same facilities, to lift people, who don't require any additional medical assistance. Do you think that it's appropriate that we are using public safety dollars at a very limited number of facilities that, in fact, are just calling to help lift someone off the ground? Do you think that that's appropriate?

Carlson: So, commissioner hardesty, if it was exactly as you described, I would say no. But I think that it's not quite that simple. I think the caregivers are trying to make a determination whether this individual needs to be transported or not. In a situation narrowly of a lift and lift only, I would agree with you wholeheartedly. What I would like to say is there are some other ordinances that we would like to steer you towards to look at. The city of redmond, Oregon, and central, Oregon has had an approach here that we believe is one that's very good. They look at this on inappropriate ems utilization more broadly, and there is a bit more of what we would call a sliding scale as the chief referred to. A second one is in tualatin valley fire and rescue, our organization has been engaged with them for eight years on a collaborative. We are doing a joint training next week, and they have driven down the numbers dramatically of these situations. I believe that we can, if we want to work on this more, get it just right and make sure that we are serving the people and making sure that we are meeting the needs of the people.

Hardesty: Thank you.

Fritz: Mr. Carlsen, thank you for being here today. This is really interesting. Does the size of the facility, the number of beds make a difference? Does there tend to be a licensed caregiver on the site in the larger ones?

Carlson: So commissioner Fritz, you have got very different licensure requirements between a nursing facility where they do have around the clock nursing and very robust staffing ratios versus what you see and oftentimes very small residential care facilities. So absolutely the size does matter. You can have a residential care facility as small as six beds.

Fritz: And commissioner hardesty, I really appreciate you bringing this, and I know that commissioner novick worked on this and commissioner saltzman worked on this so it's great to have a public hearing, and we do have some time to look into more details since it

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is a public ordinance. You are raising a good point in it's not only the lift. It's the assessment that is necessary, and so in the larger facilities where there is a licensed medical provider on-site, they can do -- that might be a place to triage it, as we say.

Carlson: I think that there is options here. I think there is a lot that can be done by working collaboratively with Portland fire and rescue and caregivers and care providers. One last point, just for, on commissioner eudaly's comments, I think what you were referring to, possibly, commissioner is adult foster care homes are not included in the ordinance, and there are hundreds of those in the city. They are licensed in Multnomah county by the county, and the rest of the state they are licensed by the state. And the ordinance does not address those settings. They are licensed but under Multnomah's auspices.

Eudaly: I was referring to unlicensed facilities, but thank you for that clarification. Thanks for being here because this is a complicated issue. I am a caregiver. I have a son who requires full assistance with all daily needs, and I lift and transfer him almost every day. I just spent 16 days in the hospital with him where we had someone at his bedside 24 hours a day because he's not capable of calling for help or communicating with staff. I injured myself in the first few days because of just the different mechanics required of handling him in the hospital. Finally, I had to relinquish that duty to the hospital staff. They have mount lifts that are electric, and I am hoping to have one myself one day. As a parent and someone who is really striving to keep my son out of care facilities because of concerns for safety and health, my instinct is to kind of condemn the facilities, but your testimony has helped me understand better some of the challenges, and I think that the biggest issue on the facilities' side is the smaller facilities simply don't have staff who are able to make that call. That being said, I don't necessarily agree that we should be sending out ems to make the lift. I know these centers are underfunded. The providers are understaffed.

Understaffed and underpaid. I have a lot of sympathy, but it seems to me that there has to be greater attention paid to who can, actually, safely stay in the facilities like this and who needs to live in a facility with on-site medical staff. My question for the bureau and commissioner Hardesty is I know in the past, I have had conversations with the bureau about the fact that we send out the big trucks for every call, and that's not an efficient use of those resources and could we come up with a response that is less resource intensive and cost us less? So I have a lot more questions than I thought that I would but it's a really important conversation.

Carlson: Yes, it is.

Fish: Mr. Carlsen, let me offer a perspective. For ten years in New York City I represented healthcare workers in a variety of settings. One of the chronic problems in the larger healthcare system of New York and surrounding jurisdictions was understaffing of care facilities, and it manifests itself in a number of ways, and one was an explosion in the number of people charged with patient abuse and neglect, which really shifts to the front line worker, the burden of not being able to meet the requirements and demands of the job that should be addressed by management and through adequate staffing. I think at some point it had some preposterous number of people on a hotline reported for abuse and neglect, got up to about a million referrals, so it was skewed because there was inadequate resources to do, so that was my perspective. Here, as you know, the city is very focused on cost recovery. Our costs are going up and our revenues are not keeping pace and we need to stick to the core mission and to have rationale cost recovery models. Commissioner Hardesty and the bureau argue this is a fee for service. I was struck by the fact that you were, you refer to it as a fine, and frankly I am not sure that that's very helpful in terms of having a collaborative discussion. If you begin with the view it's a fine. A fine is a punitive action taken, you know, because someone violates a rule. I think that the bureau deserves more credit than that. They have outlined this as part of the cost recovery. Would you care to respond to that?

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Carlson: Commissioner Fish, I did not mean to impugn anyone whatever in my comments, so please excuse me for using that language. What I would say is these situations are not clear situations at the time an ems call is made, and after the fact you can look back and say that was an appropriate ems call or inappropriate ems call. We do not want to create disincentives for caregivers to call people in emergency situations, and that's what I think is at the crux of how we deal with this, and I think there is a proper way to deal with it where it is not punitive after the fact if that caregiver made a mistake in making that call.

Fish: As someone mentioned this is the first reading of a non-emergency. You said that tualatin and I think redmond.

Carlson: The city of redmond.

