



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **14TH DAY OF OCTOBER, 2009** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Tracy Reeve, Senior Deputy City Attorney; and John Holly, Sergeant at Arms.

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

	<b>Disposition:</b>
<b>COMMUNICATIONS</b>	
<b>1412</b> Request of Patrick Nolen to address Council regarding affordable housing (Communication)	<b>PLACED ON FILE</b>
<b>1413</b> Request of Barry Joe Stull to address Council regarding cannabis therapeutics (Communication)	<b>PLACED ON FILE</b>
<b>1414</b> Request of Ulisher Hardiman to address Council regarding parking enforcement (Communication)	<b>PLACED ON FILE</b>
<b>1415</b> Request of Darrell Smith to address Council regarding the Poor People's Project of the Stop Pimping Alliance (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>	
<b>1416 TIME CERTAIN: 9:30 AM</b> – Willamette River Combined Sewer Overflow Tunnel Program update (Presentation introduced by Commissioner Saltzman)	<b>PLACED ON FILE</b>
<b>1417 TIME CERTAIN: 10:00 AM</b> – Accept Summary Commission report on the Portland Commission on Disability (Report introduced by Commissioner Fritz)  <b>Motion to accept the report:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz.  (Y-4)	<b>ACCEPTED</b>

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<p><b>1418</b> Appoint 30 members to Portland Commission on Disability (Report introduced by Mayor Adams)</p> <p><b>Motion to accept the report:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz.</p> <p>(Y-4)</p>	<p align="center"><b>CONFIRMED</b></p>	
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Sam Adams</b></p>		
<p align="center"><b>Bureau of Planning &amp; Sustainability</b></p> <p><b>1419</b> Authorize a \$70,000 Intergovernmental Agreement from Metro for the administration of the Master Recycler Program (Second Reading Agenda 1391)</p> <p>(Y-4)</p>		<p align="center"><b>183233</b></p>
<p align="center"><b>Bureau of Transportation</b></p> <p><b>*1420</b> Authorize an Intergovernmental Agreement with Metro and accept \$30,000 to administer Sunday Parkways (Ordinance)</p> <p>(Y-4)</p>		<p align="center"><b>183234</b></p>
<p><b>*1421</b> Grant revocable permit to Paddy's Bar and Grill to close SW Yamhill St between SW 1st Ave and SW Naito Parkway from 7:00 a.m. October 17, 2009 until 5:00 a.m. on October 18, 2009 (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>183235</b></p>	
<p><b>*1422</b> Grant revocable permit to Portland Parks and Recreation to close SW Park Ave between SW Taylor St and SW Yamhill St from noon until 10:00 p.m. on October 27, 2009 (Ordinance)</p> <p>(Y-4)</p>	<p align="center"><b>183236</b></p>	
<p align="center"><b>Office of Management and Finance – Human Resources</b></p> <p><b>*1423</b> Create a new Nonrepresented classification of SAP Support Manager, which is exempt from the classified service (Ordinance)</p> <p>(Y-4)</p>		<p align="center"><b>183237</b></p>
<p align="center"><b>Office of Management and Finance – Internal Business Services</b></p> <p><b>*1424</b> Pay claim of Oregon Department of Transportation (Ordinance)</p> <p>(Y-4)</p>		<p align="center"><b>183238</b></p>
<p align="center"><b>Commissioner Randy Leonard</b></p> <p align="center"><b>Position No. 4</b></p> <p align="center"><b>Portland Fire &amp; Rescue</b></p> <p><b>*1425</b> Accept a \$5,000 donation from American Promotional Events, Inc. (Ordinance)</p> <p>(Y-4)</p>		<p align="center"><b>183239</b></p>

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<p><b>*1426</b> Amend contract with Pierce Manufacturing and provide payment for the replacement of one fire apparatus for Portland Fire &amp; Rescue (Ordinance; amend Contract No. 41113)  (Y-4)</p>	<p><b>183240</b></p>
<p><b>Commissioner Nick Fish</b> <b>Position No. 2</b></p> <p><b>Portland Housing Bureau</b></p>	
<p><b>*1427</b> Authorize Intergovernmental Agreement with Multnomah County for the cooperation of units of local government to prepare and update the Consolidated Plan 2010-2015 and Action Plan 2010-2011 to meet affordable housing goals and to receive payment (Ordinance)  (Y-4)</p>	<p><b>183241</b></p>
<p><b>*1428</b> Amend contract with Artharee and Associates by \$5,000 for strategic transition advice and provide for payment (Ordinance; amend Contract No. 30000428)  (Y-4)</p>	<p><b>183242</b></p>
<p><b>Portland Parks &amp; Recreation</b></p>	
<p><b>*1429</b> Authorize acquisition of real property adjacent to Leach Botanical Garden for park purposes (Ordinance)  (Y-4)</p>	<p><b>183243</b></p>
<p><b>1430</b> Accept a \$90,114 grant from the Oregon State Marine Board Facilities Grant Program to make major repairs to the Cathedral Park Ramp (Ordinance)</p>	<p><b>PASSED TO SECOND READING OCTOBER 21, 2009 AT 9:30 AM</b></p>
<p><b>Commissioner Dan Saltzman</b> <b>Position No. 3</b></p> <p><b>Bureau of Environmental Services</b></p>	
<p><b>1431</b> Authorize the Director of the Bureau of Environmental Services to execute an easement with the Union Pacific Railroad as part of the East Side Combined Sewer Overflow Tunnel Project No. E07594 (Ordinance)</p>	<p><b>PASSED TO SECOND READING OCTOBER 21, 2009 AT 9:30 AM</b></p>
<p><b>1432</b> Amend contract with Dunn Construction Inc. for additional work and compensation for the Ash Creek Sewer Rehabilitation Project No. E08446 (Second Reading Agenda 1398; amend Contract No. 38393)  (Y-4)</p>	<p><b>183244</b></p>
<p><b>Bureau of Police</b></p>	
<p><b>*1433</b> Amend Intergovernmental Agreement with the City of Cornelius and Tri-County Metropolitan Transportation District of Oregon for the provision of transit police services (Ordinance; amend Contract No. 30000569)  (Y-4)</p>	<p><b>183245</b></p>

