



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **26th DAY OF JUNE, 2019** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Eudaly, Presiding; Commissioners Fish and Fritz, 3.

OFFICERS IN ATTENDANCE: Keelan McClymont, Acting Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and John Paolazzi and Daniel Sipe, Sergeants at Arms.

Due to the absence of two council members emergency items and Consent Agenda were heard at 2:00 p.m., June 26, 2019

COMMUNICATIONS		
619	Request of Stan Herman to address Council regarding answering his question (Communication)	PLACED ON FILE
620	Request of Jeanne Connett to address Council regarding the Willamette River (Communication)	PLACED ON FILE
621	Request of Roger Jones to address Council regarding Hawthorne Blvd Business Association Concerns (Communication)	PLACED ON FILE
622	Request of Mary Wilkinson to address Council regarding Hawthorne Blvd Business Association Concerns (Communication)	PLACED ON FILE
623	Request of Bill Levesque to address Council regarding Hawthorne Blvd Business Association Concerns (Communication)	PLACED ON FILE
TIMES CERTAIN		
624	TIME CERTAIN: 9:45 AM – Authorize Exchange Agreement with the USDA Forest Service to execute a land exchange in the Bull Run (Ordinance introduced by Commissioner Fritz) 20 minutes requested	PASSED TO SECOND READING JULY 24, 2019 AT 9:30 AM
625	TIME CERTAIN: 10:05 AM – Refer amendment to the City Charter regarding Protections for Bull Run Watershed (Resolution introduced by Commissioner Fritz) 20 minutes requested for items 625, 626 and 627 Motion to amend Exhibit A to add ‘seek to’ to the last paragraph: Moved by Fritz and seconded by Fish. (Y-3)	37438 AS AMENDED

<p>626 (Y-3)</p>	<p>Refer amendment to the City Charter regarding Emergency Mutual Aid Agreements (Resolution introduced by Commissioner Fritz)</p>	<p>37439</p>
<p>627</p>	<p>Refer amendment to the City Charter regarding Public Use of City Lands for Permissive Secondary Purposes (Resolution introduced by Commissioner Fritz)</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p>628 (Y-3)</p>	<p>TIME CERTAIN: 10:45 AM – Appoint Courtney (Sylvan) Fraser to the Citizen Review Committee, an advisory board to the Auditor’s Independent Police Review and the Police Bureau’s Internal Affairs (Resolution introduced by Auditor Hull Caballero) 15 minutes requested</p>	<p>37440</p>
<p>REGULAR AGENDA</p>		
<p>Morning</p>		
<p>629 (Y-3)</p>	<p>Appoint Kaliska Day, Gabriela Saldaña-López, Karen Spencer, Karen Williams and Mia Sabanovic, as voting members and Ana Brophy, Brian Laurent and Sara Petrocine as ex-officio members of the Portland Utility Board (Report introduced by Mayor Wheeler, Commissioners Fish and Fritz) 10 minutes requested Motion to accept report: Moved by Fish and seconded by Fritz.</p>	<p>CONFIRMED</p>
<p>630</p>	<p>Amend Acquisition of Public Art Code to expand eligible uses of the 2% funds, explicitly prioritize underserved communities and clarify City accountability (Second Reading Agenda 600 introduced by Commissioners Fish and Eudaly; amend Code Chapter 5.74)</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC WORKS</p>
<p>Mayor Ted Wheeler</p>		
<p>631 (Y-3)</p>	<p>Appoint Chandra Robinson, reassign and reappoint Garry (Don) Vallaster to the Portland Design Commission (Report) 10 minutes requested Motion to accept report: Moved by Fish and seconded by Fritz.</p>	<p>CONFIRMED</p>
<p>Office of Management and Finance</p>		
<p>632</p>	<p>Authorize a borrowing of not more than \$52,900,000 in anticipation of the Fire & Police Disability & Retirement Fund levy for fiscal year 2019-20 (Ordinance) 10 minutes requested</p>	<p>PASSED TO SECOND READING JULY 10, 2019 AT 9:30 AM</p>
<p>633 (Y-3)</p>	<p>Assess property for sidewalk repair for the Portland Bureau of Transportation (Second Reading Agenda 618; Hearing; Y1099)</p>	<p>189582</p>
<p>Commissioner Chloe Eudaly Bureau of Transportation</p>		

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S-634	Amend Public Improvements code to permit the attachment of wireless facilities on poles (Previous Agenda 360; Ordinance; amend Code Sections 17.04.010, 17.24.101, 17.60.110) 20 minutes requested Motion to accept substitute: Moved by Fish and seconded by Fritz. (Y-3)	SUBSTITUTE PASSED TO SECOND READING JULY 10, 2019 AT 9:30 AM
635	Amend contract with TriMet for \$6,571,781 to provide for enhanced upkeep and security of the Portland Transit Mall and the original Light Rail Transit Loop segment of 1st Ave, Morrison and Yamhill Streets (Previous Agenda 616; amend Contract No. 30000826) 15 minutes requested	PASSED TO SECOND READING JULY 10, 2019 AT 9:30 AM
636	Authorize a competitive solicitation and contract for the Photographic Traffic Enforcement System and related services (Second Reading Agenda 617) (Y-3)	189583 AS AMENDED
Commissioner Amanda Fritz Water Bureau		
637	Authorize an Intergovernmental Agreement with Multnomah County Department of Community Justice in the amount of \$206,000 to conduct general heavy brushing and cleanup work (Second Reading Agenda 611) (Y-3)	189584

At 11:54 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **26th DAY OF JUNE, 2019** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Keelan McClymont, Acting Clerk of the Council; Lauren King, Deputy City Attorney; and Daniel Sipe and Kirk Robinson, Sergeants at Arms.

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

<p>*638 TIME CERTAIN: 2:00 PM – Authorize an Intergovernmental Agreement with Multnomah County for the Revenue Division of the Bureau of Revenue and Financial Services to administer the Multnomah County Business Income Tax (Ordinance introduced by Mayor Wheeler) 20 minutes requested (Y-4)</p>	<p style="text-align: center;">189585</p>	
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Commissioner Jo Ann Hardesty</p> <p>Portland Fire & Rescue</p> <p>639 Authorize an Intergovernmental Agreement with the State of Oregon, Office of the State Fire Marshal, for Regional Hazardous Materials Emergency Response Team Services (Ordinance; Contract No. 30006840)</p>		<p>PASSED TO SECOND READING JULY 10, 2019 AT 9:30 AM</p>
<p>640 Authorize contract with Burlington Water District for fire prevention, suppression and emergency response services for FY 2019-20 (Ordinance; Contract No. 30006901)</p>	<p>PASSED TO SECOND READING JULY 10, 2019 AT 9:30 AM</p>	
<p>REGULAR AGENDA</p> <p>Afternoon</p> <p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p> <p>*641 Extend contract with Motivate International, Inc. for the continued operation of the Bikeshare System not to exceed \$14,780,000 (Previous Agenda 615; amend Contract No. 30003174) 15 minutes requested (Y-4)</p>		<p style="font-size: 24pt;">189586</p>
<p>At 2:25 p.m., Council adjourned.</p>		
<p>DUE TO LACK OF AGENDA THERE WAS NO 2:00 PM MEETING THURSDAY, JUNE 27, 2019</p>		

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MARY HULL CABALLERO
Auditor of the City of Portland

A handwritten signature in blue ink, appearing to read 'Mary Hull Caballero', written in a cursive style.

By Karla Moore-Love
Clerk of the Council

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

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Key: *** means unidentified speaker.**

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9:30AM

Eudaly: The session for June 26, 2019, is it Caylee?

McClymont: Keelen.

Eudaly: I am sorry, she's new, everybody, kind of. Can you please call the roll? [roll taken]

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

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

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 welcomed, comfortable, respected and safe. To participate in the council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on, when your time is done, a red light goes on. If you are in the audience, would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumb's down. 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. Now onto communications. Please read the first item.

Item 619.

Eudaly: Welcome. State your name for the record.

Stan Herman: My name is Stan Herman. I think that I am just going to pass out this information. You have a couple members of council gone so probably won't be able to emphasize what I wanted to continue to talk about, so I will just pass this, if you read it when you can. I would appreciate it.

Eudaly: Okay. You can give your documents to the clerk, and she will hands them out. Will you please read the next item.

Item 620.

Eudaly: Is Jan here?

Jeanne Connett: Yep.

Eudaly: Come on up.

Connett: Hey, how are you?

Eudaly: Please state your name for the record. You have three minutes.

Connett: Jeanne Connett.

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Eudaly: Three minutes.

Connett: I've been batch -- marching on the streets to clean up the willamette river, 20 years after that we made some headway. I didn't believe it when I was gone, when they told me that the willamette river is the worst polluted river in america. I come back to Portland only to find truly it is. I have two questions for you. Number one, why do you choose to keep polluting it, and secondly, what have you been doing with the money that you are supposed to use to clean it up? Anyway. Everybody. I am 58 years old. 55 years on these streets trying to get this cleaned up. After 20 years, that would make me 33. So when I became 33, people started taking over Portland that don't give a damn. Is that what I am supposed to get from all of this? Because that's what I am getting from all of this. It's not just me. Most people just don't have enough nerve to come up here and tell you to your face. I think that you ought to make it public. Like first thing on the web page. What's been going on and why. And I don't know what he's doing about this, did he say that he wanted to put a harbor in on the st. John's side just up from the bridge where all that contamination is with the great big huge signs that says, do not breathe this air or you will become permanently, mentally disabled for the rest of your life. I had pictures. I didn't bring them this time. What's up with that, guys? That's right at the end of st. John's, that's where I taught my son how to die. That's where me and my brothers, we played, when we got old enough to swim farther than off the docks. Okay. Well, that's less than three minutes. That's all that I want to know and apparently nobody here wants to answer any of my questions.

Eudaly: Thank you. Please read the next item.

Items 621, 622 and 621.

McClymont: 621, 622, and 623 would like to come up together.

Eudaly: Great, yeah.

Eudaly: Welcome. State your name for the record. You each have three minutes.

Bill Levesque: Thank you. Thanks for this opportunity to speak to you. My name is bill levesque, and I am the president of the hawthorne boulevard business association, the hbba. Portland is growing, it is a unique city where more and more people are finding home. We appreciate the challenges you are managing to ensure the city maintains its culture, quality, and character as we go into the future. Our district stretches along southeast hawthorne from 12th to 55th avenue and southeast maine to stevens with 500 unique businesses, 3,500 jobs, and 10,000 residents. How thorn is a favored destination for local, regional, and national visitors. Our neighborhood, like all of Portland, has changed and continues to change. Structures will be replaced. The question is how do we retain the spirit of the neighborhood? Recent construction has brought new multi-family housing buildings, which is important to our city. We want to increase the diversity, and that means retaining a range of rental costs to accommodate a range of income levels. A mix of buildings large and small and old and new is more likely to achieve this result. We also want to reduce our carbon footprint. This is not change for change sake. We were at a critical point that cities can make effective decisions to improve each of these areas. It is doable, and it is affordable and right. Part of our success will be measured by how we maintain the treasure of our past as we build for the future. Some of Portland's new buildings will be tomorrow's treasures. But some of these, frankly, do not fit. They don't take into account the character of the city, the neighborhood or even adjacent buildings. Our buildings have a dominant impact on the feel of the neighborhood, good design celebrates what is there, and contributes to the vibe of the neighborhood. A bad decision can have a dramatic negative impact. A 100-year mistake. We are responsible for these decisions. The design overlay zoning amendments, standards and guidelines currently being created by the city are a necessary framework. We look forward to these tools going place. However, the process needs to take into account the unique identity of each

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neighborhood to ensure that added density doesn't come at the expense of Portland's unique character. We believe that it is important that the tools are implemented with two key components, one, the adoption of the design standards and guidelines that acknowledge and support the unique character of Portland's main streets. And two, the requirement that the developers work with the community on design prior to permit and design approval by the bureau of development services. The hbba with the pdx main street initiative to work with them to shape and then adopt the main street design guidelines to ensure the corridors have lively public spaces, active ground floors, and livable residential units, and historic cohesion and stepup and step-backs. The proposed standards currently set 55 feet as the threshold for design review, but most of the new buildings along hawthorne are between 45 and 55 feet. We need a second design commission focused on the east side of the city and need to create hawthorne design overlay panel with participants from the hawthorne community.

Eudaly: Your time is up. Thank you. Next. Next.