Fish: Had other things. This will come back for, for further discussion and a vote. If you felt in that some other jurisdiction had a refinement that you wanted us to consider, it's hard to have this as an abstract conversation, I appreciate you being here and your testimony had been very clear, but, frankly, the way that for those of us who are not directly responsible for the bureau to respond to your concerns is to see a marked up copy of the ordinance with an example of what are you getting at in terms of is a scaled process or a data driven process? My sense is that sometimes it's useful to launch programs and call them pilots. Then gain information and make the adjustments as they go along, and I am sure that's what the bureau will do, as they test drive it, but if you believe that there is some change that we should be considering at the front end, that's drawn from the experience of other jurisdictions, I would urge you to as quickly as possible get a marked up ordinance so those of us who are not as close to issue as the commissioner in charge can understand what you are getting at.

Carlson: Thank you. I apologize. We just learned of the ordinance yesterday. And commissioner Hardesty and her staff who are extremely responsive, were extremely responsive to us in a short time window to give us an opportunity to speak today, so I appreciate that.

Fish: Thank you.

Fritz: I would add to this good conversation, I hope that over the next week we will, or however long it takes to bring this back, that we will involve seiu to speak for the workers because I think that this is a really good conversation. I feel, also, that we at the city, we do fire services and emergency medical services. We are not the care providers in the residential facilities, so consulting with Multnomah county and other counties would be helpful, as well.

Carlson: I appreciate that perspective.

Fritz: Appreciate you taking the time to be here.

Eudaly: All right mr. Lightning?

Lightning Super Humanity: My name is lightning, and I am represent lightning super humanity. One of the terms, are we willing to subsidize the senior citizens, the disabled and to really make sure that we are providing a service that in the event they do take a fall, maybe they are the ones who made the phone call. We want to make sure that everyone is going to show up at that time. And because when you are dealing with somebody taking a fall, there can be so many things that can happen from that point. If you don't have the right people to go in there and do the patient assessment, and maybe this individual called themselves, we need to be there.

Hardesty: Excuse me, lightning. This really has nothing to do with the individual at a home who falls.

Lightning: I am talking a licensed facility if they fall and they have a cell phone, they are making the call, and I need help immediately. Help me, please, there is not anyone here.

Hardesty: Right, okay.

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Lightning: From my position we had 345 calls. If you calculate that out at the 500, that's 172,500. On my, i, myself, would never take the chance of the patient's wellbeing for that small of a number. If I can have the properly trained fire department with the right equipment with well trained people physically fit on hand ready to assist and if somebody says I am sorry for the call made, we apologize, I want them there immediately. And where I am at is I think that we need to, on these facilities, to really have a get-together, town hall meeting, sit down with them and say this is the problem that we are talking 172,500. Subsidies that we feel that we are giving you right now, now how can you help us from your side? More training. More people. What do you need us as a city to do for you because we don't want to stop showing up at these facilities until we have that in order. Until we know that they are going to be taken care of properly. We will not chance this patient's safety for 172,500 across the board to all these facilities in 345 calls. We will not take that chance, period. But we want to know how you are going to help us to make reduce that totals number that we might have to spend. How you might reduce those calls and work with us to implement a plan for the safety of the patients. That's our major concern. We will not make this change until we have a clear plan from you on what you want us to do to assist you and your patients. Thank you.

Eudaly: Thank you. Mr. Johnson.

Charles Bridgecrane Johnson: Good morning, madam chair, i'm charles bridgecrane johnson. Once upon a time before there was a commissioner hardesty, there was just jo ann hardesty, and chloe, I don't think had the opportunity, but me and nancy has testified here on the big screen and all of that. She lives in the odd fella's home and I would assume this would apply to her. But I am really sad about the homeless people wonder bridges and schools because they don't have a professional trade association lobbyist to come in and talk for them. That's what's happening here. It's very highly paid, well compensated owner-operators of home have sent their talking head to say, oh, my god you are killing me with the \$500: That's really what's happening here. We can pass this ordinance right now, and the worst thing that will happen, if there might, maybe be a \$500 ding a couple of multiple times to the least staffed six-bed homes. Wonderful. Do it. They will find the money. You know what might be the actual case? This might be billable and coverable under the Oregon health plan, so if somebody needed a lift but no other services, and they are obese or disabled, it might not ding the owners, they might pass it onto the insurance company. So just do this. Stop subsidizing the private owners, the corporations, that run the facilities. They are not all big super corporations, and maybe some are small, the gentleman testifying, mr. Carlsen has said some are six beds but we are talking about 500 per click. We have bigger issues that need to et up your time and your due deliberation. Pass it. If it's horribly burdensome, I guarantee you that they will come running and screaming about the 500 pain you inflicted, but you know what's going to happen? Nothing. This will easily fit within every one of their models at a 500 per cost incident. And the actual real things you should look at amending into this ordinance is every time it happens, you should be copying a copy that bill should go to Multnomah county aging and disability and to the Oregon health administration so we can be 100% sure that where the calls are happening are, actually, licensed facilities or people with vetted backgrounds taking money from disabled people to provide care. That is more important. I believe that mr. Carlsen said that he was with the Oregon healthcare association. The purpose of the healthcare association is not just quality of care. It's profit and income for the owners of healthcare facilities. Your job is the patients. As commissioner Fish pointed out, we can run a pilot program and we learned from this. They did not come with a single paragraph marked in red to say no, this will kill us. You can pass this, if all four of you vote aye and all four or five vote aye again, the world will not

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end. Maybe a small business owner will contact you about needing relief. Thank you very much for your time, everyone.

Eudaly: Thank you. I would like to add that we might think of a fall as an inconsequential event, but falls are the leading cause of injury deaths among adults age 65 and older. And Oregon has a higher than average fall related death rate. So this is not -- this is not a minor thing, and I really appreciate the conversation, and I have to disagree with mr. Johnson. The worst case scenario is someone doesn't get the medical assistance that they need or a care provider is injured trying to do something that they feel pressured to do because of the cost to the employer. So it is a complicated issue, and I look forward to further conversation. This is a first reading of a non-emergency ordinance that moved to second reading. Karla, please read item 182.