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<b>REGULAR AGENDA</b>	
<b>1434</b> Declare support for the Development, Relief and Education for Alien Minors Act - DREAM Act (Resolution introduced by Mayor Adams and Commissioners Fish and Fritz)  (Y-4)	<b>36740</b>
<b>Mayor Sam Adams</b>	
<b>Bureau of Transportation</b>	
<b>1435</b> Assess benefited properties for street and other improvements in the Portland Mall Revitalization Project Local Improvement District (Second Reading Agenda 1388; C-10011)  (Y-4)	<b>183246</b> AS AMENDED
<b>1436</b> Amend Portland Transportation System Plan and Comprehensive Plan to update the Gateway Master Street Plan and Chapter 11, Master Street Plans (Previous Agenda 1411)	<b>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</b>
<b>Office of Management and Finance – Internal Business Services</b>	
<b>1437</b> Award a contract to K&S Madison, Inc. for biosolids transport for \$585,735 per year for a five year period (Purchasing Report – RFP No. 109947)	<b>CONTINUED TO OCTOBER 21, 2009 AT 9:30 AM</b>
<b>1438</b> Authorize a contract and provide for payment to furnish replacement vehicles at \$594,800 (Previous Agenda 1340)	<b>PASSED TO SECOND READING OCTOBER 21, 2009 AT 9:30 AM</b>

At 11:28 a.m., Council recessed.

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**WEDNESDAY, 2:00 PM, OCTOBER 14, 2009**

**DUE TO LACK OF AN AGENDA  
THERE WAS NO MEETING**

**October 15, 2009**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
OREGON WAS HELD THIS **15TH DAY OF OCTOBER, 2009** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fritz, Presiding; Commissioners Fish,  
Leonard and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jim Van  
Dyke, Chief Deputy City Attorney; and John Holly, Sergeant at Arms.

<p><b>*1439 TIME CERTAIN: 2:00 PM</b> – Authorize a Community Policing Agreement with the Bicycle Transportation Alliance and the Willamette Pedestrian Coalition (Ordinance introduced by Commissioner Saltzman)</p> <p><b>Motion to accept Substitute Exhibit A:</b> Moved by Commissioner Saltzman and seconded by Commissioner Fish. (Y-4)</p> <p>(Y-4)</p>	<p><b>Disposition:</b></p> <p><b>183247</b> AS AMENDED</p>
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At 2:43 p.m., Council adjourned.

**LAVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland

By Karla Moore-Love  
Clerk of the Council

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

**October 14, 2009**  
**Closed Caption File of Portland City Council Meeting**

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: \*\*\*\*\* means unidentified speaker.

**OCTOBER 14, 2009                      9:30 AM**

**Adams:** I want to note for the city council and for the greater community that richard ross is the recipient of an award from great places in america, neighborhoods, the american planning association celebrates excellence there planning, by hereby designating Portland as one of the great places and richard obviously was heart and soul behind this. So congratulations, richard. Thank you. [applause]

**Adams:** I'm only the messenger on this and I think the council is partly responsible for this as designating ladd's addition and all the work that the city has done to back that up. Thank you, richard, for all of your good work. [applause] [gavel pounded] city council officially comes to order. It's wednesday, october 14th. 9:30 a.m. We're in morning session of the city council. Please come to order. Please take the roll.

[roll call]

**Adams:** Can you please read the communications item no. 1412.

**Item 1412.**

**Adams:** Mr. Nolen, welcome to the city council: Just a general announcement. If you're a lobbyist for any organization, you need to declare that as part of your council communications. Otherwise you only have to give us your first and last name. No address. Go ahead.

**\*\*\*\*\*:** Even if you're not paid.

**Adams:** Even if you're not paid. If you're a registered lobbyist.

**Patrick Nolen:** I'm not registered, so I guess I don't have to. My name is patrick nolen. I represent soapbox under the bridge which is a nonprofit here in Portland, Oregon. My original plan was to come and discuss affordable housing and I instead wanted to speak to you about the -- I think it's called the sidewalk management initiative, is that the term? And I wanted to thank you for the effort on the resource access center and unfortunately, commissioner Leonard's in the here to talk about the loo, but the loo and the community involvement in general around this issue. I did have some questions, though, or some thoughts, and i'll, of course, send an email form later. I was first -- the first page, you mentioned the police shall create an update and work plan. I was hoping this work plan wouldn't turn into something where there were words like homelessness or transientness or meant ill and quality of life involved in it. Is that better? Yeah. Also, I wanted to talk about on the second item, there was mention of private security and I was hoping that wasn't going to turn into private security enforcing our laws in downtown Portland because that's something that a large part of our downtown community has views one way or the other on and I would hope that would be something we'd talk about before it happened. Again, I wanted to thank you for the resource access center. I think it's important it be part of this document. Since we're discussing homelessness so much in it. I was wondering about the real change, not spare change program. Because you mentioned this as a new thing. And i've seen the coin meters and the u.s. Bank that I use downtown has one and I was wondering it that was going to be something different or a different program or how it was going to work. And then there's a lot of mention of the Portland business alliance, and I was especially worried about the downtown Portland retail strategy and hoping it wasn't going to become some sort of, if you aren't shopping here, go some place else program. And I wanted to put that out there. Thank you for shaking your head no.

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**Adams:** Goodness, no.

**Nolen:** And mayor Adams, you mentioned you were going to be working on the -- i'm sorry, going to be working on the publication boxes located on public sidewalks and I was hoping the a boards and sidewalk cafés were also going to be in that discussion. And lastly, since we do mention the homelessness so much in this document, I was hoping that the oversight committee you mentioned would not follow the safe oversight committee where there were -- you know, it was a very diverse group, which I appreciate, but it lacked a real concerted effort, since we have homelessness being such a large part of this, that it really lacked a concerted effort to have people [inaudible] homelessness on it and I was hoping that since homelessness is a big part, that the people in defense of homelessness would also be a big part of it. Sorry to go over.