Roger Jones: Good morning, all. My name is roger jones. I have been here before. I am an owner. I am the owner and president of the edna brokerage, inc., founded by my father in 1948. We've been a family owned business for over 70 years, and I come today as a fifth generation Portland-born Oregonian, founder of the hawthorne boulevard business association and board member of both hbba and ventura Portland. In our small but distinctive business district we are legacy to a disproportionate number of buildings that are on the unreinforced masonry building list that this city has adopted. One of which of those buildings was one of our investments as early as 1953. Others may have differing views, but I was born and bred on the urm buildings. My passion is somewhat proportionate to my experiences. 42 buildings in our district have long contributed to the unique and loved identity of the hawthorne boulevard. Please notice in your packet a current image of a 30-year old pioneer business, plus powells books. The building has sat vacant since 2016, since the date that the city filed its urm list that was may of 2016, and that building has been vacant now in the -- and the tenants can't afford the urm fixes. As a property owner, I understand the critical need to ensure the safety. Life safety protections and buildings as well as the significant and serious challenges to our city's historic building stock will face if the big one comes. At this time, I would like to thank commissioner Fish, unfortunately, commissioner hardesty is not here, but I would still thank her for acting on behalf of the small businesses and the greater community, continuing testimony regarding unreinforced masonry buildings. In your packet also is a picture of a building on 40th and hawthorne that is a magnet for graffiti. It has -- I will say that yesterday it got painted. This picture was taken over the weekend when I was in a cleanup. I took that picture because I wanted to remember it. Hbba asks you, our city leaders to ensure the urm list is accurate and does not negatively impact property owners' ability to secure insurance coverage, tenants, or financing and make life safety improvements. Second, to increase the masonry building owner representation on the newly announced urm policy committee, currently, only 16% of the committee members are commercial building owners, with the majority of the committee made up of contractors who primarily stand to benefit from the reinforcement requirements. Third, to include a committee representative on that committee from the hawthorne district. And lastly, to explore innovative funding options and incentives to help legacy property owners do the right thing and reinforce their buildings. Small business owners are creative problem solvers. Thank you, commissioner Fish. We have to stay in business. We have to, to stay in business. Hawthorne will gather urm property owners together for a solution-focused group task with identifying financial capacity incentives and invite you all to attend. The hawthorne district information could then be shared with the citywide urm policy committee. Thank you for the opportunity to address the city council today.

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Eudaly: Hopefully you are going to be three minutes or less because we are running over. State your name for the record, please.

Mary Wilkinson: Good morning, council members and attendees. I am mary wilkinson. I am the secretary of the hawthorne boulevard business association, business member first with onpoint community credit union, and sole proprietor and fifth generation Portland resident. As we promote the design of the neighborhoods and well reinforced buildings citywide, we need to maintain the quality of cleanliness and usability of the areas. Hawthorne businesses have been contributing resources at an unprecedented rate over the last year to maintain critical problems and including overwhelming district trash, graffiti, and safety needs. earlier this month more than 200 volunteers, including business owners and employees and residents participated in a cleanup effort removing pounds of litter and cleaning graffiti around hawthorne. The hbba is hosting another cleanup effort before the hawthorne street fair on sunday, august 25, and the city says one of the best ways to deter more graffiti is by removing it in a timely fashion, as business owners and residents struggle to keep up with the ongoing graffiti issues along the district, we thank the graffiti program and the dollars that fund it, by continuing to fund relief efforts, the city shows that it supports the prosperity of local businesses and the quality of life of the community. We would also like to express our thanks to the bureau of planning and sustainability for the keep it pretty rose city cleanup tool kits, which notes clear, invite is sidewalks enhance the vitality and functionality of an area. It is a fact that transportation hubs, business districts, and public places where people shop, eat, and gather tend to generate more trash. The hawthorne district is no exception. And we appreciate the mayor's office commitment to making Portland the cleanest city and the county and bps's proposed five-year rollout of trash receptacles to the highest district. Providing public trash cans along the length of the district is out of reach for our business association. We would like to establish a partnership with the public trash can program and announce a rollout date for trash receptacles and service to hawthorne at the hanging of the new district banners this summer, which we were graciously provided by a sponsorship from venture Portland. We are working to maintain and protect the cleanliness, safety, history, and future of hawthorne. To summarize our request today, the hawthorne boulevard business association is asking the city to create a design overlay panel with participants from the community, to expand to a higher level of membership by owners directly impacted by unreinforced masonry buildings, and bring trash receptacles, and thanks to my colleague, and attendees and member of council for allowing a space for open communication about our city today.

Eudaly: Commissioner Fish.

Fish: I want to say thank you very much to our friend from hawthorne boulevard for taking the time to join us. We will share your request with the mayor when he gets back. He's currently on vacation. Thank you for the handout and thanks to ventura Portland and heather hale for being here and for the great work that she does, as well, and my son just opened a -- his first savings account an onpoint, so thank you for that.

Wilkinson: We have a good matching program going on right now. Glad to hear it.

Fish: A good program overall. Thank you very much.

Fritz: Thank you for your testimony. I encourage you to send it to commissioner hardesty since she's on vacation, particularly with regards to the masonry committee, I believe that's coming to council on july 10, so now would be a good time to get your input to her office. I could be wrong.

Eudaly: And I have a question, have you considered creating an esd for hawthorne?

Levesque: Excuse me?

Eudaly: An enhanced service district for hawthorne? We could talk about it later.

Levesque: Enhanced service district for hawthorne?

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Eudaly: Yeah.

Levesque: We would love [inaudible]

Wilkinson: Thank you very much.

Eudaly: We do not have a large enough quorum for the consent agenda. I should find out first was anything pulled?

McClymont: No, no consent agenda.

Eudaly: Okay. Thank you. It will be heard in the afternoon when commissioner hardesty is present, and there are four of us. So, please read our first time certain item 624.

Eudaly: Commissioner Fritz.

Fritz: Thank you, I misspoke, her vacation starts next week, she will be back this afternoon as you noted. I am excited to bring this to council. The water bureau and the u.s. Forest service have collaborated on a proposal to exchange lands and consolidate land ownership in the bull run watershed. The city and the forests have been partners in the management of the bull run watershed for more than 100 years. The land exchange reflects the trust and collaboration that defines the long-term partnership, which has been hard earned and now is very solid, and I appreciate that. Edward campbell, the director of resource protection and planning for the water bureau, is here to describe the proposed exchange, and we are also glad to welcome mount hood national forest supervisor richard perryman to speak on behalf of the forest service, and thank you for joining us.

Edward Campbell, Resource Protection and Planning Group Director, Water Bureau:

Good morning, council. Again, edward campbell, resource protection and planning director for the water bureau, and here with richard, the mount hood national forest supervisor. And very pleased today to talk about the bull run land exchange. As commissioner Fritz mentioned, the city has been working with the forest service for over a century in the bull run. We've been working in a formal way on this proposal since 2010, so for almost 10 years, in contrast to our relationship and to this process, our presentation will be short and sweet. I am going to go through a brief set of slides, richard will have a chance to talk, and then we will be available for questions. If we can get the slide started. Thank you, Karla. A reminder for everyone, the bull run is the primary drinking water source for the city of Portland, located roughly 25 miles to the east of the city, within the mount hood national forest, and it is that resource along with our columbia south shore wellfield that allows us to meet the drinking water needs of a million customers in the metro area. A closer look at is the bull run indicates the bull run watershed management unit. That's the dark line that you see there, and that encompasses about 147 square miles. Roughly, the same size as the city boundaries of the city of Portland. And the remarkable thing about that, is that that entire land area is dedicated to the production of pure drinking water for the metro area. Most of the area on this slide, it's hard to see what the contrast is, and we will have better slides later on, but most of the area on that slide is shaded green, which indicates that it is in federal ownership. The city owns lands around the farthest reservoir to the west, the reservoir two, and the land ownership split is roughly 95% federal ownership, 5% city ownership. And the history of the city's land ownership pattern really was dictated by when the city first identified and developed the bull run as a drinking water source in the 1880s and 1890s. It purchased private land holding to acquire the water rights and so therefore, there is not really a rationale to the acquisitions of lands, just what was available and what could be purchased at that time. As we mentioned we worked in coordination with the forest service to manage and protect the watershed. And that is a relatively remarkable and rare occurrence for an area that is so much federal land. I think it's a rare thing that the city is a non-federal partner, gets to have as much management oversight and participate directly in the protection of federal lands in the way that we do for bull run. In 2007, the two parties, the forest service and the city we entered into and updated long-term partnership agreement, and that agreement further defined the roles and

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responsibilities for watershed protection in the unit. The water bureau was basically resulted in the water bureau being the lead for the drinking water system and water resources, and the forest service being the lead on upland, terrestrial resources, essentially the areas within the management unit that are farther from the water resources as well as roads decommissioning and fire planning responds lead. The two agencies agreed to jointly conduct trespass and law enforcement, fire, response planning and coordination, emergency management, and conservation education. So this is a bit closer look at the area of city and federal ownership within the management unit. What you will notice there is what I mentioned before, the city's ownership pattern in blue is scattered, not particularly close to the reservoirs or the drinking water infrastructure. And so through that 2017 process, the forest service and the city acknowledged that we could better align the land ownership with the responsibilities that we had assigned out and further defined through that process. So, the joint goal really going into this was to figure out a way to consolidate the city's land ownership around the reservoirs and the associated drinking water infrastructure within the unit. The lands identified for exchange are indicated here in the darker colors, the dark green, are the lands that the forest service will be -- we propose to move to the city, and the darker blue are the city lands that would be moved to the forest service. In total, it's just over 2,200 acres of land that the city would be releasing while receiving just under 2,900 acres from the forest service. The two sets of parcels had been determined by a third party appraiser to be of equal value, and therefore, there will be no cash payment required to conduct this transaction. The differential in the two estates, the size of the two different estates is basically due to the differing land values for lands that the city is acquiring. We are acquiring lands that are beneath reservoir one, and those inundated lands have a lower value than the lands that are not inundated. When it is complete, the land ownership parcel, or the land ownership pattern will look like this. The city will own the lands immediately adjacent to both of the supply reservoirs and the associated infrastructure. One notable benefit of this land ownership pattern is that it will bring the federal hydropower project on reservoir one and the associated federal energy regulatory commission footprint onto city owned lands, and that will result in the city avoiding a roughly 150,000 payment each year that it currently makes as the cost basically -- a rental fee for producing hydropower on federal lands. The forest service conducted an environmental assessment of the effects of the land exchange. That process was completed in march. It concluded with the findings of no significant impact. The water bureau has followed up with briefings and check-ins with the city stakeholders regarding the proposed exchange, and most of the input we received has been that the -- of one of support and recognizing the logic of the land ownership pattern. One concern that we did here early on from the stakeholders was the concern in question of whether lands that are moving from federal ownership into steep ownership, would they have adequate protections? Would they have equal protections to the lands that they currently do under federal ownership? The council in 2010 took action in response to some of these concerns, and at that time, we actually added protections, bull run protections to our title 21 of the city code. And those protections, the essential protections were the public closure of the city lands, within the management unit, and the tree cutting protections, as well as the land use restrictions embedded in the code. I think as most people know, commissioner Fritz is proposing later today to further strengthen the protections by seeking voter approval to move those into the city charter. We are proposing a no cash transaction of lands to better align the agencies' roles in protecting the watershed. The city will achieve annual savings for the hydropower operations going forward. The watershed protections will be as stringent as they are in the current land ownership configuration. The next steps would be the council will vote at a second reading of whether or not to approve the ordinance. If it is authorized and the agreement is authorized, what we would do next is

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work with the forest service and Multnomah and clackamas counties to complete the exchange process and result in a transfer of deeds. We would expect to formally complete that process by either late 2020 or early 2021. With that, I would like to invite richard to comment on behalf of the forest service.

Richard Periman, Supervisor Mt Hood National Forest USDA Forest Service: Good morning, council, and I wanted to thank right away I wanted to thank edward campbell and the Portland water bureau for the excellent work and partnership that we have had over the many years. Of course, edward wasn't here 100 years ago, but I wanted to thank him for the great work and being a great partner. The city of Portland and the forest service have been partners in this management of the bull run watershed for a century. And I think that actually the water bureau or the watershed began actually before the forest service. That's an interesting fact. The proposed land exchange is the latest evolution in this long-term partnership. The federal process that edward referred to for considering the land exchange provides for very careful due diligence and multiple opportunities for public comment. In march of this year, I made a decision on behalf of the forest service that this exchange is consistent with the federal law and policy and is in the public interest. The exchange will not change how the land is used or managed, and the land is accepted into federal ownership will be managed under the longstanding protections of public law, 95-200 as amended. The federal land accepted into city ownership is already occupied and used by the city on a daily basis. The land exchange demonstrates is a deep understanding by both the city and the forest service that water for the city of Portland from the bull run watershed is a long-term commitment and mutual objective of both agencies. The forest service is pleased to reach this important milestone in more than a decade long process of this exchange, and looks forward to the continuing partnership with the city of Portland.