Item 182.

Eudaly: Commissioner Hardesty.

Hardesty: Thank you. We had public testimony last week and I believe that this is our second reading. And the goal of this ordinance is to delay not repeal, I will say that again, delay the implementation of the placarding requirement around unenforced masonry buildings. I plan to do my due diligence by speaking with as many impacted communities. I know that the bureau of emergency management is preparing to put a task force in place to look at the systemic upgrades that are absolutely critical in order for us to make sure that the buildings, the brick buildings in the city of Portland are safe. That process has started. It's my goal to come back to this city council long before November of 2020 with a fully-fledged, flushed out proposal that, actually, implement this in a way that provides financial assistance and for some of those who need it, and as well as to make sure that we have done our due diligence to notify those most impacted by the requirement to upgrade the buildings. Again, last week we had a lot of testimony from people who were very concerned about the requirement that they are doing encumbrance on their title at Multnomah county. They were concerned about whether or not they would lose value by putting in a placard on their buildings. And they also expressed a lot of concerns about just not feeling like they were notified well in advance. And so, we are taking all that information into consideration. Today, I hope that my colleagues will support this as we start the work of making sure that we implement this appropriately.

Fish: Will you yield for a second?

Hardesty: I will.

Fish: The mayor is not here today and I won't speak for him in terms of where he would land on this ordinance, but I want to acknowledge in the conversation that we had last week he publicly announced he felt the encumbrance was a bad idea, and in retrospect whether it's a lien on the title or not, and there is healthy debate about that. He concluded that he made it clear that he supported that aspect of the legislation that we are taking up so I want to put that on the record.

Hardesty: Thank you, commissioner Fish, you are right, and i've been in the conversations with the mayor. He's looking forward to supporting whatever we come up with, so I hope that we can come back with a proposal that we can get all the city council to get behind. Again, this is really not an effort to stymie what we all believe is good public policy, but to do it in a way that is respectful and inclusive of all of the folks that are most impacted by it.

Eudaly: Any other comments or deliberations?

Fish: Are we going to take a vote? If we are taking a vote, we can make our comments as part of the record?

Hardesty: You are the chairwoman, you can do what you want.

Eudaly: And I suppose that I had a few things to say that people might want to respond to, but I can say it, save them.

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Fish: You are the chair.

Fritz: Since I was not here, I would love to hear your comments.

Eudaly: I was not here, either, so I was going to say -- I want to say that I was sorry I missed the hearing last week, but that would not be true because this has been one of the most frustrating, fruitless conversations I have had in my last two plus years on the city council. Despite people feeling like they were not given adequate notice, it is a conversation that's been going on for a very long time. We have yet to achieve clarity, but we really need to because this is part of a much bigger conversation around public safety and resiliency in the event of a major earthquake, which could happen at any moment a few things. While I do think that we got off on a bad foot with the public prior to my arrival on the city council and obviously commissioner Hardesty, I want to commend staff for the work they have done on this. It's been a difficult process. There are no easy answers. It is such a complex issue. This is really not about the quality of the work. The staff has done. I do think that we need to do a better job communicating with the public, but the staff was really excellent. So I want to thank Prosper and other staff members who contributed to this effort. As I referenced before I don't know where URM building sits in the hierarchy of priorities that we need to consider when we talk about preparation and resiliency. I, for one am concerned how we are going to deal with the threat of the fuel tanks on the west side of the river north of downtown Portland. Many people think that the river will become our primary mode of transportation after an earthquake, and I regret to inform them that the river will be full of dangerous debris and it will probably be on fire, so you are not going to be traveling by boat. I finally would like to say, and then open it up for responses or comments from my colleagues because I was not here to hear all the testimony last week. There really has not been a hidden agenda here. I've been very disappointed by some of the misinformation being spread by opponents to argue our work on the URM's. Whether it's retrofits to the buildings or placarding. I strongly believe that residents, whether they are commercial or residential residents have a right to know that they are living in a building that is not up to current safety standards. I have yet to hear a compelling argument against that. I pointed out many times that half of our schools are URM's and don't meet current safety standards, this is public knowledge, yet people still send their students to school so I feel like we are having a chicken little moment with this conversation, but I appreciate, I encourage and supported commissioner Hardesty's decision to delay the placarding requirement. We need to get together on this conversation as a community because it is going to impact all of us, and if we don't council is not the only one to blame. I will just leave it at that. Commissioner Fritz?

Fritz: I get to vote first so I will make my speech then.

Eudaly: Okay. No further comments. This is the second reading. Please call the roll.

Fritz: While I appreciate commissioner Hardesty doing the code change to delay implementation of what was decided last year, I was very disappointed that it came to council last week when I had an absence that was scheduled. My absence was filed last year but my mother's birthday was filed 89 years ago. And especially when commissioner Hardesty was not -- commissioner Eudaly was not able to be part of the conversation, this is something that the council has been engaged in. This is my 11th year, and Jonna Papaefthimiou has been working on it since so I would second Commissioner's Eudaly accommodations to staff and the due diligence, and you dealt with it extremely well. As public safety, as public servants it's our first responsibility to inform Portland community members of any information that might impact their health and safety and to do what we can to ameliorate those risks, and as I stated when I supported the ordinance last October, I view the placarding requirement as a way to build public awareness of the issue and support the solutions. Instead as commissioner Eudaly has alluded to, there's been an absolute, disgusting amount of misinformation that has been spread in the community.