**Fritz:** Helpful, thank you.

**Adams:** Karla, please communications item 1413.

**Item 1413.**

**Adams:** Mr. Stull, welcome to city council. Glad you're here.

**Barry Joe Stull:** Good morning, first off, i'd like to say i'm one of those thousands of homeless people in Portland right now. And it is raining. I lost my housing, of course, as I mentioned to council before, which was the -- i'm still in the thick of it. Today, i'm supposed to be at a ready to rent class where i'm supposed to be learning all the things that I need to have to be able to get housing and I had all of those things before my landlord bought a 30-day no cause eviction in this the process destroyed 20 grand of my property. It's tough. I did have a stay at the transition projects clark center and they cut me loose. I would have been scheduled for shelter housing through november but for reasons that didn't make sense, they told me I wasn't to be housed anymore. I heard rumors because commander reece is on the board. I don't think it's that sophisticated. I think there's just a general problem dealing with the social justice activist that actually has some history and some skills. Anyhow, what I wanted to speak today about was we do have an industrial hemp bill in Oregon, we have medical marijuana in Oregon, right about now we have about 25,000 Oregon medical marijuana patients and they are producing a slew of marijuana, including the parts we might consider valuable for other resources so one of the problems I tried to address years ago, was the fact that when people get busted for growing pot illegally, the grow lights are shreds under court order and not made available to patients under the medical marijuana program. When we have cars seized on 82nd avenue for drug or prostitution stings they get auctioned off. I would like to see the dumpsters emptied out and be available to be filled up with marijuana stock so that my buddy in eugene can continue his work for many years as he has done on composites the we forget that Portlands with a city before we could make paper out of trees. The process is to turn paper into trees was invented in 1846. We had Portland already a year by that time. So the annual fibers that are essential to my being and my well-being, cannabis as a therapeutic is also something that we can produce -- we can go to whole foods and buy hemp seed in our cereals and other foods and i'd like to draw the council's attention to we've had the medical marijuana act for 10 years now and i'd like the council to step up and join me. We have a spinal cord injury research fund. Started by dr. Governor kitzhaber and I would like you to contact me regarding my trials and tribulations and expertise --

**Adams:** Your time is up.

**Stull:** My time is up.

**Adams:** Thank you for your testimony. Please read the title for council calendar item 14 -- 1414.

**Item 1414.**

**Adams:** Mr. Hardiman, welcome back to the count.

**Ulisher Hardiman:** Good morning, your honor. With all due respect, you've got a hair cut. Looks pretty good. Glad to see things straighten up for you.

**Adams:** Thank you.



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**Hardiman:** I don't think people -- you're march will you say. Amazing moves you're making.

**Adams:** You're very kind.

**Hardiman:** Obviously, a lot more intelligent than I am. Your honor, i'm asking the council to join with me. I need my car and hammer back with me. I was going to be in court with the city charter.

The car shouldn't have been towed. Apparently, they had tried to get -- to get another tow company tow the car and they wouldn't, and sergeant's wouldn't because one tire is not on the public pavement. So I made a deal and got h and d towing out there who didn't mind going over the line and towing off the car. I look every day and it still isn't back over there and so i'm having to postpone and --

**Adams:** How much money would you have to pay to get it unstuck?

**Hardiman:** I have no idea where anything is now. I thought that a word from your honor was going to be enough for the car to appear back where it was already at. I've got my -- i've got my last nickel paid into it. I've got a license, tag, fully insured through progressive. And everything is right on track. Going to do a little junking to make a little bit of cash and got to haul my pizzas and papers and i'm buying a hot dog cart and going back to college at mount hood.

**Adams:** If you could -- I thought we were on top of this issue and i'm sorry we're not. Can you stop by my office and ask amy stevens to find out how much it would cost to get your vehicle release just that specific question.

**Hardiman:** I'll stop by tomorrow and give your honor a chance to communicate.

**Adams:** Thanks very much.

**Hardiman:** Thanks so much.

**Adams:** Thank you. Sir. That gets us to the council communications, which takes us to the consent agenda. Does anyone wish to pull any items from --

**Moore-Love:** Still have 1415.

**Adams:** Oh, I apologize. Can you please read the title for council calendar item 1415.

**Item 1415.**

**Adams:** Good morning, mr. Smith, sorry I almost overlooked you. Welcome to city council.

**Darrell Smith:** I was before you a little over a year ago talking about the problem with pimping and how the criminal behavior is glorified and promoted in society. And then we have acorn, so I feel vindicated in what I was raising about the people basically setting pimping and the problem is these are organizations that work with the poor who are the most vulnerable people when it comes to be exploited and when you have a population that has basically accepted this culture of criminal behavior, ignoring it, it really becomes a problem and really sets up to be victims. Basically, i'm coming to talk about the poor people's project. This program is designed to transform abandoned properties into viable tools for changing the social environment. The project will help the most vulnerable and forgotten sector in our society in this time of economic turmoil. That's the poor. This program will create jobs and raise funds for community groups. Provide administrative office for homeless and humans who wish to change and lobby for better treatment of the poor in our society. The key components is through a partnership with rmv.com, we'll be able to match homeless youth with nonprofits and they'll be able to earn and raise money for these groups which in these economic times are going to need extra money. Now, the second part of it of it is a partnership with work place training network, we'll be able to provide the most advance workplace behavioral training available in the country with workplace training and be able to provide that to community groups and the businesses large and small. And also, we have developed a community-based behavioral modification program. That's my specialty. I'm a specialist and this is a life-long thing i've been working on and we have developed a program, that we can hold people, especially young people, accountable for their behavior and address the antisocial behavior exhibited in our community. This program does not and will not reward negative behavior, which is happening in chicago. Ok, you have an element that creates and acts out often throw \$30 million at them. It's

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ludicrous. Not going to work. This program will empower and reward those who want to be better humans and citizens. This is not enough give me a grant, do nothing, poverty pimp program. If all sectors of the community work together within this program, it can be self-sustaining and raise its own funds. It doesn't need grant money and what I need from you guys is an opportunity to come to your offices and talk with you and see how the city can help us move forward on this. We already have an abandoned piece of property on northeast lombard that we have taken and rehabbed and we just want to move forward. Stoppimping.com, my website, all of my contact is there. Please contact me and so we can move forward with this.