Eudaly: Thank you.

Fritz: Thank you for being here, and thank you edward campbell for your work, and I need to note that commissioner Fish was in charge of the water bureau for a lot of this work, so thank you for your guidance of this process. And I just have a technical question. We scheduled this hearing today in part because our colleagues could be here, and also so that we could vote on it next week, and the council has now lost a quorum for next week, which I am quite sad about. I would like to vote on this. Does it matter if we wait until the end of july to have the second reading?

Campbell: No, that's not a problem.

Fritz: Thank you. We will be having the second reading on july 25, assuming that the support is on the council. Thank you very much.

Eudaly: Is there any testimony?

McClymont: Three people signed up. Lightning. Joe walsh, and maggie.

Eudaly: Welcome. State your name for the record. As you know you each have three minutes. And your testimony should be relevant to the item.

Joe Walsh: I am joe walsh, and I represent individuals for justice. We support this. We had the question of the safety of the 2,900 acres, so we are going to be moving from federal jurisdiction into the city, but that was answered in the presentation, and I was really glad to hear that. Any time that we enter the system, we get nervous, so we see it. We only had that one question, so it was answered, so we are going to support it. If I get egg on my face, I get egg on my face. But, it sounds like something that thoughtful people have accomplished, and if it goes through, that's a good thing. As much as we value on issues, we will also come up and try to say when we support what you are doing. Thank you.

Eudaly: Are you going to speak?

Lightning: That's what I was waiting for.

Eudaly: You've been called up, so go ahead.

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Lightning: Not asked to speak, so anyway. My name is lightning. I am absolutely against this. One of the reasons is, I think that we are kind of shuffling back and forth and not really doing a lot. And what I want to see actually happen is, you know, that statement, we're always taking out of that piggy bank of the federal government. I want to see the city of Portland pay the full value of the 51 million to the federal government, and I don't like the way that this is being shuffled. I don't like the fact that -- I don't think that we are really accomplishing a whole lot. We are going to save 150,000 here, and another issue that I have here, if I have not seen the appraisal. I have been trying my hardest to find out that appraisal where you come up with a 2,000-acre or a 2,800-acre for 50 some million. I was on zillow last night. And I was doing comparisons and trying to find everything that I could near mount hood, and never heard of it. So I just want to see the comparisons on the appraisal. It is interesting you have a \$51 million value here. Well, here's something interesting to throw back. If everything burns up, are you going to claim that you are owed 51 million based upon this exchange and this valuation? Now, i, as a broker, am going to question that valuation, and I am going to question how you determined that valuation. I am going to question everything on that, on this 51 million. I want to see some comparisons. I want to see some data. I want to see some issues pertaining to the lumber, to the mineral rights, and to everything else that goes along with this, and how you came up with such is a valuation on such a restrictive use property of 50 million plus dollars. I am absolutely against this unless I see some legitimate comparisons, sales on the market comparisons to substantiate this outrageous value on an exchange. Again, I am sure that you are going to have this insured for the full 51 million, but what does that really going to pay back in the event that we do have a forest fire, which can happen because of climate change, and I want to see how you come up with that valuation. The insurance company ultimately is going to be looking at this number and saying, where did this number come from? I want to see an appraisal on this. I have not been able to review. I don't want this voted in for many months until that appraisal is verified by some other competent appraisers to determine that value because this is one big deal here. One big deal. 50 million for 2,000 acres of restricted forest land? I have never heard of such an outrageous price. Thank you for your time.

Maggie: Okay. What I have to say is this is going to be a prior to area for rich people to play. We already have parks around the city of Portland and the county of Multnomah county where we have city employees, whether they are environmental engineers or rangers or directors of parks where bathrooms are closed, where people don't have access to bathrooms.

Eudaly: Maggie, I need you to keep your testimony relevant to this item.

Maggie: I am. What I want to know, is everyone going to have access to this no matter what?

Fritz: Nobody has access to it.

Maggie: It's just going to be closed off?

Fritz: It's the drinking water.

Maggie: So will anyone be able to like go up there privately and pay a fee and just rent it like the country club?

Fritz: No.

Maggie: So it will be closed to everyone. So like even the mayor won't be able to get in there, right? If you are going to close it off to everyone, fine. If you are going to build a wall around it or just make it not accessible to anyone, fine. Don't make it accessible to a certain section of the population and not everyone. Okay.

Eudaly: All right.

Fritz: Could I say some closing remarks?

Eudaly: Colleagues, discussions, remarks?

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Fritz: Did you want to say anything, commissioner Fish?

Fritz: Edward Campbell and Richard Periman, thank you very much for your work on this. This has been ten years of work, and it's a solid proposal. Thank you, commissioner Fish, for your leadership for more than four years. I need to thank dick robbins, who is retired but got this process started way back in 2010, Sarah, who has assisted the project lead since 2012, and janet, who took over in 2013 and guided it had to completion. Thank you also to mike and gabe and christina from my office for their leadership. This is a really good thing. So, we will be voting on it, and I misspoke earlier, july 24, and it's a really significant improvement and protection for the bull run, and thank you very much, everybody.

Eudaly: This is the first reading of a non-emergency reading. It moves to second reading. Please read items 625, 626, and 627 together.

Items 625, 626 and 627.

Eudaly: Commissioner Fritz.

Fritz: Thank you, first I have an amendment to 625, the protection for the bull run watershed due to a grammatical error the following change is needed in the last paragraph of exhibit a, which you have been given copies of. Essentially, the amendment will now -- the amendment to the charter will now read development in the bull run watershed closure area that is allowed by the charter must first seek to avoid the minimize impacts, so seek to, with the grammatical area, and thanks to terry thatcher, retired city attorney, to continue to volunteer in the community to keep us on track. I move the amendment.

Eudaly: Moved by commissioner Fritz and seconded by commissioner Fish.

Fritz: Could we vote on that?

Eudaly: Right now? Keelen, please call the roll.

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

Fritz: Thank you, colleagues. I've been the commissioner in charge of the water bureau for about ago months, and as many of you know I am is a person who studies the rules when considering any issues. When I looked at the city code and the charter for the rules governing the water bureau, I was astonished to find that there is nothing in the charter about the bull run watershed. The code is supposed to follow the charter and not the other way around. The charter requires a vote by the people and code can be changed by the city council. So, although there are federal and state protections that are reflected, I believe the body of our users, Portlanders especially for the most basic of all services are delicious drinking water. I was troubled by court rulings that questions the councils authority to make decisions interest for the uses of the water fund. I'm excited to bring before you today three resolutions all align with the shared values and benefits of our water system. A slight change, I am asking today for your support in referring two of these separate amendments to the Portland voters in november 5. Those would be the protections for the bull run watershed, which is 625, and authorizing the city council to enter into mutual aid agreements, 626. The third item, 627 clarifies the city council's authority to allow water fund dollars to be spent on the maintenance of lands outside of the protected areas of bull run, and this needs more conversations before being presented to voters. I have heard enough concern from the environmental advocates and the citizens utility board since we opened the discussion draft public comment period, and I will be pulling this back to my office after the hearing today. If anyone is here to testify in favor, please speak up. I still believe this is the right thing to do, however, there are concerns, and I believe the timing is not right. In the meantime, I would ask for your support to refer the two most important measures to voters which will allow all Portland voters to engage on these issues in november of this year, and I believe that Portlanders share my values of environmental protection, health and safety, and financial responsibility. That is what these resolutions represent. The policy advisor, the liaison to the water bureau, will provide a presentation on these items and we will have two panel of invited testimony.

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Cristina Nieves, Sr Policy Advisor Commissioner Fritz: Council members, I am christina nieves, policy advisor to the office of commissioner amanda Fritz. I am here before you today to review the two different resolutions referenced by commissioner Fritz. The first and perhaps the most important is maintaining the current protections for our bull run watershed. Assigning Portland voters the right to decide changes in the future. The bull run watershed provides high quality drinking water to the Portland metro area. Many people brag about the quality of Portland's water, and anecdotally, I can say that I have taken the quality of the water for granted, and I am harshly reminded of how lucky we have it here whenever I travel. The current protections in the bull run closure area, including restricting public access on the city lands, not only provides safe and usable water but also has positive impacts on eco-systems and supports the city's environmental goals. The first resolution asks Portland voters to place current protections that we already have in our city charter. So they are able to stand the test of time and changes in authority. The second item allows city council to allow the water bureau to enter into emergency mutual aid agreements with other jurisdictions. This will, essentially, ask the voters whether they want the ability to receive, aid, and related to water services, as well as apply it to other communities when necessary. During the hurricane katrina, city staff were dispatched to aid and maintaining crucial infrastructure. It was the right thing. A judge questioned the city council's authority to send that aid. The second resolution provides clarity in answering that question. These two referrals, which will be separate ballot measures, seek to benefit the water system and those who use it. By referring these items to the november 5, 2019 ballot, Portland voters will have an opportunity to engage and decide on issues of environmental protections and health and safety in a timely manner. That concludes my portion of the presentation. I would like to now turn it over to our invited guest, our first panel we have ragna merritt from positions for social responsibility, janice thompson from the community utility board, and mike cook from urban green space institute. Thank you.

Fritz: Welcome. Thank you for being here would you like to start, please?

Regna Merritt, Physicians for Social Responsibility: Thank you very much. It's an honor to be here today, to address the legacy issue of bull run and the measure, or the resolution that deals with 625. I am here to speak in support of that, and I appreciate you pulling back on 627, which we consider to be controversial. There is a huge legacy to be discussed here today, and I just want to recall for a moment that although my work on bull run protections began in 1988, I spent time in the city archives reviewing what had been done in the 1800s. The forefathers and the four mothers in Portland, and wanted to have a watershed protected from human trespass because they wanted to protect the residents from having to drink the waste coming from the willamette, untreated and human waste so that was the impetus, that and deciding that we did not want to have the domestic animals putting waste into our drinking water, was one of the original incentives for moving forward with the whole idea of no trespass. So, in 1904, the trespass act was passed, and that prevented the entry of humans into the watershed if they were going to disturb the watershed in any way. And some of you may remember that in 1950, the forest service started logging in the bull run, violating the terms of that federal legislation, and it was then that joe miller, and today's anniversary of his death, we want to remember what a great hero that he was and he was a personal mentor, as well, and I want to acknowledge. And fought from the 50s, that violation of the 1904 trespass act. There was is a very huge citizen-led effort to correct that, but instead, what we saw was a law passed to void the 1904 trespass act to allow logging. Many in this room and many who are watching on tv today remember what it took to get the city of Portland to -- and the water bureau to agree to support federal legislation that to protect the bull run from trespass. So we had important legislation in 1996, and again federal legislation in 2001 that brought those protections back. These were hard fought battles, and it's really nice to be on the same page with the

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city now because it was not always like that. So, we have to look, as we look at the land exchange, we understand that we are losing those hard-fought protections for a certain subset of lands, and those are the lands around the reservoir. So, they might be most attractive for development, and if a future city council or water bureau wanted to violate the understanding that we have come to, that could happen more easily with only land ordinances in place, not so easily with the charter amendment in place. That's why we support this charter. We know there are other cities that have actually cut their municipal watersheds to raise money, and we would never want that to happen. So just a reminder that it's not just for the citizens who benefited from an undisturbed watershed, but there are also businesses located here because of the clean drinking water, microbreweries, Japanese restaurants, and we have a whole slough of incredible businesses here that rely upon the drinking water, and that comes from an undisturbed watershed with no trespass. So, I am here with physicians for social responsibility to congratulate you on putting this forward and to add our support, our very strong support. We will always -- there will be vigilance required when it comes to the drinking water. We have seen that over 100 years, and this is a very important step to protecting that. Thank you very much.

Fritz: Thank you for being here today. Thank you for all of your work over decades on this issue, and I was honored to attend your retirement from the physicians first social responsibility on Sunday along with Multnomah county chair Kafoury and many other well wishes, so I think that our entire community owes you a huge debt. Thank you for being here today. It is fitting that we are doing this as you move onto other things.

Merritt: Thank you very much.