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Even the, stating there is an encumbrance on the title, a requirement to tell the future tenants on the title that, in other words, to keep the placarding in place, and that's all. That's all that was required, it's not like we are requiring the upgrades or anything else. And that was all that was required, and I thought that that was minimal. A study in Seattle has shown that placarding -- it's hard to assess the impact of placarding because most other jurisdictions have required upgrades, and a study in Seattle pointed out that their council has heard the same discussions that we have, but they pointed out the demolition of old buildings will disproportionately impact communities of color and low income people, yet these communities are the very communities that are most likely to be hit the hardest in terms of life safety, personal injury and displacement when an earthquake strikes. It's not if, it's when. I think it's really unfortunate and failing our communities that have the least resources to say that we are not going to tell them that they are living in these buildings or working in these buildings or walking past these buildings that will almost certainly collapse in the event, not only the big earthquake but a five or six. There's been many different places that have experienced deaths from people walking past or being in these buildings, and I think that at the least we could let people know that they are at risk. The new ordinance does require new leases to disclose that information. We cannot change the contract of previously signed leases. We are not even requiring notification or having any mechanism to notify tenants whether business or residential, that they are living in these buildings, so I hope that in the processes as you move forward, commissioner Hardesty, you will look at if the landowners can't or won't do it, that the city would notify the residents that they are living in hazardous places. I do support removing the recording requirement, particularly since it was so mismessed as far as what it was, but requiring to direct notification of compliance with the bureau of development services if and when it happens. I hope that all of the city buildings have the placards in place, and if not I call upon my colleagues to be sure the bureaus within their jurisdictions will post these. I think it would be interesting to see whether people stop attending Keller Auditorium if there is a placard posted. Similarly if they stop using the water bureau buildings that will have the placards posted. It's our responsibility to do something about it. I do recognize that we also need to engage building owners and users in the ongoing process. I don't think that will necessarily mean we should continue placarding in the meantime. I think that would have to continue to build awareness. Once again it's kicking the can down the road. I appreciate commissioner Hardesty is saying we are not kicking it go very far down the road. To me 2020 still seems a long way away so I hope that we will have an outcome at the legislature this session where we are looking to set up a grant fund, not a tax abatement because both government and nonprofit, such as churches, that does not benefit from a tax abatement, but we need a grant fund, like commissioner Eudaly alluded to, which of these buildings are worth to investing and which aren't. I hope that we are going to fund the historic resources inventory, which has been delayed for many years in the bureau of planning and sustainability, whether it's by allocating an additional amount of money to that work or requesting that the commissioner in charge redirect resources within the bureau of planning and sustainability to do that work and development services. It's important for us to figure out which of these buildings are really historic, worthwhile, and needed and which ones, while it would be expensive to demolish them and help with rebuilding, at least they would have the mandatory inclusionary housing, at least they would be safe for another 100 years or beyond, so I believe it's our civic duty to continue working on this and that we cannot keep ignoring this problem, and I am concerned by not doing this placarding, we are delaying resolution of a problem that has gone on for too long. No.

Fish: Let me begin by thanking commissioner Hardesty for bringing this forward and structuring what I think has been a very productive and fruitful conversation. I would note if we were keeping score last week, I think that the overwhelming sentiment was repeal, not

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delay. That is not what you are proposing. You have not changed the course that you laid for us, and I think that's worth noting. I think that puts it in context. I am pleased that my colleagues are separating out the passions of the moment and the passions of some of the advocates on this issue. Frankly some of the over the top rhetoric of some of the people we heard from. Separating that out from the good work that staff has done, and I think it's important that we acknowledge that we don't turn to staff to make the policy calls. We make them. We sometimes modify our positions or reverse the course or other things and that is not a reflection on staff. The problem is not a problem of the quality of the staffing we received, and I will say that publicly and privately and in every setting, because I think that there were moments of awkwardness where some of the people testifying went off message and appeared to be attacking staff. That's dealing from the bottom of the deck. Attack the people making the decisions, not the people assigned to do the work unless you think that they are incompetent, in which case you have a right to make that claim, and no one said that. I am pleased that we can separate out the issues of the policy questions from the staffing. I gave a fairly comprehensive statement last week about where I land on this, but I want to highlight a couple things around my goals. Number one, I would like to see a comprehensive solution. There is not anybody that disagrees that there is a risk posed by earthquakes. The question in my mind and the central question is can we structure a system of grants and incentives to protect as many of the vulnerable, urm buildings as possible, while also protecting public safety? For me that's the question. What has been clear to me lately is that there is more work to be done to build a durable consensus to move this forward. So I believe that taking a time out now in a reasonable way to seek a broader consensus is constantly what we should be doing around a contentious issue and frankly, given who we have heard from in the faith community, small business owners, mom and pop landlords, property developers, music venues and others, we have a big stake in getting this right because the unintended consequences of our otherwise laudable actions could have disastrous consequences to people that own buildings which we all agree add a lot to the character of the community and we want to preserve that at all reasonable costs. Finally, it is my view to be, to beat an old cliché, we put the cart before the horse, I did not vote on this placarding requirement in november. I think a reasonable delay to seek the broader consensus makes sense and lives a chance to see whether the legislature acts on proposals for grants and incentives. And it will give us a chance to look to see what kind of city resources can be made available. I think that's laudable. And what we are doing in effect is responding to a fairly broad-based anxiety out in the community that we are moving forward before figuring this out, and I think of all the various options that commissioner Hardesty was presented with, the most reasonable one was to exempt all buildings from a requirement until november 20 other than city buildings. I think that gives us the opportunity to do it right, but this is not a repeal. This is a delay. If consensus can't be reached, the council will have to act in any regard. Thank you for what I think has been a very useful conversation, and I vote aye.