**Adams:** Thank you, mr. Smith. Appreciate it. I think we're ready to consider the consent agenda. Anyone wish to pull any item from the consent agenda? Hearing none, Karla, can you please call the vote on the consent agenda.

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

**Adams:** Aye. [gavel pounded] consent agenda is approved. We have two time certain and a report. Can you please read the title for the 9:30 time certain item 1416.

**Item 1416.**

**Adams:** Commissioner Saltzman?

**Saltzman:** Thank you, mayor and members of the council. This is the bureau of environmental services annual report on the progress in completing the 20-year program to control combined sewage overflows or csos, it's remembered to as the big pipe project. Although it's much more. To date, the city has completed every milestone required by the state and we're on time and on budget.

**Adams:** Yay.

**Saltzman:** As we near completion, we're making good progress on the construction of the east side big pipe as well as the balch conduit project and the sellwood pump station project. And environmental services director, dean marriott is here along with cso paul gibbon to give the council an update and i'd like to recognize kate dreyfus. Do you want to come on up too. Kate is vice chair of the project's review committee. Thank you for your service, kate and I didn't know if you wanted to say things.

**Dean Marriott, Director, Bureau of Environmental Services:** She'll follow us.

**Saltzman:** Ok. You'll follow? Great. Take it away.

**Marriott:** Thank you very much. Thank you, mayor and members of council. Dean marriott, environmental services director and next to me is paul gibbon. This is actually the seventh year we've come before the council on a twice a year basis to regularly report and I can recall the first time I came to council to talk about this was back in 1995, so we have been reporting now on a regular basis since then. Just 60 seconds on this. Everybody talks about combined sewer overflows like everyone listening would know what they are. Prior to 1950, all sewage and stormwater went to the river and stormwater went to the river. It receive any treatment at all. And so the sewer system, the city was organized so that it was -- all that waste was directed to the river and the columbia slough. In the early 1950s, when the city set about to build wastewater treatment, they sized the pipes to provide collection for all the sewage in dry weather but it would not be big enough to collect the stormwater in wet -- stormwater. When it rain, that mixture overflows into the willamette river. That's what this program is about. 20-year program starting in 1991 to bring that under control and this first slide shows you the progress we've made since 1991 and this is one of those times when if someone holds up a sign that says the end is near, you should smile because that's a good thing. [laughter] we're pleased with that progress. And the next slide is the usual ski slope slide. This is the volume of combined sewer overflows reaching the willamette and the columbia slough. We estimated it was about 10 billion-gallons a year. When we signed the accord with the state in 1991 we estimated we had made a lot of progress, but it was still about six billion gallons, an up acceptable number. We cut that number by two-thirds since we've been at this and

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the project we're going to talk about in detail today, the east side tunnel, will pretty much get us the rest of the way. Here's the count down to the control of outfalls. The place us along the river in the columbia slough where the combined sewer would flow. All of the columbia slough outfall was controlled in december 2000 and met its water quality control since then and that's a success story and you can see the progress since then and we have 19 remaining outfalls that need to be controlled and will be in the next couple of years. As commissioner Saltzman mentioned, it's not just tunnels. The tunnels are a huge component of this effort, of course, but it also begins with Portland homeowners and business owners. The downspout disconnection project has been an enormous success. It's gotten over a billion gallons of stormwater out of the system. That doesn't create combined sewer overflows and through june of this year, 26,000 property owners in Portland that took the initiative, sometimes with our assistance and sometimes without to disconnect over 50,000 downspouts and we want to thank our partners for that effort and it involves green infrastructure and many of you know about that. Ecoroofs and roadside swales and planters and green streets. They're very effective at cleaning stormwater and preventing stormwater from getting into the sewer system and causing combined sewer overflows. I wanted to show a couple of slides of the progress in this area. Ecoroofs. Some you may recognize because one of them is the roof of the Portland building. But so far, we've -- we have about nine acres of ecoroofs in Portland. 12-acres of roof gardens, so combined, 21 acres of what we call green roofs. That's almost a million square feet of green roofs in Portland. Enormous progress. We've set a goal of quadrupling in the next four years. And we hope to get close to two million square feet of ecoroofs in the next four years. It's going to make a big difference in water quality and air quality and liveability, it's really going to -- it's going to make a tremendous difference in preserving the capacity of the infrastructure that we're building right now. The last element of green infrastructure I want to talk about are green streets. We have more than 700 green street features in Portland. Just again in the last decade. People come from all over the world to see how we do it and we've set a goal of adding another 900 green streets over the next four years. We hope to add significantly to the inventory. And it's not to provide all of the benefits, it's to protect the capacity of our existing infrastructure as well. So i'm going to shift gears, before I turn it over to paul to say a few words about the eastside tunnel. You can see from this map, you recall we started tunneling from omsi, the opera site going north. It's a six-mile long tunnel if you take the whole length into consideration. 22 feet inside diameter. And we have seven access shafts to get to it. So far, about 65% finished. Paul, if you shift gears to the next slide, we're just about to reach the confluent shaft at swan island. For those who have been out there, right next to the pump station is a large shaft sitting open ready for the receipt of the tunnel boring machine, which perversely we believe now will arrive on halloween. We're not sure how to dress for that occasion, but we'll celebrate mightily when that happens. Once the tunnel boring machine breaks through into that shaft, it will mark a significant milestone this project. We hope and project by the week of november 16th, we will remove the tunnel boring machine from the shaft on swan island. At that time, we'd like to invite members of the council and members of the public to come and view that event. And we then will place rosy, the tunnel boring machine on to a barge and ship that down back to the omsi opera shaft, where it will be put back on the ground and put back into the opera shaft and turned south and finish the mining operation to 17th and mcloughlin. And lots of opportunities for the public and ratepayers to see these special events coming up in november and december. So we look forward to having you at those. Now, i'll turn it over to paul who will talk about the details of the construction.