Janice Thompson, Oregon's Citizens Utility Board: Janice Thompson, Oregon citizens utility board or cub. I wholeheartedly support the Bull Run protections provisions. This was, actually, foreshadowed by comments made a couple summers ago now. Related to how to address losing the cryptosporidium treatment variance. That variance process included any number of protections to the watershed, and so I think that there were concerns raised then that if those concerns were dealt in a different way, by the subsequent treatment decision to go with the filtration plant, with something along these lines necessary. And so you know, at that point in time I indicated that you know, I indicated that could be an appropriate next step. So support it now. Kind of highlighting that this support is foreshadowed by some previous comments. Given our role as a, you know, fiscal watchdog, however, I would be remiss if I did not bring this discussion information about the cost of special elections, which are born by the pertinent bureau. So, estimates from the Multnomah county, and to be clear, they are estimates, the bill to the water bureau comes after the election because turnout is one factor in their cost calculation allocation formula. The Multnomah county elections folks have been doing this a long time, so I think that it's fair to say these estimates are, you know, in the ballpark. So, with one Portland measure, along with the anticipated metro bond, the cost for the water bureau would be in the ballpark of 245, 250,000, with the cost of the bureau would be in the ballpark of 335, in other words, the cost doesn't double but it, it adds. So, and if these measures were on the 2020 ballot, not a non-special election, there would be no cost. So, I find a more compelling reason to do the Bull Run resolution now -- I mean, I want wouldn't -- I would not be bent out of shape if it moved to 2020, but I find a more compelling reason to move on that now. I have questions related to the mutual aid charter amendment, not on the basic purpose or intent of it, but whether or not a bit more work would be prudent to kind of have it be more, you know, comprehensive, so for example, both the water bureau and the bureau of environmental services are members of an Oregon network relay of utility bureaus indicated, and my understanding from the water bureau is a charter change you know, not needed for the water bureau's continued membership. I see the value of agreements without a state entity, and that -- in particular, is what would be facilitated by

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this you know, particular charter amendment. I can't ask questions of the city attorney. Does the same legal issue that is prompting this suggested move regarding the water bureau apply to bes. Even if it does, exactly how that might be fixed, bes has provisions in the charter, you know, maybe more provisions about bes are in statute. And then the other question -- but, it seems like you know, before I am comfortable with saying let's move heads on 2019, let's take a look to see if anything similar also is prudent for bes.

Fritz: We will give this a whirl and if the voters like this we will look to bes.

Thompson: I am sorry, what?

Fritz: We will ask the voters on this one. This is an amendment to the water bureau section of the charter. If the voters approve this, we can also look at doing similar work if needed.

Thompson: Or you could do both in 2020.

Fritz: I am not doing two campaigns, and besides, we don't know when the big one will hit so getting these mutual aid agreements done as soon as possible is in the public's interest.

Thompson: I think the other question that I have is whether or not it would be prudent to think about, you know, a more citywide policy about mutual aid. So you know, the end result of the deliberations may be that this is exactly the one to move forward. I don't see a compelling reason to move forward without this analysis about sorry pieces of the puzzle.

Fritz: Thank you, janice

Thompson: I want to reiterate the full support for what I think is, you know, the most critical charter amendment related to the bull run protection.

Fritz: Thank you very much.

Mike Houck, Urban Green Spaces Institute: Good morning. My name is mike houck, representing the urban green spaces institute, and about this time 44 years ago, 1975, I sat before a congressional hearing on bull run, and at which commissioner ivan, in charge of the water bureau, actually was proposing federal legislation that would weaken the protection of bull run, so it pleases me to no end to be here today 44 years later to thank commissioner Fritz for being a much more progressive, forward-thinking individual and organization with regard to the environmental issues, and I am unequivocal in our support for both of the measures before us today, and I would like to add that I am also very supportive of the concept of the measure that's been pulled. I think, for example, of powell butte. What would powell butte be today if there were not the ability for the water bureau to work with the park bureau and others, another example, there are, of course, hydroparks in north Portland that I think would greatly enhance the livability of the neighborhoods, so I understand and support the fact that there needs to be a little more refinement of the language to tighten it as much as possible. I think that that's a classic example of trying to tear down some of the silos that we keep talking about wanting to attack in the city and have more cooperation between bureaus and with bureaus in the public. So, we're here. Urban green space, and we want to thank you and urge your support.

Fritz: Thank you very much. Second panel is steve weis, the sandy river basin watershed council, courtney ray and from the audubon society. We are a bit behind schedule so if you could be brief, that would be great. Thank you.

Steve Wise, Sandy River Watershed Council: Good morning, commissioners. I am steve weis, the executive director of the sandy river watershed council. Thank you for the opportunity to talk to you about the importance of the bull run for the city as well as the broader region. As if it were not enough to have the best water supplies, it's important to understand that the bull run is also the foundation of our economy, our community's health and culture and quality of lieu of, and we would like to say in sandy that the bull run is the source of all beer-vana and coffee-topia and so many of the things that really make it a special place to be here. As well, the water bureau and the forest service and the

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watershed council are part of the 15-agency partnership working throughout the sandy river basin for protection and restoration of the watershed and the many values, particularly as a salmon -- wild salmon stronghold, it is one of the few places where the wild salmon have a great chance of recovery since the marmouth dam was removed by pge, so the water bureau and the -- watershed council decided the wild species in the sandy have begun to recover their population since the removal of dams in the watershed and the protections in the bull run for temperature and for flow and habitat quality are an essential part of that effort in bolstering the salmon populations in the sandy. The water bureau has been collaborating on monitoring of the Fish populations, particularly juveniles in the basin, and the remarkable finding that almost half or more of the juvenile steelhead in the entire sandy basin are using the bull run in their migration, and the bull run and little sandy within the watershed represent a couple percent of all the available stream miles for Fish and half of those steelhead are using the bull run, so it's essential for Fish habitat and environmental quality there, and these protections are really essential yielding about 4,000 adults, steelhead returning to the basin on average in the past few years, which is a huge recovery level. Secondly, the investments from the habitat conservation plan, the hcp, that the city is investing in, are essential to habitat recovery and improvements throughout the sandy basin beyond the bull run. And we are collaborating this summer on a project at the junction of the sandy and the salmon rivers, and that's recovering floodplain habitat and side channels that will boost the salmon productivity and the investment from the habitat conservation plan and the partnership on land where the city has captured the conservation easement are, again, examples of really essential support that the water bureau and the actions on the bull run are providing to the broader basin, and finally, the third item that I want to emphasize is that the sandy has been documented by the u.s. Epa as a cold water refuge. That is the temperature in the sandy river and the hottest part of the year is three degrees cooler celsius than the columbia is, and the columbia temperatures might be lethal to Fish so they need to find these refugees along the way where they can step out into cold, clean water, and rest and move on. The sandy is the only cold water refuge identified like that for 30 miles in either direction on the columbia. So again, the temperature -- everything that we can do to maintain the cool temperatures of the sandy during the summer are really essential to the broader regional recovery and climate resiliency because that cold water input is not only essential to the sandy, to reaction and Fish habitat, but also, potentially to the regional recovery in the columbia so for all these reasons, I want to encourage the strengthening of the protections, including in the city charter, and I want to invite you to come and join us and visit the sandies at your earliest convenience to see this work and continue the partnership that we have with the water bureau and the broad partnership working for recovery in the sandy and the columbia basin.

Fritz: Thank you for being here today. It's really interesting. Courtney?

Courtney Rae, Bark Defending and Restoring Mt Hood: Thank you, commissioners. I am representing bark, we are a watchdog group focused on the mount hood national forest. We've been working with concerned community members to monitor the forest service management of the public lands. We represent 25,000 contributing members, and in addition, 15,000 supporters for almost 50,000 folks in the region surrounding mount hood that we count as the community. I also thank miss merritt and mr. Houck. These things shirt, sometimes dramatically, and so we are really encouraging and supportive of the resolution to enshrine the protections into the charter. We think it's an important step in the city's commitment to climate resilience, and in sharing that no matter what administration at the federal level, Portland will have the ability to defend the highest level of protections for these national forest lands that provide our drinking waters and shielding the watershed from logging, and we hope the city will continue forward in these efforts,

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leveraging the future of our communities and the power of the city government to protect all the waters of mount hood as we know that we were going to need every drop of it, not just the bull run, and every drop of it is precious. Thank you for your time.

Fritz: Thank you.

Micah Meskel, Portland Audubon: Commissioners, I am mike with the Portland audubon, and I am representing the organization in our 15,000 members in the region, so Portland audubon has been invested in protecting the watershed in the water resources, we own and manage lands adjacent to the watershed and are shifted in the stewardship of the region. I would like to thank commissioner Fritz and her staff for bringing this forward and the leadership of the water bureau and how that has built upon commissioner Fish's work at the water bureau preceding that. So we support both 625 and 626, and we also do support the idea that the land owned and managed by the water bureau should have the ability to provide secondary benefits for the community, and environment when it is compatible, and we believe the water bureau currently has that authority but also agree with and support commissioner Fritz sea decision to pull the referral at this time, and we are committed to continuing to engage in that conversation for the bull run so we can bring it to the community and to the future. So as we have heard today the bull run watershed is one of the natural resources, the gems of the city of Portland, the water bureau has been a great steward of that land, and in recent memory and the current city code gives it protections but deserves the more lasting protections for future generations. These productions not only protect water quality, which is so important to our way of life, but also provides undisturbed refuge for Fish and wildlife, which is critically important, especially as a region feels the pressure of climate change. In addition to the bull run protections, we support referring the authorization of mutual aid agreements to the city charter, this is the essential component for planning, for responding to natural disasters, and for increasing the city's own resilience in the face of a disaster that we feel. Portland audubon is in support of moving the protections and mutual aid agreements to the city charter and we are excited about engaging our membership, and the broader community in educating and bringing them along to vote for it, so appreciate your leadership.

Fritz: Thank you for being here, and I appreciate it. That concludes our presentation.

Eudaly: Thank you. Keelen, is there any testimony?

McClymont: We had separate sign-up sheets.

Fritz: Testifying on all three together. Okay. In that case, we had three people sign up. Maggie. Dee white, and floyd jones.

Eudaly: Everyone, please come up if your name was called. You have three minutes. Please keep your testimony relevant to one of the three items and state your name for the record. Welcome.

Fritz: Maggie, your name was called first.

Maggie: So there was -- the senators were on c span yesterday talking about the amount of heat that is stored in our oceans and our streams and our rivers, and it's the amount of four hiroshima bombs every hour, every second of every day being stored in our water. That means that as global temperatures go up, as they will continue to do because of co-2 emissions, those waters are going to get warmer and warmer, and those Fish are going to go smaller and smaller. And you know, it should not take 44 years to protect water, to protect land, to preserve the habitat for wildlife. Shouldn't take 44 years. That's all that I have to say. Thank you.

Dee White: Hello, my name is dee white. And I would like to comment on the first amendment on protecting bull run. This is an important and excellent addition to the city charter. Thank you, commissioner Fritz. There are stakeholders, which oversight for this amendment, including the public utility board or the pub, and audubon, physicians, and bark, and this is really good. This protects hopefully bull run and the rest of the system

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from privatization, from the likes of ch2m hill, nestle, and on and on, who would all love to have a tiny piece of this precious asset that the citizens of Portland own and take great pride in. On the other hand, these other two amendments to the charter, and I have got to - - I have got my testimony written, the other two amendments are bad, bad, bad. These are two of the many bad deals that randy leonard put together when he was in office that were declared illegal in 2017 by the court in a lawsuit brought by rate payers. The judge found that rate payer money was being spent on stuff that has nothing to do with the water and the sewer service. That we pay for. Whose idea was this? Commissioner Fritz, these are not housekeeping items, as you said, in your blog. These are proposed laws that you all want to get on the city charter, that nullifies the court order. You clearly are not interested in being transparent with the public, who will be paying for the disasters outside of Portland, and why should Portland rate payers pay for a hurricane? And rate payer money should not be -- used to expand this program, green spaces, no. At a block on the water bill for contributions do not make us pay for this, a single mom out in east Portland can't afford this and should not be responsible for paying something that does not have anything to do with water. Both these proposed amendments are about land and money, and two things the council has control over, and these amendments, these second two had no oversight, no stakeholders involved, and oversight for the water bureau and the best right now is seriously broken. Last week, half of the pub resigned including the two co-chairs, and because the city has stacked the board with city employees, and therefore, implying perceived bias and conflict of interest. So, no, these, these two amendments should not be brought to the charter. Please vote no on both of these. But the bull run protections, it is excellent. Thank you. **Floyd Jones:** Floyd jones with friends of the reservoir. We have been bull run advocates for a long time working diligently for 17 years. So, you know, thanks to our forefathers, our Portland's bull run water system was perfectly designed to provide safe, low-cost drinking water, a federally protected watershed that restricts human and domestic animal entry, and minimally treated pure water, and beautiful and utilitarian open reservoirs that disinfection bi-production and toxic radon found in the field. Unfortunately, thanks to votes at council and high cost, 450 million eliminated the open reservoirs. Now, we are going to spend 400 million to add a chemical adding filtration plant. We support, obviously, the charter amendment for watershed protections for our federally protected bull run watershed, particularly, in light of the land exchange with the forest service. The water bureau was complicit in the bull run years ago, and we hope that this amendment to the charter, you know, serves to protect forever our watershed. The other amendments we do not support, and the rate payer advocacy group, water accountability trust and reform, and the judge did not say that you could not enter into amendments with other agencies for disasters, it just said that you could not use restricted water funds you know, do you want the water bureau traveling to california and all the over the country and spending rate payer money? Middle class rate payers now cannot pay their water bills. You projected an increase of 7% per year for the next decade to pay for this, you know, this filtration plant. You voted for the most expensive plant to address the non-infectious, harmless cryptosporidium since the beginning. We have had that there, there is no problem, but yet we are spending the most that one could possibly spend to address the problem that does not exist. I am glad to see that you have pulled the other amendment. Why would we want to continue to spend money on remodeling the buildings like the rose festival building? Spending a million dollars to build the house up at powell butte for a water bureau employee to live and manage the park. A dodge park renovation where water bureaus go and party and we happened upon that by accident two years ago when out there in the buses were all coming and the water bureau is having a big party there. They are going to have another party here in july. We don't support those amendments, and we really think you need to be transparent about the pub resignation.