Hardesty: I want to thank all my colleagues. I am so sorry that commissioner Fritz and Eudaly were not able to hear the public testimony. But I can assure you, and I am sure you have heard from the public who have expressed concerns about the implementation of this ordinance. I learned so much more than I ever wanted to know about unenforced masonry buildings in the last few weeks, and I really want to compliment [inaudible] who is a structural engineer in the bureau of developmental services for taking the time and really educating me about both how the list was developed because a lot of the testimony I heard was that there was a drive-by shooting list development at the public hearing last week, so I do understand that there was a long process that took place, that there was an in addition development of the list that, of the urm buildings, unenforced, unreinforced masonry buildings. There was due diligence to go and double and triple check to ensure that list

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was, in fact, the right list and included the right buildings. Were there still buildings on the list that the bureau of developmental services did not know? Should have been taken off, yes, there were. But there are processes in place that allow building owners who don't believe that their buildings should be listed, to have their buildings be moved if, in fact, we find out that they should not have been on the list. It is absolutely amazing to me the amount of calories that we have put into this particular issue, but we are committed to putting more calories into it because for me it is important that we do this right. Not that we do it fast. Not that we do it so we are using a hammer to force people into compliance. Where are we going from here? Where we are going is that the Portland bureau of emergency management will be putting together a task force. I have talked to Oregon omf. What does omf stand for?

Fish: Office of management and finance.

Hardesty: Thank you very much. Office of management and finance to put together a work group to look at financial options at commissioner Fritz has said, the legislature will be considering a bill to help owners pay for the improvements we are looking for. At the end of the day I want to be very clear, no one wants buildings to fall down and hurt, injure, and kill people in an earthquake. No one wants that to happen. Nothing -- no action we are taking is actually to further the demolition of buildings. I have heard some real wild conspiracy theories as I have worked through this process. I think as a new commissioner who inherits work that has been done in previous years, I felt it was important to do my own due diligence to educate myself on this and talk to the people most impacted by the issue, so I appreciate the votes taken prior to me getting here. I feel I have an obligation to slow the process down and make sure that as we roll it out again we are rolling it out in a way that is a cooperative effort and not a hammer that we're banging people over the head saying you have got to do this or else. Some of the things I heard like this was a taking and we were trying to put all black churches out of business. I have heard really crazy stuff as i've been doing my due diligence. Anyone who knows me knows I will not be a tool for undermining black faith institutions in our community or art institutions or music institutions. Those are institutions that I value greatly. My plan is to work with those institutions to make sure that we have a more positive outcome. I want to be clear. At the end of the day I have an obligation to make sure that Portlanders are safe. I don't expect that what we come back with will have 100% agreement, and I am not looking for that. What I am looking for is a commonality, middle ground that puts us on a path to making Portland a safer city for all of us. I want to be very clear. If I waited for 100% agreement we would never, ever come back and have this conversation again. I want to absolutely thank the incredible staff at the bureau of -- Portland bureau of management and thank my staff, derrick, who jumped into this feet first when we first got onboard. I want to thank the incredible work of the bureau of developmental services because I know that they get beat up an awful lot, and sometimes they are doing great work, but they are doing it under really challenging circumstances. We are going to do in a way that's respectful but at the end of the day we will make a decision. I vote aye.

Eudaly: I am reminded of one of the most disappointing conversations that I had on this subject, which was a property owner telling me that they should not be required to notify their tenants or placard their building because that would put them at a disadvantage, a disadvantage to newer buildings. My response was, you should be at a disadvantage. You are providing substandard housing. Call me nostalgic, but I miss the days in Portland where living in substandard housing came along with paying below market rate rent. Frankly, I think that's how it should still be were my personal experience indicates otherwise, though. I was initially very supportive of both the notification of tenants and the placarding. After an earlier hearing we had on this item, enough issues were raised by property owners that I felt couldn't be adequately answer and had we could not get clarity on that

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my confidence waived and I ultimately did not support the ordinance. I want to be clear like commissioner Hardesty, we have to prioritize the public safety I support the notification part of this ordinance as soon as possible. I also support delaying the placarding until we achieve greater clarity and give property owners a chance to get in compliance. Speaking of compliance, I want tomorrow more the property owners who actually do have the resources to do seismic upgrades to just do it. Don't wait for the city, just do it. There are tax abatements available. There's an excellent program called the property fit Oregon that is available commercial and residential buildings, and multi-family with five units or more. You could end up with a positive cash flow after debt service if everything goes. While many property owners might not realize cost savings or increase in property value, it's ultimately going to pay off. And most importantly, it's going to save lives. With that, I vote aye. The ordinance has passed. And, or adopted, rather. Karla, please read 183.

Item 183.

Eudaly: Okay, this item has been heard and testimony was taken last week. Colleagues, is there any further discussion? All right. This is an emergency item. Karla, please call the roll.

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

Eudaly: Aye. Thank you, the ordinance is adopted. And Karla, please read 184.

Item 184.

Eudaly: All right, this is my item. I am pleased to bring this grant acceptance for the important bike and pedestrian improvement to outer northeast halsey street. Nicole Pearce from transportation is here to quickly walk us through the project. Welcome, Nicole. Please state your name for the record.