**Paul Gribbon, Bureau of Environmental Services:** Talk about -- excuse me -- talk about money first. This is the status of the contract we have the joint venture that's doing the main eastside project. Projected to be \$426 million. That's the approved contract amount but our projection for what it will actually cost is \$388 million. So right now, tracking well under the budget we had set for the project. Our current contingency, we're carrying for risk is at \$23 million. It was reduced

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from \$38 million. How we came up with that as I said, the original contingency was \$38 million and that was to cover the risks we could see we updated every six months. We eliminate the risks that have passed and evaluate the new ones and 70% completion of the project, we knocked the contingency down to \$23 million. Employment so far we've had over 175 first tier subcontracts, most of them have been local. That including second and third, almost 400 total subcontracts. Our original goal, mwsb, that's been met. We anticipate approximately two to three million by the time we measure if 2011. Right now we have about 240 craft workers directly employed on the project. We have some other cso projects. Portland force main, two segments, segments one and two. About 65 active construction jobs on that right now. Phase two, swan island. The sellwood projects, about 50 direct construction jobs and the balch conduit is about 50 construction jobs. How that translates into impacts of the local economy is multiplied. A ripple he can. All the other businesses and people who get -- ripple effect. All of the people who get direct benefits. This is job equivalent based on construction expenditures. Equivalent to 500 jobs to the local economy. We had an audit done on the east side a few months ago, financial audit and project management. The financial audit raised eight payment issues. We investigated all. We found one insurance overbilling which has been credited back to the bureau. Project management audit basically said that we and the contractor were doing a good job in management of the project. We have a number of challenges ahead of us. Yet to go in the last two to two and a half years. As done mentioned, we've got the sellwood pump station. The balch conduit pump station and then Portland face main and the swan island pump station upgrade have to be done in order to perform the east fall tie-ins in 2011. They have to be done. They've got to be finished before we can tie in the east side outfalls to the tunnel. This shows you a map of where the projects are located and i'll get into the specifics. Portsmouth. Three-mile long pressurized pump station to the existing portsmouth tunnel. Currently under construction right now. And then we had balch, currently under construction right now on the west side of the river. Ties into the existing nicolai shaft. It's an 84-inch dynamic pipe. Sellwood pump station going into construction early 2010. Which is the southern most outfall along the east side of the river. This is a picture of the opera shaft in february of 2007. The site. And looking at an overhead, this is how it looks now. You can see down into the bottom left center is a picture of the opera shaft and north of that is the opera building and then the old water avenue is the staging area. In 20 10, a streetcar is going to be coming through and they're going to have to do a surcharge where a corner of our staging area, the contractor's office site is, and we're coordinating with the streetcar are. Right now, we move every month with omsi streetcar and light rail. 2011, it gets more complicated. When light rail comes through. So in spring of 1011, three active projects going on, the light rail bridge, streetcar down in the old water avenue, and finishing up our work. So it's going to be quite a coordination effort. So with that, if there are any questions, i'd be glad to answer them. Other than that, we have kate from the review committee to give their report.

**Adams:** Do you want to hear from them?

**Fritz:** Go ahead and hear from them.

**Adams:** Thank you, gentlemen.

**Marriott:** I do want to thank not only the committee you're hear from momentarily, but I want to thank the Portland business owners and residents and drivers and people from all over that have been very patient with us. We, as you can see from the maps, we have construction sites o all over the city and everyone has been really great in -- in understanding that they're willing to put up with some inconvenience because they recognize the benefit of the goal. And take a moment to thank them.

**Adams:** Here here. Welcome to the city council, glad you're here. Thanks for your service on this oversight committee.

**Kate Dreyfus:** Thank you. I'm kate dreyfus and with me is derek. We're members of this committee. And there isn't much to be said on a project that's on schedule and under budget.

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Except I would add that the recordable accident rate, is under the osha and industry standards and the apprenticeship goals are also made and it's great to serve on the committee. We've been doing it for about three and a half years, I guess, now. And really, there isn't much more that I can add. Except to recognize derek.

**Derrick Chisholm:** At this time, the project team, both private and pun sides are doing a phenomenal job and our execute any can't bring up anything, other than that it represents a great opportunity to show the citizen that is a major public project is not riddled with ineptitude and it can come in with considerable savings, ahead of schedule, it is possible and these folks know what they're doing.

**Adams:** Thank you, both, very much for your service. Appreciate it. Anyone else signed up to testify on item no. 1416?

**Moore-Love:** I didn't put out a sign-up sheet.

**Adams:** Anyone wish to testify on council calendar 1314. The presentation, it does not require a vote?

**Fritz:** That's true. I want to take this opportunity to thank the bureau of environmental services staff and our citizen review committee members and contractors for doing an excellent job. So this is a big -- Portland's biggest construction project ever and it's really heartening, as derek said, to say this is not something that's escalating out of control or budget. And we're pleased to be delivering this at the end of 2011 on time and on budget.

**Adams:** Commissioner Fritz.

**Fritz:** I also thank you for your involvement and those who have been impacted and disrupted and especially for the citizen oversight committee. Thank you for volunteering and recognizing that the increases in rates have been difficult for many ratepayers to manage and what government has to when we're asking citizens to pay more, is to make sure we use those resources wisely and for the purposes intended and it's good to have the report and good to see the project is on time and under budget. Thank you very much.

**Fish:** Congratulations, commissioner Saltzman, dean and your team. I can see the head line tomorrow: On time and under budget.

**Adams:** Don't hold your breath, commissioner.

**Fish:** What are you thinking?

**Adams:** I'd add my thanks, as well. Having an opportunity for four years to be commissioner in charge of this project. I know that the great results are not an accident. They're the product of very hard work. And paul and dean, I want to thank you and your teams and again underscore my thanks to the citizen oversight committee. Part of the success is that you've been there for two, three years, and doled the history and expertise. Before we move on and hear council calendar item 1417, i'm pleased to welcome today, five russian government officials who are here with the open world leadership center hosted by our great league of women voters. Studying our levels of our government and gaining first hand experience of american life and culture. And i'd like to welcome alexander, andré, irena. [laughter] veronica, and the last one, sergei. Welcome. [applause] and I apologize for mangling your names. You might want to translate that. We really appreciate you being here. All right, Karla, would you please read the title for council time certain at 10:00, 1417.