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Eudaly: Thank you. Can you call the --

Joe Walsh: Good morning, I am joe walsh.

Eudaly: Just a moment. Just a moment. Just a moment, mr. Walsh. Just a moment, mr. Walsh. Keelen, can you please call the next people. Mr. Walsh, can you cut his mic, please.

Walsh: This is my time. My three minutes.

Eudaly: I am following procedure, and having you asked up to the table. You are now disrupting and I will ask you to leave. Mr. Walsh, you are disrupting and you will leave now. I am calling a recess. [recess taken]

Eudaly: We follow certain protocol at council, and that is our clerk calls people up who have signed up to give testimony, and that's what I was attempting to do. I was not a preventing mr. Walsh from testifying. He signed up. We simply need to read his name into the record. If people cannot respect our protocol, they can go express themselves somewhere else. Keelen, was there anyone else on the list for public testimony?

McClymont: No, just those three individuals signed up.

Eudaly: Colleagues, was there any further discussion?

Fish: We are going to take up the resolution on 625.

Eudaly: All right. Keelen, please call -- this is a resolution, please call the roll on the first item, 625.

Fish: First, commissioner Fritz, thank you for bringing this resolution forward. It enjoys brought support in the community. It is well crafted and thoughtful. I enthusiastically support it, aye.

Fritz: Thank you to everybody who came today and participating in the discussion. We did the discussion draft open for a month or so now, and I appreciate all the staff and community members that provided me with information to inform the decision-making, and regarding the timing of these measures, as was mentioned under the land exchange, we first started discussing it when there was concern about the land exchange potentially reducing the protections for the bull run watershed, so that's one reason as to why now, and another is because of the metro green spaces measure in the fall, and the central partnership for our community supporters. This is not only a low-budget campaign, this is a no-budget campaign. It will involve me doing a lot of going around the city talking to wedding parties, anybody who will listen to the bull run watershed and why we should protect it. It's strange that I don't know if I am -- I certainly am one of the members of the council who most hate campaigning, and so now in addition to the six campaigns for my own election this will be my third ballot measure that I have brought up with the gas tax and cannabis tax, so Portland, consider this a lovely parting gift, although I will not be parting until the end of next year, as I mentioned, to janice thompson, I don't think I have it in me to do another campaign next year. Who knows. I might get my last wind and sprint to the finish. My chief of staff, tim, is looking pale over there, and I think we will have to talk about that later. So the intent of the resolution is to ask voters to show that they value our drinking water resources and emergency preparedness, and as a public servant, I want to leave our water system better off, our community more resilient, and allow others to participate in that, and the earthquake mutual aid thing is important. We need partners outside of Oregon to be able to help us out in the event of the big one. And this measure includes a binding city policy that there will be a report to council every year to detail mutual aid agreements and those -- what aid is given and received so there is the accountability of that. Thank you to the bureau director mike stir, gabriel, the deputy director, and eddie campbell, the resource manager and karen from the city attorney's office, and janice thompson, mike houck, steve weis, courtney ray, and mike -- thank you to christine and my senior policy advisor and my chief of staff. Aye.

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Eudaly: Well, commissioner Fritz, I want to assure you that you have my support, so you do not need to corner me at any parties or weddings that we may be both attending. I want to thank people who came to give testimony today, it was a valuable history lesson for me, and congratulations on your retirement, and congratulations on your new position. Aye. The resolution is passed. Or is adopted. And Keelen, please call the roll on item 626. I am sorry, 626? Sorry. Yes. Fish.

Item 626.

Fish: This is the resolution on the emergency mutual aid agreements. I think that what some people forget is that these agreements serve two purposes. One is a training ongoing training. So that our front line people are up to speed and second, when something bad happens here, under these mutual aid agreements, other water bureau teams from other cities and jurisdictions come here and help us with our emergency. So, they are -- they make perfect sense, and there is no -- there is no valid reason in my judgment that rate payer dollars can't be used to fund them. Aye.

Fritz: Need to mention that mayor wheeler is out of town -- town today, and he indicated his support for these measures and said it was okay to do it while he was gone, and as I mentioned the timing was so that we could do the second reading of the previous item next week, although that's not going to happen. But, I do want to mention that the mayor expressed support for all of these measures, just clarifies the council's authority which we believe that we have, and there is not a court order, a settlement agreement on the previous challenge, and so it is obvious that there is confusion, and so the right way to resolve the confusion is to ask the voters to make a choice on what they want the water bureau to be able to do and not do, and so I hope that Portland voters will agree that having the mutual aid agreements is the right thing to do. Aye.

Eudaly: Mutual aid is a beautiful thing and given the fact that natural disasters and climate change don't recognize jurisdictional boundaries, I don't think that we should limit our service. I vote aye.

Fritz: I would like to pull 627 back to my office, please, madam president.

Eudaly: All right. Sorry, the resolution is adopted. [gavel pounded] 627 is being pulled back to commissioner Fritz's office. Let's see where we are. 1056. I think we were on 628? Keelen, can you please call the item.

Item 628.

Eudaly: All right. Is the auditor here? Okay. I will hand it off -- off to staff.

Amanda Lamb, Interim Director of Independent Police Bureau: Good morning, commissioners. On behalf of the city auditor I am amanda lamb, and I am serving as the interim director of the independent police review. I am here to present to you courtney fraser for a three-year term on the citizen review committee. As you know, the crc plays a critical role in our civilian oversight system. The community members that volunteer on this crc hear misconduct cases and provide policy recommendations to the city council, the police commissioner and the bureau, and the city auditor's office. Recruiting volunteers is a big undertaking, one undertaken by our senior outreach coordinator irene, who is also here with me today. These volunteers carry a lot of responsibility. Not only for the aforementioned tasks mentioned but also have to bring to the process fair and good judgment, a strong background in analysis and applying that analysis to the decision-making, and we also seek to have a volunteer base representative of our community and know that it is a work in progress. We have made progress on that front, and I think our current applicant sitting here today is also reflective of that process. Sylvan fraser bring a lot of work with vulnerable, marginalized and often under-represented communities. Their work with intersection individuals in the intersection community, as well as children and families in vulnerable situations is a voice that is really imperative to have on this oversight

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system, and we look forward to bringing them onboard. I would like to invite them to make any statements.

Sylvan Fraser: Good morning. My name is sylvan. I am honored to be under consideration for a position that would allow me to participate in the police accountability process as a representative of my community. If this trust is vested in me will review the matters that come before the committee to ensure fair and just outcomes. If my appointment pleases the city council, I look forward to the opportunity to serve. Thank you.

Eudaly: Great. This is a resolution so keelen, is there any testimony?

McClymont: One person signed up. Dan handelman.

Eudaly: Mr. Handelman. Welcome, as you know you have three minutes. Please state your name for the record.

Dan Handelman: Thank you, president eudaly. I'm dan handelman with Portland cop watch. Sounds like same kind of testimony I give often at these appointments. We don't have any issues with the applicant today. In fact they seem to be the kind of person that Portland cop watch has supported repeatedly, someone who knows people harmed by police and the police themselves. Such a perspective is much preferred to those who unquestionably support the police or even this may surprise some people those who always think the police are wrong. You know all this about their background because you have the application as part of your packet and have read that per the ordinance. I want to talk about the crc's present and future. Crc has no members over the age of 50, which does not represent the population, is not changing today. The work groups are not meeting regularly in part due to other obligations by the members. Outreach audits of complaints on policy issues on enforcing crowd control are being strung along with no progress or outcomes even as the ppb has been involved in nine deadly force incidents in the last nine months. I want to note the historic vote by council last month. The first time the majority has voted to find misconduct in the 18 years the ipr system has been in place. Council was given final say because the chief ignored council findings a total of three times under the old system. It was disheartening to hear the mayor complain about the system's structure when he was on the losing end of the vote. The auditor had a work group look at the structure two years ago and not all the suggestions raised have been addressed, so before anyone tries doing a complete overhaul perhaps we can look at the work already done around this. There are also issues that were raised, have been raised repeatedly around ipr limitations and crc's limitations under the ppr contract. Once you add a new member to the group, notably replacing albert lee part way into his term, please continue to focus on ways to support and strengthen these groups. One of the questions I have raised a couple of times is why when somebody is replacing somebody midterm are they given a full three-year term instead of finishing that term. Now ipr has to stagger their filling the new seats instead of replacing everybody on regular cycles. Lastly in terms of the case you heard last month, commissioner Fish was absent, the officer's discipline will be considered. The chief assured us that the police board will not be able to overturn your finding, which is very important in terms of the structure.

Eudaly: Thank you. Any further discussion? This is a resolution. Please call the roll.

Fish: Well, thank you for your willingness to serve. Aye.

Fritz: This is a very difficult job. I appreciate your willingness to do it. Aye.

Eudaly: Thank you, sylvan. You bring an incredible background and personal experience and expertise. I'm excited to see your work. I vote aye. The resolution is adopted. Please read item 629.

Item 629.

Eudaly: Commissioner Fritz.

Fritz: Thank you, president eudaly and colleagues. Commissioner Fish, we have these appointments before us today you partnered with the members and we're very intentional

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about outreach and recruitment process. We also shared the values and goals of increasing diversity in expertise and lived experience. This resulted in a strong pool of candidates and ultimately the finalists reflect our values. I know that commissioner Fish supports these and i'm just asking you to pass it over to amy archer masters to talk more about it.

Amy Archer-Masters, Portland Utility Board Analyst: Thank you. Good morning, president, commissioners. I'm amy archer masters, currently Portland utility board analyst. Pleased to share brief information and am available to answer questions regarding the recent recruitment for the board and appointments considering here today. Although the recruitment happens year round focused efforts began earlier this year and we engaged with the office of city life, council offices, bureau of environmental services, Portland water bureau as well as community partners to conduct outreach through social media and campaigns. We received 13 applications for the current openings and before you are the top five candidates for appointments. There would remain one vacancy due to the recent early resignation. Recruitment subcommittee was formed to review candidates and make recommendations. The subcommittee included members from the current Portland utility board, the bureau of environmental services and water equity and management representatives, commissioners, staff and community member. The recruitment from the subcommittee identified the top five before you today, although at the time only four positions were open during those interviews. The board subsequently recommended the four community member appointments and had some concerns about public perception issues that could arise by appointing additional city staff representative. The subcommittee however felt the community connections, skills and experience of that representative would be an asset to the board. The board does plan to discuss board composition and determine whether any changes to code or bylaws are recommended in order to clarify that for any future recruitment. There was particular interest from the board as well as subcommittee in expanding skills for engagement with diverse communities including tribal representatives, low income youth and other vulnerable communities. The appointment expands the skills of the board as desired and include candidates with civic engagement, construction management, hydrogeology and watershed planning, civil engineering and legal experience. Details regarding the potential appointees are provided in the report document and i'm happy to answer any questions that you may have.

Fritz: It was referenced earlier why are there so many vacant seats on the Portland utility board.

Archer-Masters: Absolutely. The appointments for the board are staggered. It's an 11-member voting and three ex officios. Every year the ex officios are appointed for one year terms. For the 11 voting members they are staggered so that every year there's at least three or four vacancies so that you have a constant turnover of some stability on the board as well as some new perspectives. So when we started the recruitment we already had four positions we were recruiting for, and it was just this past month that two additional -- two co-chairs resigned early. We now have additional opening.

Fritz: The four that we started recruitment for was because their term had already ended?

Archer-Masters: Yes or somebody had resigned in the prior year. There were three full three-year appointments that were to be made this year. One that is a shorter term because the persons who left last year had a shorter term remaining.