Nicole Pierce, Bureau of Transportation Capital Project Manager: Thank you, commissioner Eudaly and good morning, commissioner Fritz and Hardesty and Fish. My name is Nicole Pearce. I am the PBOT Capital Project Manager assigned to the northeast Halsey safety and access to transit project, which according to PBOT naming very long should be known as the northeast Halsey Street 68 Avenue to 92nd Avenue project. We have a lot of projects on Halsey, so that title makes it clear which of the many Halsey projects we are talking about, so the ordinance before you today is to accept a 2.4 million grant from ODOT and appropriate 300,000 in this fiscal year so we can get started on the project right away. The mechanism for granting those funds is an intergovernmental agreement so the ordinance will also approve that IGA. The project is the result of two planning efforts. The 2009 East Side MAX Station Area Community's Report, and the 2016 Growing Transit Communities Plan. Both of those efforts included extensive public involvement in the form of surveys, open houses and advisory committees. The project is located in an area that scores high on the PBOT equity matrix meaning higher than average population of low income, limited English proficiency and non-white populations. The project has a lot of community support, but I specifically want to mention two organizations, the first is JOIN, which is a homeless support nonprofit, and they are located on northeast 81st Avenue south side of Halsey. The second is the Multnomah County Juvenile Justice Complex south of Halsey. Looking at the map, the Juvenile Justice Complex is south of that western most circle, which represents a new crossing to go in at 68th and Halsey. And JOIN is south of the new crossing that is shown at the circle in the middle, which is a new crossing proposed at northeast 80th and Halsey. Tress identified northeast Halsey for more frequent future transit service on line 77. Northeast Halsey is a designated high-crash network street for two of the three modes for walking and driving. The project will connect pedestrians and cyclists to the new multi-use path built to the east. It's the solid green line shown on the right side of the map, which will connect northeast Halsey under 205 to the Gateway Transit Center and Green. The project scored highest in the 2016 round of regional flexible funds allocation. I will go through highlights of the scope, and I have some concept

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drawings to share, but I need you to keep in mind these are very early and will need to be vetted and flushed out through the design process. It is entered on making it easier to roll from the 82nd avenue max station. So starting from the west we are proposing a new crossing at halsey and 68. As you can see, there is currently no crossing there, and if you know that area, at all, 68 avenue functions like the end of a freeway off-ramp, so not a very safe spot. We will be squaring up the intersection of 68 and halsey, adding a crosswalk and a median island, which should make it safer. We are proposing new crossings at northeast halsey and 80. There is two new crosswalks with median islands and sidewalk infill, and a roundabout, and again, remind you this is a draft concept, we will have to see if it will work in this location.

Eudaly: Excuse me, will that roundabout have stop signs? Or can we have a proper roundabout?

Peirce: You know, I don't know. It's so early in design that we might not have a roundabout. I hear you.

Fritz: A stop sign? The rules are different in the united kingdom than here in terms of what is a roundabout so I think some clarity about who is supposed to yield to who and consistency would be, would behoove us moving forward.

Peirce: We will be having those conversations. This is, you know, a very early design.

Hardesty: Excuse me, I have a question. Can you tell me what is the pedestrian traffic in this area?

Peirce: I don't know the answer to that question. I think that the hope is that if we make it safer for pedestrians, more people will walk and more people specifically will be walking to make those connections to transit and in the form of line 77 and the max station.

Hardesty: That's around the area that I live, and I am not sure that this is san area that pedestrians actually -- I mean I have never seen pedestrians, let me just say use that area, so it's interesting to think about is there housing close to this and this is why we are thinking about this?

Peirce: Well, so this crossing here at 80, like I mentioned is close to that, to join, so that's you know, that's one thing.

Fritz: It's close to the max station.

Eudaly: And public transportation, more importantly, is high incident, high crash incident zone.

Peirce: It's on a high crash network for walking.

Eudaly: So there is good reason people are not walking there is because they are getting hit.

Peirce: The people that are walking there, we want it to make it safer for them.

Hardesty: I think commissioner Fritz laid a good point, we don't do a good job of educating people who has the right-of-way and doesn't in these areas, so it does matter if people know who has the right-of-way.

Eudaly: Sure, and this does not exist yet, but I agree especially with so many new residents pouring into the city every year, who have different kind of standards and customs where they are coming from, in addition to congestion, I think that's a real issue. We have unique rules and that has been something that i've been kind of hammering away on as public education around pedestrian and traffic safety.

Peirce: And consistency.

Eudaly: When we do these projects, I know at least for the one on columbia near the middle school, I am blanking out on the middle school, it will come to me. George. I was going to say gregory, we have people come out and educate the community about the improvements. So, I am concerned when I see like a new crossing, people are just going to think oh, great, there is a flashing beacon, it's safe to go out into the street. But if you are going out onto the street where people are used to moving, or driving unencumbered

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or unimpeded, that might not be the wisest decision, so we are thinking a lot about that and also taking action.

Fritz: While we are on this, I am assuming this is accepting the grant, when the project comes back there we'll be back a contract for doing it and the design will come back to council, is that correct?

Peirce: Yes.

Fritz: Looking at these crosswalks, I will be extremely reluctant to vote for contracts that don't have the signalized pedestrian crossings with the flashing lights. I think with some of our crosswalks having flashing lights and some not, even when there is a sign that says there is a crosswalk, if it does not happen to have had one of the flashing lights, there is a tendency for drivers to be thinking there is no flashing light and therefore I can continue speeding, so I think that we need to, having the lights as a standard wherever we are encouraging people to cross the road.

Peirce: Our traffic engineers will be looking at that. There is certain warrants that need to be met and standards for different volumes pedestrians and cars and bikes. I can't promise there will be a light. The traffic engineers will determine what the right treatment is, but.

Fritz: I would encourage you to do so because i've been in england, so my accent is thicker than ever, and I noticed they have gone away from the crossings. They don't have the stripes. They only have the flashing lights and in fact, they have only stoplights, so it's not just a warning but you will stop for these pedestrians, and I think that's more the way that we should be thinking, you know, we have got traffic designs for now. We need to look at designs for the next 50 years, and as we are encouraging more people to walk we need to make sure that as commissioner eudaly said they will if it's safer.

Eudaly: I hope it's not the american tourists looking the wrong way.

Fritz: I am completely lost. My mother said that, too. We have had a lot of controversy about it being the nanny state, and I am appreciative. I am constantly looking around.

Eudaly: Don't let me walk london streets unattended. I will probably be mowed down.

Fritz: Sorry, we digress.