**Items 1417 and 1418.**

**Adams:** Commissioner amanda Fritz. And please read the companion report, 1418.

**Adams:** Commissioner amanda Fritz.

**Fritz:** Thank you. This is an exciting and momentous occasion and thank you for being here. It's in record time because it was only last december that the it was created on december 17th and so here we are ready to appoint the commission members so I invite polly livingston and polly joe stairs to come up and -- carrie jo stairs to come up.

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**Polly Livingston:** Thank you, I'm Polly Livingston and this is Carrie Joe Stairs. In resolution no. 36657. And this resolution, 15 summary commissioners were directed to accomplish the following tasks. Adopt bylaws on the Portland commission on disabilities.

**Carrie Joe Stairs:** Secondly, adopt an action plan fully reflective of the mission and guiding principles on the Portland commission on disabilities. The purpose is to actualize the commission's values and set goals and objectives.

**Livingston:** Third, forward recommendations for regular appointments to the commission, to the commissioner in charge of the commission.

**Stairs:** And finally, to report to the city council on the completion of the aforementioned goals. And we'd like to start by inviting up the chairs of the bylaws committee to tell you about their process and success.

**Adams:** Good morning.

**\*\*\*\*\*:** Stop changing furniture and sit down.

**Adams:** Welcome.

**\*\*\*\*\*:** I'm Ann, I'm here with Jan to talk to you about an exciting project that we got to work on this summer as part of the summary commission. It is an astonishing new commission that I think we can all be proud of and some of the things that were particularly interesting are the ways that the bylaws. And Jan and I got to work on the bylaws -- reflect the differences. The uniqueness of this group. For one thing, we will eventually in this group have 31 members. 23 will reflect agencies in the community such as the one I work for, the national mls society and the other agency, the mls society of Portland, that serve people with disabilities in area. There are eight at large positions to make sure we haven't forgotten anyone. We want the voice of every person with a disability to be heard here. Membership requirements are quite unique as well. To qualify, you have to live, work, or be enrolled in school here. That makes sense. But we went beyond that because we know from experience with you as a commission that you are truly welcoming to people with disabilities. So we also said if you participate in cultural, civic, social organizations in the city of Portland, we would like to hear your voice because those people are important to us. And 51% of the people on this commission will be persons with a disability so what we can hear is what is truly happening. Jan?

**Jan Campbell:** Thank you. And good morning, Mayor and Council. Members. I'm going to talk about staff and liaison and a little bit about standing committee. Our staff, the office neighborhood involvement shall designate a staff person to provide staff support to the commission and then we'll have a project coordinator as the role of advisor to the commission. One of the things we're excited about is the liaison. The following bureau of the city of Portland and their successors shall provide staff to serve as bureau liaisons to the commission and preference will be given to having bureau ADA coordinators and others will be added in the future. And some bureaus are neighborhood involvement, transportation, environmental services, police bureau, office of emergency management. Fire rescue, bureau of emergency communication, management and finance, parks and recreation. Housing bureau, planning and sustainability, the development services, office of human relations and the Portland development commission. The role will be to attend regularly scheduled commission meetings, and they're encouraged to create ad hoc committees from the commission and the purpose of these committees is to give input into programs and projects to ensure inclusive access for people with disabilities and everyone. And I think this is very exciting. The parks bureau has been involved in having a group of people with disabilities to work on the parks and making access. And they started that in the '90s, actually when I was on -- actually when I was on staff here at the city. And it works. It builds a relationship between staff and people with disabilities to work together to look at remedies of making the parks, again, not accessible just to people with disabilities, but to everyone. And I think the other important thing is that, you know, we do have the ADA. And that's a requirement. But when you work with people with disabilities,

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they can help you go beyond the ada. Which is really the right thing to do. Is to go beyond it. And they can also help with solutions that make it maybe not as costly as some people that didn't experience a disability would think about. We also have the standing committees. And this will be a part for the public and our community can participate in discussion on issues that the commission will be working on. And before I pass this on, I do want to thank nicole sherron, who made this possible. We have the community and especially the disability community has wanted this for so long and it's been a dream of ours but she has made it become a reality to us and I also want to thank tecla anderson who is the support for the interim commission. There was one which some of us were a part of and she's kept it on track and I want to give a special thanks to both of them. Thank you very much.

**Fritz:** Thank you. Go ahead.

**Campbell:** And now i'm going to turn it over to the action committee chairs which is carrie jo and is denise here.

\*\*\*\*\*: I believe i'm going to.

**Campbell:** You're going to do that? Thank you.

**Fritz:** While we change folks I want to mention that i'm so excited I was assigned the office of neighborhood involvement and that the commission on disabilities is part of that. The staff there is equally excited and to mention to my colleagues that it was exactly the right assignment because no one has been as excited about bylaws. [laughter] and they're important and you've done a lot of good work on them. So thank you very much.

**Stairs:** The action committee's job was three-fold. First to come up with a mission statement that everyone could agree on. And also to set the guiding principles for the summary commission to -- for the full commission to work off of and do a needs assessment of the community of people with disabilities to find out what would actually be meaningful to them for a commission to do? And so i'd like to read what the mission statement and guiding principles are and then to talk briefly about what we did to attempt to set goals for the commission. To begin that process. So the mission statement is the mission of the Portland commission on disability is to guide the city in ensuring it's a more universally accessible city for all. And then there are seven guiding principles. The first of which is every individual must be treated with dignity in a manner that's cultural respectful to him or her. Every effort shall be made to overcome misconceptions and biases regarding persons with disabilities. And the second --

\*\*\*\*\*: And the second, individuals with disabilities have the right to attain their highest level of independence, self determination and self-support. In exercising self-determination, people with disabilities have the right to make and express choices in all aspects of their lives, in all stages of their lives.

**Stairs:** Three, people with disabilities have the right to participate in all community activities and shall have equal access to all programs and services that serve the public.