Fritz: The question some people have raised about the person who is a city employee being appointed as a community member, is there anything in the bylaws or was there anything in our recruitment that said city employees could not apply?

Archer-Masters: There's no conflict of city employees being appointed to the board. There are of the 11 voting members one that is specifically designated to be city staff, and labor representative. That position is currently filled. For the remainder it's open. The

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requirements in the bylaws do address the range of skills and experience that folks have in order to participate in the board so that we're trying to get a good balance of perspectives and that's really what the subcommittee considered. There was conversation in the subcommittee about the fact that one of the candidates was city staff, but the community connections and skills and experience that that person brought forward, the subcommittee felt that she was a good candidate.

Fritz: I believe that the report may be in error that that person is listed under ex officio.

Archer-Masters: Yes, my apologies for that. The first page is correct, the terms and voting member appointment. Mia is the one that is the city staffer. She's worked at both water bureau and is currently employed at bes. In the bio section I inadvertently pasted her in under ana brophy, one of the ex officio members. All of the information provided is correct and the terms and who they are replacing is correct, but it was placed in the wrong portion of the form.

Fritz: It draws attention to her bio. She is being appointed to one of the shorter terms. We wanted to do that intentionally. It's really interesting to have a refugee from bosnia who understands the importance of clean water and functioning wastewater systems from a lived experience of repression and genocide and she's very sensitive to the cultural and the community diversities and participated in leadership development conference. She certainly brings a perspective which is very different from the standard city employee although I would have to say our 6,000 city employees often serve because they are public spirited people who do good in the community. In discussions commissioner Fish and I felt that that should not disqualify her from wanting to volunteer her time. She will not be getting paid to participate. She will be volunteering her time.

Fish: I move the record.

Fritz: Second.

Eudaly: The report has been moved by commissioner Fish, seconded by commissioner Fritz. Please call the roll.

Fish: It's an outstanding group of people willing to serve at the pub. The pub and the cub play a vital role in enhancing transparency and community accountability. I thank everybody that has agreed to serve and we look forward to working with them for many years to come. Aye.

Fritz: In all the advisory bodies I have been connected with I tried the stress the importance of collaboration between community members and city staff. When just one or just the other does these recruitments and appointments we tent to just talk to the people we know and not necessarily do an outreach at the beginning of the recruitment. I was concerned we didn't have enough applicants. I appreciate amy and cynthia as well as christine and my entire staff team in reaching out to people to explain why would you want to serve on the Portland utility board. It's not something that I think many people even know about or certainly feel like they are capable of serving on. I do remember county commissioner judy shiprack telling the story how she was appointed to the state plumbing board. She doesn't know anything about plumbing but she is a user. That's a good perspective to remind us people who are willing to put in the time to learn the issues and give thoughtful advice particularly if they have community connections can really help in advising on bodies like the Portland utility board. I am thrilled with the expertise in the bios for these appointments and very happy to support them. Aye.

Eudaly: I vote aye. The report is accepted. Please read item 630.

Item 630.

Fish: It's my intention if there's no objection from the council to take this back to my office and to file a substitute in two weeks, which incorporates some excellent feedback that we have received from the regional arts and culture council and others. I would ask for

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unanimous consent to take this back to my office and it's our intention because we don't have council next week that in two weeks we would file a substitute.

Eudaly: Sounds good. 630 is being referred back to commissioner Fish's office. Please read item 631.

Item 631.

Eudaly: This is the mayor's item. Are there staff here to present? Welcome. Hello. You look familiar.

Tim Heron, Bureau of Development Services: Council members, good to see you again. I'm tim heron, senior planner with the bureau of development services. President eudaly, nice to see you again. Commissioner Fritz. If you do run again. Commissioner Fish, always my pleasure. It's also my pleasure to be before you to make a recommendation of appointment of chandra robinson to the vacant position of architect on the design commission and reappoint commissioner don vallaster to the position of developer. Commissioner don as we refer to him's continuation comes at a critical time given his expertise particularly in construction and material tending knowledge. He also has experience through his firm at the land use process and over the past couple of years has come quickly aligned with commission expectations to the design guidelines, concerns of the neighborhood and has yielded high quality urban design proposals needing often only one hearing to be approved. This is a healthy perspective and impress upon future customers of the land use process to work with the commission to complete projects faster, better and minimize the number of hearings while yielding high quality compatible designs. Chandra robinson is a particularly unique candidate by virtue of her global architectural experience, native roots and her architectural practice in Portland since 2005. Chandra has worked with architects without borders for nearly ten years assisting communities in need in tanzania, haiti and paul. She collaborated on a community she led for right to root working with members of the emanuel temple to help envision what is missing in their community and what to add in order to help bring the community together. For these reasons she's an exceptional candidate and will be particularly good fit for the architect position of the design commission.

Chandra Robinson: Thank you, tim. I'm really excited to be here and excited about the opportunity to serve Portland and beyond design commission. I grew up in Portland like tim said, and I for a long time saw it was the same for a long time and I still loved it but once it started changing it still seemed like home to me. I really appreciated that. I think that's at least partly due to the design commission. I really am excited to be a part of that to watch Portland grow and to keep it Portland.

Eudaly: Please state your name for the record.

Robinson: Chandra robinson.

Eudaly: Thank you. Colleagues?

Fritz: Thank you for your willingness to serve. Tim, I notice that ms. Robinson is able to be the architect position because don vallaster is moving to a developer position. Do we still have just two architects on the design commission?

Heron: Correct.

Fritz: Thank you.

Fish: Move the report.

Fritz: Second.

Eudaly: The report is moved by commissioner Fish, seconded by commissioner Fritz. Please call the roll.

Fish: Thank you for your willingness to serve, ms. Robinson. Ten years ago there was a lot of controversy surrounding the design commission and we had some very spirited hearings. Our last couple of hearings we had tremendous number of stakeholders come in and offer testimonials that the process is working very well towards the goal of higher

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levels of design. The decision making process is moving quickly and the number of reforms have been implemented. I think you are joining a high performing body with strong leadership in Julie Livingston, who is here. We thank you for agreeing to serve your community. Aye.

Fritz: Thank you for lots and lots of hours that this is going to take. I appreciate you mentioning your connection to Portland, your long time lived experience here. I was in the good in the 'hood parade on Saturday and I walked down Williams Street. I was shocked by the changes there. So I'm going to really appreciate your historical perspective to make sure that as you said as we change we still stay like Portland and look out for all communities. Thank you for your willingness to step up. Aye.

Eudaly: Well, thank you for your service. I'm really excited about the perspective and expertise you bring. Bds is no longer my portfolio, so I don't get the chance to talk to many people over there any more but I hope we cross paths because I would love to know more about especially architects without borders. I vote aye. The report is accepted. Please read item 632.

Item 632.

Eudaly: This is the mayor's item. We have staff here to present. Welcome.

Matt Gierach, Bureau of Revenue and Financial Services: Good morning. I am Matt Gierach, debt manager in the Bureau of Revenue and Financial Services.

Stacy Jones, Pension and Finance Manager, Fire & Policy Disability & Retirement: I'm Stacy Jones, Pension and Finance Manager at FPDR.

Gierach: Thanks. The ordinance being presented to you authorizes the city to issue up to 52.9 million of tax anticipation notes to finance the annual projected fiscal year 19-20 cash flow deficit in the Fire and Police Retirement Fund. Under Chapter 5 of the City Charter, the City's Fire and Police Retirement Fund is funded annually through the FPDR property tax levy based on the amounts needed to pay and discharge all requirements of the funds for that year. You may recall the FPDR levy is separate from the general government and other levies. The vast majority of FPDR levy collections are received mid-November of each year resulting in insufficient fund balance during the July through October time frame. Annually the city utilizes tax and passion notes referred to as Tans to provide interim funding during that period. The tax anticipation notes are short-term debt instruments that typically mature within one year of issuance. The City's debt management division will be facilitating sale of the 2019 in late July with scheduled closing in August. A 2019 will subsequently mature in June of 2020. Based on today's capital markets conditions our estimated buying rate is approximately 1.5%, though this will vary depending on market events that occur between now and the Tans sale, when the rate is locked. If you have any questions, please let us know.

Eudaly: Colleagues? No? Is there any testimony on this item?

McClymont: One person signed up. Maggie.

Eudaly: Thank you for being here. Is Maggie here? All right. I see no further discussion. This is a first reading of a non-emergency item that moves to second reading. Please read item 633.

Item 633.

Eudaly: All right, this is my item. This is a second reading. Any further discussion? Please call the roll.

Fish: Just to be clear these are all the sidewalk repairs for which there were no remonstrances. So there's no controversy. Aye.

Fritz: Aye.

Eudaly: Well, we heard some concerns brought up by a community member about our sidewalk repair system and process. I want to assure everyone that we're looking into these issues to make sure that we have an appropriate, accurate and accessible process

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for community members to follow when they do want to appeal a decision. I vote aye. The ordinance is adopted. Please read item 634.

Item 634.

Eudaly: Current city code does not allow for attachments in the right of way and underground wiring districts. This code change would create an exemption to allow wireless attachments to poles in these areas and it is my understanding that we are legally obligated to do so. Pbot staff angel as well as tim heron from bds are here.

Anne Hill, Bureau of Transportation: Thank you. President eudaly, the rest of city council, this morning I have a short presentation followed by invited testimony from bds staff tim heron who joins me here today.

Eudaly: I'm going to be introducing a substitute ordinance with some minor changes which staff will also be explaining in their presentation. I need to ask for a motion to accept the substitute.

Fish: So moved.

Fritz: Second.

Eudaly: The substitute has been moved by commissioner Fish, seconded by commissioner Fritz. Please proceed.

Hill: Thank you. I will briefly review small cell wireless facilities, their impact on city owned poles, need for the code update and future next steps. I will then turn it over to tim. As i'm sure you're all aware cellular and wireless providers are currently expand willing their networks to improve coverage and increase cellular network capacity. To meet the increasing demand on their current network served by cell towers. It's anticipated that there could be as many as 2400 wireless small cell facilities throughout the entire city of Portland. While most of those attachments will be attached to utility poles or third party poles in the right of way, many will be attached to city owned poles such as street lights. So what this city code update does is two things. The first thing it does is it actually adds trimet as an identified asset owner so the code up to this point has really only talked about utility pole owners because they are the ones that had attachments, their own attachments in the right of way. By providing a definition for trimet because they have catenary poles, they own different pieces of infrastructure in the right of way throughout the city this will allow them to be considered a third party pole owner just like the electrical utilities. The second step is the code we have amended the code to allow for wireless attachments on infrastructure in the right of way in underground wiring districts. The reason that this is important is because in our downtown, which is largely an underground wiring district, the only poles are our ornamental street light poles predominantly and signal lights. That's because all of the electrical wires are underground. So we don't have --

Fish: Excuse me. We keep losing the power point. It goes on and off.

Hill: Oh. Sorry.

Fish: Scanning for something.

Fish: How many slides do you have on your power point?

Hill: Not many more. The only one that would be is just to see where the underground wiring districts are but I think you have some of that in your packets as well. I don't have much more to --

Fritz: Basically downtown where the underground wiring districts are.

Hill: There are six underground wiring districts but they are literally like grand avenue or martin luther king avenue. They are literally one street. They are only small portions of those streets. The largest area is here in the downtown, and when we realized staff that there would be no opportunity for industry to attach, which could be a barrier to entry, the first thing I did was call tim and say I think we need to start some conversations with the historic landmarks commission appeared design commission around what this could mean in the future. So we did go meet with -- i'm now since I don't have slides -- in march 2019

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we did go back, return back to the historic both commissions were meeting together at a joint session. We had completed an inventory of all street light poles in the downtown corridor. So basically the 405 to the river. We identified every single street light that was not an ornamental pole. So we have about 500 of those that we can -- what we call quod head, those aluminum standard street lights. We can offer those up initially to the industry to attach while we figure out what the next step are if that's not enough coverage. What the commission suggested was for us to go through a design and rfi process to actually get designs and see if we could come up with an iconic design for Portland. They western interested in a fake ornamental. They wanted to see if we could design something new. This has become also important as we look at south waterfront that we need to stop probably designing infrastructure in the right of way that's only single use like a street light. It was a good exercise for us to go through. We have had a kickoff meeting and tim will talk about that as well. We're doing this in partnership with bds. We also invited parks, understanding that there's a lot of street lights in parks and infrastructure, so they can be part of this process. We have committed to come back to council in the summer of 2020 with whatever that proposal street light design is. Just so that you can stay up to speed and provide any comments or direction as well.

Fritz: In the meantime they can or cannot support things on light poles?