Peirce: And I think that might generate some conversation. So keep it lively. So moving on. We are also looking at from northeast 80 over that structure over 84, we are proposing to stripe two-way buffered bike lanes on the south side of the structure. There are no bike facilities. And continuing at the east end of the structure and onto 92nd avenue, we are looking at constructing a multi-use path on the south side of the road, for both, we are not looking at reducing the vehicle capacity on halsey at all. For the multi-use path section, we are proposing to remove parking on the south side of halsey. That's all, those are the highlights of the scope. We will start with public involvement and the refinements this spring as soon as we get the funding from odot. And we hope to begin design late this summer. With construction scheduled to start in the summer of 2021 and continuing into 2022. Do you have any other questions.

Eudaly: Karla, any testimony?

Moore-Love: We have one person. Charles bridgecrane johnson.

Eudaly: Welcome back. Please state your name for the record, as you always do.

Charles Bridgecrane Johnson: One day I am going to be charles bridgecrane johnson, but I am right now and I want to thank you for the camaraderie you have and the way you turn to the important topic of pedestrian safety. I want to thank commissioner Fritz, I lost track of whose bureaus are what but you are all transportation commissioners in my heart because you are concerned about our safety and she brings up an important point. As pedestrians, I am mostly a pedestrian and transit person, and as an american transit person I feel just as entitled as automobile owners. When I hit the crosswalk button, if it doesn't turn I will go out there in danger. So we need elected leaders talking about the reality of the way things are when people are getting off the bus and moving as

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pedestrians. So I hope that there is a formal process for the expression here about more signaled crosswalks and also how the signaled crosswalks works. If you build a signaled crosswalk where a pedestrian has to show up and stand for 47 seconds, before they can see the lights do anything, start to countdown, you really are not going to improve safety. There is no reason why when a person pushes the button, they cannot see one of the signs somewhere change and start to count down to a yellow light so people can move safely. So that's actually how we are going to get to vision zero if we talk honestly and clearly about getting yellow lights to come on when pedestrians push buttons. This is, except for a few caveats that are touched on, this is something that we need to push for whenever there is 2.4 million away from available from odot. And we only have to spend a bit, that's great. It was weird coming in at 9:30 and seeing a bunch of testimony forums, and having them look like they related to odot. It makes me have more sympathy about this complicated dance. At one point we have to do these things that we might give land to odot or whatever but on the other hand we are like odot, get the legislator to give us back 82nd avenue. And so I am glad to see the council have people who will encourage citizens to get into this rationale conversation of about where should the power of democracy and moving people really rest? Should you mostly not be ever giving powers to odot and making sure that local governments instead of statewide government and state odot have control and power over the lands? This relates to a couple of the other ones, but thank you very much for your attentiveness and your candor about personal pedestrian experiences.

Eudaly: I am very curious about our standard for crosswalk buttons because some seem to respond more quickly than others, and many people believe that they don't do anything at all. So another thing to clarify and educate the public about. Colleagues, any further discussion?

Hardesty: Thank you. I just had one thing to add. While those beacon lights make it safe for people to cross, there seems to be a long time that those lights are on. So I think that as we start expanding those, we should really think about -- because what it does is frustrate motorists. You are looking and watching and don't see anybody out in the crosswalk, and so what it does is frustrate folks so they become less aware that those yellow blinking lights are there. I agree with you. I think public education around both the major safety issues that we all care about, but the timing is like is it really necessary for it to be a minute after everybody has crossed for you to sit there and wait for the lights to be done?

Eudaly: I assume the timing is based on the amount of time someone with a mobility challenge might need to safely cross the street, but I have witnessed the same thing, and I agree without an understanding, drivers are frustrated and more likely to disregard the lights. Yeah. It's a delicate balance. Okay. This is an emergency item. Karla, please call the roll.

Fritz: Good discussion and thank you for your work, aye.

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

Eudaly: Thank you, nicole, sorry I somewhat sidetracked your presentation with my question about the roundabout, but it was interesting conversation, or discussion nevertheless and I will vote aye. The ordinance is adopted. Karla, please read 185.

Item 185.

Eudaly: This item will allow transportation to begin the acquisition of needed property to construct improvements to the northeast columbia and cully corridor. Marty with transportation right-of-way acquisition will explain the process here, and it's my understanding we've been in contact with the one business that would be impacted by this acquisition, hagerman, inc. Of umatilla, Oregon. Those conversations have gone well. I will leave it up to marty to expand. Please proceed.

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Marty Maloney, Bureau of Transportation Right-of-Way: Commissioners, I am marty maloney with the pbot right-of-way. The item in front of you is to authorize eminent domain authority as well as the ability to offer just compensation for the needed permanent and temporary property rights associated with the northeast columbia cully boulevard and alderwood intersection improvement project. The project will reconstruct the northeast columbia and alderwood road intersection and provide signalization to the intersection. The project will also add shoulders and sidewalk at the intersection and restripe the left turn pockets at eastbound columbia boulevard to northbound alderwood road. All affected property owners were informed about the city's need for the property right and invited to attend the reading of the council agenda item. I would be happy to answer any questions council might have at this time.

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

Moore-Love: Yes, charles bridgecrane johnson.

Eudaly: I am assuming the testimony will be relevant to the item at hand.

Charles Bridgecrane Johnson: Yes. Really, actually, especially on this one, I don't understand how eminent domain and temporary property rights go together. I was glad you mentioned hagerman owning the land.

Eudaly: They don't own it, they lease it from the railroad.

Johnson: Oh, our friends. It's about the 15-foot strip. We are going to get staff up here to clarify.

Maloney: It's a prior to property owner, beale that owns the property. Leases to hagerman, and there is a lease that beale has and hagerman uses that, so it's convoluted.

Eudaly: It is, and thank you for the clarification.