\*\*\*\*\*: And fourth, there's a broad range of disabilities and, therefore, a broad range of needs in the community. Policies and procedures shall be flexible enough to address the changing and varying individual needs of persons with disabilities.

**Stairs:** Five, because the experience of disability also includes friends, family, associates, and loved ones, these guiding principles also apply to them.

\*\*\*\*\*: Sixth, input and participation from persons with disabilities at all levels of decision making, goal setting and policy formation shall be considered and included.

**Stairs:** And finally, no. 7, an universally accessible city is a more livable city for all persons and represents a new paradigm of how we thrive in a city and respects its diversity the final thing we did was a survey that went out to and invited all people with disabilities, their loved ones and families and people who worked with people with disabilities and people who had friends with disabilities to answer a couple of questions about what would be meaningful for them that a commission could do.

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What kind of goals would they like to see. It was the beginning of the process. It is by no sense exhaustive and I expect that the commission will probably pick it up and continue on and extrapolate and continue to do more needs assessment. But the two things that rose to the top remarkably were the ones we took and wrote goal statements on that we could pass on to the full commission as a place to get started. So i'd like to read those two goals for you. So you know what the goals of the commission will be. The first goal is the Portland commission on disability will support the city of Portland to design an implement an effective educational campaign about people with disabilities. The purpose of the campaign is to educate all people working, living and visiting Portland, about disabilities and disability social history for purpose of eliminating discrimination, implementing disability rights, and increasing liveability for people with disabilities. And that particularly, I say comes out of many, many, many responses of people who are -- whose main concern was just how they as a person with disability had been treated unfairly and would like to have a -- an opportunity to have a restorative experience with the people or businesses or whoever it is that they had that experience with. And so to just educate people so that those experiences become less and less over time. And the second goal is the Portland commission on disability will support the city of Portland to maintain, increase and monitor avenues of physical access for all people. In addition to general ada compliance, the commission shall encourage the city to increase accessible sidewalks, bathrooms, doors, parking and signage. The summary commission's last meeting in september will recommend these things to the full commission for their review, will give them all of the information, any reporting that we have, and result, as well as the report and survey results from the previous community survey that was done. The Portland commission on disability, in the summer 2008 -- or in december, so they can come up with, like we said, their goals more -- so that they have all of the information, they can review that. That's it.

**Fritz:** Thank you very much.

**Adams:** Actually, two quick --

**\*\*\*\*\*:** Uh-huh.

**Adams:** The right place to ask two quick clarifying questions. This is superb work. I wanted to make sure i'm interpreting the definition of disability correctly. That state and federal definitions of disability, the way I read this are sort of the floor for making sure that the city is accessible to all. And that we inspire to be sort of the best of class so there's the state and federal requirements, there are -- but our own expectations might be higher? That's the gist I get. Is that a fair interpretation?

**Stairs:** That's fair.

**Adams:** And the second thing, as transportation commissioner, with -- with -- that oversees 4,000-miles of streets and roads, many of which are substandard, how do issues get on the agenda or become part of the focus of the commission, I mean, clearly self-initiated, I assume is part of it, but how would transportation -- we've -- we're always making tough trade-offs, do we do this or this? We never have enough money to do everything. How would transportation sort of get on the agenda of the commission?

**\*\*\*\*\*:** Well, there would be opportunity for liaisons to suggest issues that need to be addressed by the commission. And to actually ask to have a subcommittee established. And in response to those issues and this is certainly something that the commission will want to be involved in.

**Adams:** So we can ask?

**\*\*\*\*\*:** Absolutely.

**Adams:** And the commission can say yes or no.

**Fritz:** I should say beyond that, all bureaus should be thinking, I need to ask the commission on disability before we move forward with this project.

**\*\*\*\*\*:** This is your commission. This is the commission for the city and so utilize it. Get the best out of it. There's a lot of good --



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**Fritz:** It's a tremendous resource for the citizens and bureaus and with the bureau liaisons, they can put things on the agenda for consideration by the whole commission.

**Adams:** Great.

**Fritz:** So public input. Thank you very much.

**Adams:** Thank you very much.

**\*\*\*\*\*:** You're welcome.

**Fritz:** Any other questions? I'm going to read a list of the 30 people being appointed to the commission on disability today. And thank you very much for serving. I'm going to read the positions also because it's illustrative of the process that went into to make sure we have a diverse and representative commission. So we have mellani calvin, who is the first at large. Mellani, can you raise your hand. Thank you very much. Christina cooper. Therese grayson. Scott hatley. Adam chris. Nyla mccarthy. Carrie jo stairs. Michael szporluk. At large commissioner. Thank you. [applause]

**Fritz:** It's a long list because it's a new commission. But each person is very important and we thank you for serving. We have five multicultural commissioners. Bhell sokpak. Alan dela torre. Linda nguyen. Rudy soto. Dean westwood. Thank you. We have two commissioners for youth issues. James jackson and molly king. Thank you for being here. We have two folks for chronic health issues. Jewls krentz and channah pastorius. Thank you. Mei ling wong, representing blind and low vision issues. Charles davis for healthcare and support services. Phyllis pettys. University and college organization. Martha simpson on elder issues. Travis wall for employment. Amy anderson for mental health. Ann o'malley for disability law. Thank you so much for all of you being here. This is terrific. Caitlin wood for mobility. Jan campbell for transportation. Joe vanderveer from Multnomah county. Katherine todd. Veterans and reena wagle. Development and cognitive disabilities. And neisha saxena for housing. And we have one opening for someone representing deaf and hard of hearing. But that's our 30 commissioners.

**Adams:** Yay: [applause] do you have people signed up?

**Moore-Love:** We do. We have three people.

**Adams:** Welcome to the city council. Glad you're here. Just need to give us your first and last name. And the clock on that big hunk of wood helps you count down three minutes.