Hill: They will be able to attach to the street light poles that are not ornamental. The ornamental lights physically will not hold them so we will not remove or replace those. That will not happen until we come to council and there's a discussion and public hearing, people understand what and how and why that would happen.

Fritz: Thank you.

Hill: In terms of outreach for the underground -- this code update I just wanted to follow up, we did actually two separate rounds of outreach. We did a public notice for the initial code change posted in the march 22 edition of the daily journal of commerce then we update was published in the may 28 edition of the journal of commerce. We posted it on the web page at pbot and we notified every neighborhood association even if it was one street. District coalition, local business associations, including trimet, Portland mall management, inc., and the industry partners. Additionally we briefed the design and historic commissions. With that i'm done with my portion of the presentation. My apologies, i'm happy to send around or maybe we can sends around the power point. I want to turn it over to tim before we answer any questions.

Tim Heron, Bureau of Development Services: Mine really needs the pictures.

McClymont: We called someone.

Heron: I'm tim heron, bureau of development services senior planner and design commission liaison and sitting in for hiliary adams, a landmarks commission liaison, also sitting in for design commissioner brian mccarter, who is out of town. By extension i'm also sitting in for commissioner maya foty, historic landmarks commission vice chair, also out. This was really I have more pictures than words. It's part of what I do.

McClymont: It's up now. It's flashing in and out.

Heron: Okay. Well, I think i'm happy to forward to you all a power point with the notes included. Would it be helpful for me to talk about the process?

Fish: I think we should just -- my preference is to keep the camera on you, tim, so we can listen to you. It's very disruptive to have this going in and out. This is a first reading of an ordinance.

Fritz: If you could just post the presentation on your website I think it's important for the community to see it.

Heron: That's why i'm bumming. I don't know if this will be helpful to do for you all, hold up a picture.

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Eudaly: Two things that i'm hoping you'll cover or one of you will cover are what are the minor amendments, and also talking about I think this is another instance where we're trying to get out ahead of something that can be forced on us.

Heron: Fantastic.

Eudaly: So we're trying to ensure the best outcome for the city even if this is not the most desirable outcome for us.

Heron: That's fine. I have basically I would have had nine slides. Let me just narrate those slides and paint a picture with my words.

Eudaly: You could do charades.

Hill: I do say i'm as tall as a canister. 4g antenna.

Fritz: What a party pickup line that is: [laughter]

Hill: Yes.

Heron: So I work very closely with the design historic landmarks commission and pbob, well over almost two years ago we started a conversation about how do we integrate these new facilities on what we call vertical infrastructure in the right of way. We quickly zeroed in on a very possessive ownership of the ornamentals. They are ornamental as they are. Attaching additional facilities seemed impractical. We realized very quickly that part of the design commission historic landmarks commission we spends a lot of time protecting the public realm and how it's organized. When I say that I think everything related to the sidewalk. Projecting signs into the right of way which are reviewed by staff and already or the commission. Canopies, alignment on the street trees, where street furniture is located. The scores in the concrete to put pavers in the sidewalk. These are all things through the advice of commission working with pbob we feel is important to provide advice and design that space. No different should it be for infrastructure in the right of way. Slide 3. Part of commissioner brian, who you appointed to his first term in december of last year, is his significant role with -- working through the trimet bus line which runs up 5th and 6th. We reorganized. There's a lot of street parts. There's catenary poles, ornamentals, ticket meters, there's a lot of furnishings that were very specifically and thoughtfully considered. Collocated as best as possible so that that flow to and from that light-rail alignment at the new blocks is as smooth as possible. This takes effort. We do design our streetscapes and we work closely with pbob to do that. One of the slides we have was and has been mentioned we realize we should have a real hard inventory of where the twin ornamentals are then by virtue of where they are not. That was important because understanding the need for these facilities that come forward into our environment that we have some measures in place before the requests come, president eudaly, that's something that we are trying to get in front of and I think we are very successfully. One thing we came up with was to establish hierarchy on where these new locations may go vis-a-vis small cells. One would be street intersections on existing utility poles meaning the street signals. We're in the downtown core. Signalized intersections where they have more functional feel and flavor, painted gray, they fit. That corner and that intersection that this would be the first choice. Number 2, avoidance of sensitive areas. By sensitive areas i'm speaking of historic districts. North and south park blocks, certain cultural areas. South auditorium, the pedestrian malls. Other similar locations. We said okay, outside these areas let's work the problem and find where locations could be. As I mentioned, number 3 was what prohibited infrastructure would be the ornamentals. We felt they were right the way they are. Manipulating them seemed problematic. As mentioned let's find these cobra heads. Very simple, utilitarian. These are the ones we should be adding. There are tentative designs for that. We also had a conversation, this is where a new stakeholder group has been put together, talking about how do we put together a new smart pole. When that pole would be something that incorporates multiple elements. One of the efforts that we did in south waterfront was collocate lights, collocate street intersections and other features on one

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pole. That of itself was worthy had our foresight been better we probably would have been thinking about also integrating that element. From one of the images, i'm sure you're familiar with south waterfront, if you look around there's a lot of collocated equipment. Lights on intersections and poles. Limit the amount of vertical things and sticks that run along that furnishing zone. That's something we are getting in front of. I think we're looking at a 21st century city in terms of access to any number of parts and things that show up in our furnishings zone. If we can collocate these which means heavier weight, stronger poles we'll from have this rfi process as we're calling it with all the stakeholders involved including representatives of the design commission and landmarks commission and myself we'll have another product, probably be back before you in the future. That's my presentation. I hope I was colorful.

Eudaly: So colorful. Thank you. Before we move on to public testimony, I need you to call the roll on accepting the substitute.

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

Eudaly: Aye. Thank you. The substitute is on the record. Is there any testimony?

McClymont: One person signed up. Steve entwhistle, senior.

Eudaly: Thank you. Welcome. You have three minutes. Please state your name for the record.

Steve Entwisle Sr.: Good morning. I'm stephen entwhistle, senior. I have a bit of a concern. Have you ever heard of emf? Or emp. Do you know what i'm talking about? Raise your hand, if not i'll tell you. Emf is electronic fields, okay, electromagnetic fields that are -- you may have heard of the smart meter electronic problems that they are having that's causing cancer, okay? These 4g and 5g instruments are creating problems for people. People don't realize this. They don't know how to protect themselves from it. There is protection available but it's very expensive. You could protect your windows, your bedding, you can put a canopy over your bed. You can wear a hat at night so you can sleep. Some people have it harder than others with this emf and emp. Electromagnetic pollution, electromagnetic fields. They are everywhere. There's detectors and devices that you can test your areas and find out. It's new. People don't know. The doctors don't know exactly what it's going to be causing and long-term effects, but they are affecting people and we're not being protected. Okay? Especially people that live in erm buildings. Okay. I could go on with that with the earlier testimony about the erm buildings. Concrete pancakes that all the low income people are going to have to face when that earthquake hits. Okay. Then the clean water that goes into the dirty water pipes into those erm buildings needs to be discussed too as well. We need to really be concerned, okay, about this issue with electromagnetic pollution that is being just every day gets more and more. The most vulnerable people are the ones that are low income folks. They can't afford to pay for all that protection whereas some of you folks already have it and don't tell anybody. Thank you.

Eudaly: Thank you. Colleagues, any further discussion? This is a first reading of a nonemergency item. It moves to second reading. Please read item 635.

Item 635.

Eudaly: This contract has been in place since the Portland transit mall became fully operational in 2009. It's an agreement with trimet to ensure success of public transportation in downtown Portland and to support its use by a wide range of riders. Katherine levine, streetcar division manager, is here to provide information and answer questions. Welcome, katherine.

Kathryn Levine, Streetcar Division: Thank you. Just a brief background, when the mall was reconstructed and opened again in 2009 both agencies, city and trimet, agreed to dedicate funding to ensure that the place, the transit mall, was well maintained, clean and security services provided. So what's before you is an ordinance that would be the third

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extension, third five-year extension of the agreement we have in place with trimet. The total dollar amount is specified. That's over five years. I understand that there were questions about that so I wanted to just briefly describe the funding. Basically the bureau puts over half a million dollars annually into a major maintenance account. That's an account here at the city and its purpose is to ensure when it comes time to repave the asphalt paving in the natural we have funds available to do so. In addition we provide over \$700,000 a year to trimet. Trimet in turn adds its funding and contributions from private property owners and contracts with a nonprofit, Portland mall management, inc. They exist to provide oversight on the mall and to ensure that the maintenance, cleaning and security is completed each year. Their contract is approximately \$1.8 million a year in total. I know there was a question about security services, security services represented about a third of that total contract. We're aware that within the central east side there's an exciting pilot program about to take place, safety for all, which would have unarmed safety ambassadors providing security. We would certainly like to look at how that is accomplished and whether we have an opportunity to apply that model here as well in the future.

Eudaly: Thank you. Colleagues, I just want to add that we will be coming back with very likely be coming back with amendments around the security mou when this item returns to council.

Fish: If I could note during the budget process was a conversation about who is going to pick up the cost of the planter pots in and around the transit mall, whether that would continue to be a cost born by Portland parks and rec or by someone else. We look forward to continuing to work with pbot and trimet to establish the right level of service and right funding for this work. Thank you.

Eudaly: Thank you. Is there any testimony on this item?

McClymont: One person signed up. Steve entwhistle, senior.

Eudaly: Please state your name state your name for the record. You have three minutes.

Entwisle Sr.: I'm steve entwhistle, senior. We have a little bit of a concern here. During social service facility closures, whether temporary, spontaneous or permanent, homeless or houseless are forced to seek social services at other facilities. They need to ride the max to get there. Trimet dragnets homeless people looking for social services. Don't fund this. This is a trap. I think this is wrong. I think anybody that knows that can see that. That this council seems to -- I don't know. It just seems ignorant to me. But anyway, make it real short here. Earlier today what happened with joe walsh in the corner here --

Eudaly: You need to keep your testimony relevant to this item. That is not relevant.

Entwisle Sr.: President of the council eudaly, chloe eudaly.

Eudaly: This is about amending the contract for the transit mall. Keep it relevant or take your seat.

Entwisle Sr.: Well, my relevancy, okay, is my presence here. Okay?

Eudaly: That's not how this works.

Entwisle Sr.: That's how I work. I think we can [speaking simultaneously]

Eudaly: You're disrupting. The testimony is over. Return to your seat or be removed. I don't care what you said. Goodbye.

Eudaly: Colleagues, any further discussion? This is a first reading of a nonemergency item. It moves to second reading. Please read item 636.

Item 636.

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

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

Eudaly: Gosh, so many people left here to hear this very important item. Actually it is an important item. Yes. Over the last five years there have been an annual average of 38 traffic deaths in the city of Portland. Many deadly crashes happen because of dangerous

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behaviors such as speeding and other traffic law violations. We just had one last night on lombard. Expanding photographic traffic enforcement is 32 identified actions in the vision zero action plan which aims to eliminate all traffic deaths and serious injury. I want to address a few issues or concerns that came up in the first reading. First of all, although we're expanding the number of cameras, the police bureau doesn't have the capacity to issue additional citations so we will be flipping the switches, turning cameras off and on throughout the city, but there won't be additional citations issued until traffic enforcement division has more officers who can review those citations. These cameras reduce speeding. They reduce running red lights. They eliminate bias or perceived bias by eliminating interaction between police officers and community members. They make our streets safer for both community members and police. There's no chasing involved. The camera takes a photo. If an infraction is caught or triggered by an infraction so there's no chases through our streets, there's no police officers standing next to a vehicle in heavy traffic. We have had officers hit. So while I understand concerns about overpolicing in low income communities and communities of color, I just want to assure my colleagues and the public that this is actually a better alternative than adding people, adding motors on the ground. That these are issues my office and my bureau take very seriously and we will continue to work with community on addressing any concerns or disparate impacts. With that said, I want to share a little data with you about east Portland. Over half of the deadly crashes in our city occur on high crash network which represents just 8% of streets in Portland. Of the 30 high crash intersections, 29 are located in east Portland. East Portland also experiences twice the number of pedestrian fatalities per capita compared to the city over all, so while these cameras will be disbursed throughout the city there's obviously a need for focus in east Portland. I believe it's my responsibility as transportation commissioner to protect east Portlanders as well as everyone else in the city. This is one way we are going to try to achieve that. I thank pbot staff, especially david dickman, for all your work. I vote aye. The ordinance is adopted. Please read item 637. This is a second reading. Is there further discussion? Please call the roll.

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

Eudaly: Aye. Thank you. The ordinance is adopted. And we are adjourned. We'll reconvene at 2:00 p.m.

Council recessed at 11:54 a.m.

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

Key: *** means unidentified speaker.**

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2:00PM

Eudaly: June 26, 2019. Please call the roll, Keelen.