Johnson: I would love it if it was slightly more convoluted. The homeless camping, urban impact reduction, or whatever, many times when you deal with these properties, sometimes there is displacement of displaced people. I don't think there is anyone we need to protect, but when we have the traditional forums that come up, it's still, we're moving slowly, the foster road shelter hasn't opened so the impact on people who reside that are not normally looked at as residents. Thank you very much.

Eudaly: It is used as a storming space for hagerman, so as far as I know it is not a camp, an informal campsite. Colleagues, any further questions on this item? Thank you. This is an emergency item. Karla, please call the roll.

Fritz: Glad we got to hear it. Thank you very much for checking with the property owners. There is no opposition to this, is my understanding, aye.

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

Eudaly: Thank you, and aye. Ordinance is adopted. [gavel pounded] Karla, please read 186.

Item 186.

Eudaly: This is just like our last item, authorizes transportation to begin the process of acquiring needed property to construct an important link in the spring water corridor. Marty maloney is here again, still here. Quickly walk us through the item. Welcome.

Maloney: Good morning again, marty maloney with pbot right-of-way. The item is to authorize eminent domain authority as well as offer just compensation for the needed temporary rights associated with this. The spring water connector project will connect the 1970s and greenways with the proposed project elements, include pavement markings, speed bumps, pedestrian scale lighting, tree planting and improvements of two sections of gravel streets. All affected property owners were informed about the city's needs for property rights and have been invited to attend the reading of the council item. Any questions?

Eudaly: Mr. Maloney, I am not familiar with this particular stretch. Are the property owners primarily residential or commercial?

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Maloney: Residential.

Eudaly: And is all the work or all the property being acquired on a residential lot?

Maloney: Correct, temporary easements so we are using existing right-of-way for the permanent improvements and the temporary property rights just give us the ability to support construction of those.

Eudaly: Were there concerns raised by the property owners?

Maloney: Not that I have heard, no.

Eudaly: Colleagues? Okay. Thank you for that. Karla, is there any testimony?

Moore-Love: Yes, Charles bridgecrane johnson.

Charles Bridgecrane Johnson: Charles bridgecrane johnson. This is more limited as you refer to item 186. When we click on exhibit a under 186, we think that we are going to talk about -- I thought of the spring water corridor was southeast, when I click on exhibit a, I get something that says northeast halsey street, bike and pedestrian improvements.

Fritz: You have got them mixed up.

Johnson: I am saying electronically. There may be a technical difficulty so wanted that to be known to you.

Eudaly: We will make sure that that is fixed for anyone wanting to access that item in the future. Right. Great. Colleagues, any further discussions? This is another emergency item, Karla, please call the roll.

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

Eudaly: Thank you, Mr. Maloney, aye. The ordinance is adopted. Karla, please read 187.
Item 187.

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

Fritz: I am disappointed I missed another good roundabout discussion. I appreciate the Brad Taylor group partnering with Pbot and doing the public outreach. It's hard to remember something as thorough as this, 8,000 residents going door-to-door, community meetings, being at the reaction center, marketplace, etc., so a great amount of public input, and I appreciate the partnership with Pbot, and it looks like a great project, and I am looking forward to seeing what design they come up with. Thank you for your work. Aye.

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

Eudaly: Thank you for the compliment, Commissioner Hardesty, and I am very committed to thorough public engagement.

Fritz: I am Commissioner Fritz.

Eudaly: I am so sorry, everyone has to make that mistake at least once, I know. I am going to repeat something that I said to the southwest corridor project committee that I am now a member of, which is property owners do not equal the public. Which means that if we are going to notify the public, we have to notify everyone. That's property owners and residential and renters and businesses and etc., and so I think that we have done a really thorough job, and I vote aye. [gavel pounded] the ordinance is adopted. Karla, please read 188.

Item 188.

Eudaly: Fantastic. Someone is magically appearing because I was not sure whose item this was going to be. In the mayor's office absence.

Eudaly: Go ahead.

Sherry Matias, Auditor's Office: I am Sherry Matias from the Auditor's Office.

Mike Zeller, Bureau of Transportation Sidewalk Repair: And I am Mike Zeller from sidewalk repair maintenance operations.

Matias: This ordinance is for sidewalk repair on property that is required by the city, and any remonstrances have been pulled and not in this ordinance.

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Eudaly: Great. Karla, there -- any questions for staff? Nope? Karla, any testimony on item?

Moore-Love: Yes, three people signed up.

Fish: Remonstrances have been withdrawn which means there is no objections from the property owners.

Moore-Love: The other two who signed up, I may be reading the name wrong, if you signed up for this come on up.

Charles Bridgecrane Johnson: I am just curious, that gets on the agenda without -- many locations citywide, commissioner Fish you mentioned remonstrances have been withdrawn, can you say one or multiple sites?

Fish: Multiple, comes to us as a package. A remonstrance, those are pulled so the only things that come are ones for which there is no controversy.

Johnson: Groovy, look forward to the aye voting.

Eudaly: Okay. That concludes public testimony. Colleagues, any further discussion? This is the first reading of the non-emergency item. It moves to second reading. We will -- well, and we have done the pulled items from the consent agenda.

Fish: Madam president, we don't have an afternoon council, but I would like to say that as speaking as your colleague and friend, I appreciate the way you keep our meetings moving along. I have often thought that the tradition of the mayor automatically chairing the meeting hasn't necessarily been such a great benefit to a mayor because chairing a meeting requires a lot of, takes a lot of energy and a lot of focus, and it makes it harder to be an advocate on issues when you are moving things along. I have thought that the mayor ought to consider rotating the gavel because it's a ministerial function, and frankly, I think that some people inherently are better at it than others, and so I want to say I appreciate the way you move the agenda forward and keeps us on task and get us out of here at a reasonable time for lunch. Much appreciated.

Eudaly: Thank you, commissioner.

Hardesty: I will second that.

Eudaly: Thank you. We are adjourned.

Council adjourned at 12:21 p.m.