McClymont: Of course.

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

Eudaly: Okay, thank you. Do we read the rules of decorum in the afternoon session too?

Hardesty: Always. Otherwise how would we know?

Eudaly: Our city attorney will please read the rules of decorum for the five people who are in chambers all of whom I think work for the city.

Lauren King, Deputy City Attorney: You never know.

Eudaly: You could sing them if you want to jazz things up.

King: Not today.

Eudaly: It was worth a try.

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

Eudaly: Thank you. We will begin with our first item, Keelen, please read item 638. Welcome.

Jennifer Cooperman, Chief Financial Officer Office of Management and Finance:

Jennifer Cooperman, chief financial officer here for Thomas Lanham, home sick and I'm sure is watching this on video. So the item before us today is a one-year extension of the current city-county intergovernmental agreement for the city to collect the Multnomah county business income tax. The only significant change from the current five-year IGA is a 5% increase in compensation to the city. This new compensation level is 1.35 million. I should say that the current IGA expires on June 30th of 2019, which is why we are here for you with a one-year extension. The county commission approved this last week. The city council's adopted budget for fiscal year '19-'20 included two budget notes pertaining to city and county cost sharing around tax collection. The county should be paying more for the

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base service that we are providing to them about 1.3 million more than they do now. We also believe that they should be paying for its share of the new integrated tax system project. Their share of the project is estimated at about \$1.9 million over ten years then drops to 1.3 million each year thereafter. We are asking for one-year extension to the iga to continue negotiating with the county for an increase in their cost sharing at the end of this one-year agreement.

Eudaly: Thank you. Colleagues, any questions for ms. Cooperman? No? Is there any testimony?

McClymont: No one signed up.

Eudaly: All right, this is an emergency item. Please call the roll.

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

Fritz: Thank you for your very succinct, accurate information. Aye.

Eudaly: Thank you for that. I vote aye. The ordinance is adopted. Let's move to the consent agenda, please. First of all have any items been pulled since last time I asked you this question?

McClymont: No.

Eudaly: Fantastic. Please call the roll on the consent agenda.

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

Eudaly: Aye. The consent agenda is approved. Can you please read item 641, Keenen. Biketown has become an important part of our transportation system. It's helping us reach our goal to reduce congestion, carbon emissions and increase availability of low cost forms of transportation. Here to explain the contract and its many benefits is pbot staff Steve Hoyt-McBeth for the active transportation and safety division.

Steve Hoyt-McBeth, Bureau of Transportation: Thank you, commissioner Eudaly, good afternoon, I'm Steve Hoyt-McBeth. I would like to provide some context for this council item before I go into the actual request. We are preparing to release an RFP this summer to expand Biketown to new neighborhoods, hopefully including the entire city, and to incorporate electric assist bicycles. We don't expect that that new system will be up and running until spring of 2020 potentially with a new operator because the RFP has not yet been released. The administrative action allows Portlanders to have continuous bike service from our current system through to the new system and to do that we need to increase the contract value of the contract. In March of this year, we had the pleasure of presenting to you with community partners at City Roots operating the Biketown program, sponsors Kaiser Permanente. It was a great opportunity for us to spend a lot of time in front of council with our larger program team. If I could let me give high level summaries from that presentation and about Biketown in general. It's a city owned program. In 2018 both our equity programs Biketown for all which serves people living on low incomes and adopt a bike which aimed at increasing bicycle access to people with disabilities doubled from the previous year. Biketown is a 28% in ridership. In 2019 our ridership numbers have continued to come in over the 2018 numbers. Biketown is funded through a unique contractual and financial arrangement where motivate, our operator, is only paid for its operation of the system based on revenue that comes into the system there through user revenues from people who use the system or from our sponsorships which are primarily the Nike and Kaiser Permanente agreements. So as I mentioned we're preparing to release an RFP for a larger, more expanded bike share system that will reach more neighborhoods and hopefully will include electric assist bicycles. We're really excited about the electric assist bicycle piece of this because we think it will make a difference not only for people in general making bike share and bicycling more attractive to people but from an equity system as we move into east Portland and other areas, the electric bike component will make biking more viable for people, trips tend to be longer the further from the city centre so having that electric piece is more important and if there are hills involved obviously the

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electric piece helps as well. So as I mentioned, this ordinance helps create a smooth transition between the existing system as under our current contract can motivate and our new system which will launch in spring of 2020. Today i'm requesting approval for two actions within the one ordinance, one to extend the term of our current contract with motivate international until april 30, 2020, the term is currently set to expire this august and I think I have said enough about extending the contract will help provide the transition between the current contract and our new contract. The second requested action to increase the contract value to \$14.7 million, an increase in 3.4 million from our current contract. If council votes today to extend the contract from the term staff estimates that cost to be at 3.4 million. The contract value here just to make sure that i'm being clear reflects the total that motivate has paid through the whole length of that contract, so starting from 2013 when that contract was enacted by approval by council to its end date, which would in this scenario of your approval would be through april of 2020. So just in terms of over the life of the contract the three main costs of this contract in case you were wondering are the capital costs to launch that system. That was about 4 million. Sponsorship finder fee, so motivate brokered both our major sponsorship agreements with nike and kaiser permanente and it's part of the agreement established prior to those sponsorships they receive a finders fee about 1.5 million. The largest piece of this is our monthly operation of the system. It's a monthly operation fee which is tied to the number of bicycles that are in operation during that previous month of that invoice. So again I want to make sure that i'm clear our contract explicitly limits payment to motivate for bike down to the sponsorship revenues and biketown operations. An affirmative vote will not have an impact on the budget passed by city council. Thank you for your consideration today and for your past support of biketown.

Eudaly: Thank you. Any questions?

Fritz: Do we know if the sponsorships are going to continue?

Hoyt-McBeth: Thank you for the question, commissioner Fritz. The honest answer is we don't. In term of the contracts the nike agreement goes through july of 2021. The kaiser permanente agreement is also five years so it sunsets i'm almost positive november of 2021, however with nike's agreement we have a clause that says that the year previous to the end of that contract, so next summer, we will present an offer to them about extending that agreement then we have a period of time in which we go into -- if they express interest we go into a period where we don't negotiate with anyone else. It's our intent to try to extend that agreement when that expires and also to have a different financial arrangement in temperatures of how that money would flow with our agreement. A new agreement would not be brokered through a third party. We intend to broker that ourselves so we would receive the money directly to the city as opposed to a finders fee, which is what happens currently. Which is more than you asked.

Fritz: Commissioner hardesty, did you want to take a turn?

Hardesty: I was not going to ask a question but your question led me to my question. My question has to do with what are the benefits of sponsorship to biketown for these corporations who choose to do so?

Hoyt-McBeth: Thank you for that question. I think that some of it I can only say what both we propose as part of the value to them and also what I anticipate that that is. I think on the barest more from pure marketplace sort of piece of it is that it's a piece of real estate. I don't mean to state it in the coldest terms possible but when the valuation process is done whether it be a city asset like bike share or stadium naming rights they look at what the add value is of that piece. I think a piece of that is just a place to show your brand, share some messaging. In Portland we have been more protective of your public assets in terms of advertising and sponsorship. In terms of what we have done with biketown. For nike I can tell you what they have expressed to us and what they have presented when they

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were here in march, they feel Portland is part of their community and their neighborhood. They refer within the foundation that funds biketown as the backyard project so it's the sense of we live here, we work here, there's over 5,000 nike employees who live here. There's a real tie there with them. For kaiser permanente -- i'll try to be short. They have an existing kind of marketing focus which I think circulates back to their values of physical activity, trying to look at that in a way less clinical, more about how you integrate health into people's everyday life. The sponsorship was an extension of what they have done with sunday parkways.

Hardesty: One last follow-up question. Under the new contract, like right now the swish is on every biketown bike. I don't remember if kaiser has a logo on those bikes as well.

Hoyt-McBeth: They do not. Kaiser's sponsorship is expressed in terms of visually through 25 of the station panels. You will see on the bottom quarter of the station panel there's a kaiser permanente piece then we do a lot of marketing. The bicycle has been a piece we have held with only one sponsor both because of the strength of the sponsorship agreement, nike really wanted the bike as their sole piece, also there was a lot of concern both among our leadership both at pbot and with the city that we didn't want the bikes to look like a nascar.

Hardesty: That's where I was headed, which means that the one logo that would be on there is worth a lot more than would be if you had 20 logos on it. So I hope in renegotiations that we understand the power of our position and make sure that that's a beneficiary agreement. Thank you so much.

Hoyt-McBeth: Thank you, commissioner.

Fritz: One of my questions is the city neither benefits nor loses financially with this program. Is that correct?

Hoyt-McBeth: That's correct. Just to make sure, I want to make sure i'm answering correctly. My time is not covered through the sponsorship. It's covered through gtr, but the actual operation we pay motivate is through those two sources and we're insulated from risk. As per your direction and commissioner saltzman and commissioner Fish's when the original vote happened if there's not enough money in the count then motivate is not paid beyond that amount.

Fritz: I appreciate the detail that you're paid through gas tax revenue. [laughter] you made me remember the third question. There was discussion about helmets and I was concerned to see one of the images showed somebody who did not appear to have a helmet. Have we made any progress on the helmet issue?

Hoyt-McBeth: Commissioner, you demonstrated a lot of leadership in 2011 and required as part of the original contract a provision that our contractor motivate would explore helmet vending operation. Sorry if this is another long answer. The short answer is we have not made progress on having a real time something that's available in real time for somebody with a helmet, which I think is really the challenge with the shared mobility service. We pursued negotiations with a vendor that proposed to have a helmet. We were looking to incorporate that into our kiosks then that company went bankrupt. We have yet to see anybody else enter the marketplace. I do think that this moment when we come back with the new rfp will be an opportunity to again look either through our bike share operators or if there are other solutions out there.

Fritz: Obviously parade and event season has started for the summer and I have noticed the scooter companies have been tabling and been giving out helmets. I wonder if there's an opportunity for some collaboration between motivate and the scooter companies. They both face the same challenges. Sooner or later somebody is going to get seriously injured riding either a bike or scooter without a helmet. That's not a question, more of a suggestion to see if they could collaborate. And my final question is related to scooters and

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placements. You mentioned expanding bike stations to southwest potentially with electric bikes. Hopefully that would include at the transit center in southwest.

Hoyt-McBeth: Yes.

Fritz: I would hope again that there would be some collaboration so there could be options for people who would rather scooter than bike in southwest and in other areas of the city which have previously not been served at all.

Hoyt-McBeth: Thank you.

Fritz: Thank you. Still looking for my silver scooter opportunity.

Eudaly: Thank you, Steve. I want to take this chance to remind anyone who might be listening that unlike bikes when you ride a scooter you are required by law to wear a helmet. If you're not wearing a helmet you're breaking the law. It might seem arbitrary. You can certainly ride 15 miles an hour or faster on a bicycle, but our laws say if it's motorized and it's not an ebike you have to wear a helmet. All right. Any public testimony?

McClymont: No one signed up.

Eudaly: This is an emergency item. Please call the roll.

Fish: This has been a good discussion. Thank you for answering all the council questions that came up. I think we know where we stand. I'm pleased to support the ordinance. Excuse me, the contract. Aye.

Hardesty: I also want to add my thanks. I appreciate you making time to come by my office and answer my really hard questions. I think that this we're moving in the right direction and I'm looking forward to having bicycles in east Portland, which is not something that we have had any opportunity to participate in. So I'm happy to vote aye.

Fritz: I'm struck with how different this is from when we first passed it. Congratulations for that. In this case it's a good thing, much less controversial, more of a way of life. Just as commissioner Eudaly took the opportunity to riding with helmets is mandatory in some instances, riding bicycles on sidewalks downtown is not allowed and riding scooters on sidewalks anywhere is not allowed. That seems arbitrary, but that's the rule. They say this is the reason we can't have nice things. If people continue to break the rules there will be a problem and then there will no longer have the nice thing of the bikes and scooters. So I really encourage everybody to be part of the community that reminds each other of what those rules are because it's all about shared space and about safety. Therefore I will not be riding scooters until I have my bicycle helmet in my bag. I appreciate all your work on this. Was happy for the part that the parks department and I played in getting the sponsorship going in the initial phase. Aye.

Eudaly: Thank you for your presentation, Steve. I'm really excited about the upcoming rfp and contract negotiations. I think we have learned a lot in the last several years, and we know that we can probably ask for more and hold companies to a higher standard that want a share of our public assets. Very excited that bike share is going to be more broadly and equitably implemented across the whole city, and I'm pleased to vote aye. The ordinance is adopted. And we're adjourned.

Council adjourned at 2:25 p.m.