**Stull:** Hi, barry joe stull. I'm a person with a disability. I've got a central neuropathic pain condition and most of the list in the legislation, they start off with body systems and mine a neurological, which is the first on the list and very difficult for people to understand because it's a wiring condition. I rode my bicycle here. I have a spinal cord injury, that means I have a pain condition which because of my nerve damage, I experience pain which also triggers to other systems. Nausea and -- and as we are experiencing now, fits of forgetfulness and sometimes being disorganized. I'm heartened to know that the city council has taken action on this. I personally have exhausted every administrative remedy in the state of Oregon. I currently have a federal civil rights complaint. The issue is under Oregon law, the bureau of labor and industry civil rights division is basically what we used to enforce and -- use to enforce and interpret the Oregon statutes which are found in ors chapter 659-a. The problem is once the courts are involved, the bureau of labor and industries doesn't take any action. So we have this legislation that just doesn't have any teeth. My problem was even worse because I was drawn into a case that it wasn't even legal for the landlord to file and I haven't been able to extricate myself interest that. Because my landlord brought me into this lengthy and extraordinarily costly legal battle, i'm sure they spent about 50 grand and destroyed as I mentioned earlier, \$20,000 worth of my personal resources. The problem is, of course, is that my neurologist says medical marijuana is my best treatment option and that's a quirk, since the 1930s that we had this issue of it not being medicine, even a question in our society. And the problem is as long as we're going to allow cultural bias and the people that are actually filling the positions, the judge sitting in the chair, for example, if we're going to allow them to act

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against the law because of inherent cultural biases, mine happens to be against marijuana, i'm sure they exist against other issues, whether somebody is blind or in a wheelchair, we have nobody representing the deaf and hard of hearing people because maybe there wasn't an appropriate mechanism to get that out. So i'm glad things are changing and I hope we can have a much kinder city and one that is following the laws because my personal experience is that's not the case.

**Adams:** Appreciate it. Hi.

**Amy Anderson:** Good morning. My name is amy anderson and I didn't realize I was going to speak. But since i'm here, I want to say thank you for allowing me to become a representative. A very hard-pressed culture, which is the mental health community. I chose to represent cascadia behavioral healthcare systems because they're currently involved with several new initiatives I want to bring forward to the council when they become fully set in motion to help make the transition of mental health coming out of the jails and the ones who have issues on the street, the homeless population, and we at cascadia, now that i'm a member of their council as well, have determined that someone has dropped the ball and cascadia determined they're going to pick it up and run with new progressive techniques on how to help the homeless population and the Portland police work better together. That will be my personal project involved on this commission as well. So thank you.

**Fritz:** Amy, thank you for serving and as you know I was a mental health nurse for 26 years before I won election to the council and I didn't intervene to make sure this position was covered. The evidence of at the summary commission and it's recognized that there are many kinds of disabilities that people struggle with. Thank you for serving.

**Mindy Stone:** I'm mindy stone and i'm new to Portland. Been here, actually since last november. Mindy stone. I'm a supporter of people with disabilities and in particular, right now, what we're dealing with right now is a homeless issue. Which is a big disability, as well as healthcare. I lack both of those right now. I am fortunate that i'm not living on the street, but I do have friends that are living on the street and my concern is that the city is not doing enough right now in concrete action terms to protect the people from the rain that's now settling in and the cold. I have been in solidarity with the street people in the last couple of weeks. They've been camping out on the steps of city hall steps at night and being cordial and not disturbing anyone but my concern is if we're not out in the street being visible, how does the rest of the community know that we have a problem? And the fact that the city is not doing concrete actions to house people, and we have the swine flu that's killing people and the best way to spread a virus is to allow people in the community to get sick. So I really think that city council needs to rush this issue. If we had snow falling, like we did last winter, there -- they would open up places. There would be places. There are vacant buildings. There are vacant lands. We should have a ban on the camping ordinance, the police in Portland, need to be respectful of people who do not have a house, do not have visible means of support. We're not criminals. We're just poor. And my disability is not being able to get a job because of the economic situation around the country. There's nothing wrong with me. I can work and i'm happy to volunteer and not even get a salary or any money, if my basic needs are met. I'm not anything --

**Adams:** Your comments representative to this agenda item how?

**Stone:** Because i'm disabled. I'm unemployed and don't have access to healthcare and I could easily wind up being harmed, injured with a physical disability and I have dealt with depression in my history. So I do understand what it's like to be disabled and I want to see the city council do something now to help the street people.

**Adams:** Thank you all very much for your testimony. Commissioner Fish?

**Fish:** Thank you for your testimony and just so that my colleagues are up to date. There are a number of things that council has done to address this human tragedy. One is we'll be opening three winter warming centers. This is the second year in the row that we have funded winter warming

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centers. Last winter, we were able to find shelter for everyone who sought shelter during the winter emergency. We'll continue to make that commitment for this winter. We're hoping for a mild winter but prepared for worse. Second, we're going to make recommendations on camping more generally and we have a taskforce who will be coming back to council with recommendations and I want the public to know in a year where we cut budgets on average 5% and made tough choices this council added 30% new funding to programs for people experiencing homelessness and the disabled and others and, of course, we need to do more. I thank you for challenging us but this council is trying to do its level best and I want the record to reflect that.

**Adams:** Thank you. We have a vote to make on the -- to accept the reports, is that correct, commissioner Fritz?

**Fish:** Yes.

**Adams:** Do I hear a motion to second.

**Fritz:** Second.

**Adams:** It's been moved and seconded to accept reports in 1417 and 1418. Commissioner Fritz.

**Fritz:** Congratulations, it's been a life long rode and here we are appointing the Portland commission on disability. There are many areas in our world today where physical, social and economic access are issues that need to be addressed and considered in public policies and physical environments and this commission represents a diverse cross section of the population that brings knowledge, either first hand because of some form of disability or some experience and interest. I have to note that i'm amazed as much by the folks who didn't make it to the commission as those who are on the commission. When I looked through the application, I thought, wow, I know this person, and when I got the list -- whoa: So it's an encouraging and enriching to find people stepping up to the plate to offer their experiences and skills and we certainly have a wonderful commission we're appointing here today. Thank you for all of your work. Aye.

**Fish:** Is nicole -- where is nicole? She's over in the corner. Nicole, I want to thank you for the time you spent with me, educating me about access and mobility issues in our community. You're a treasure and I thank you for the work you've done. Commissioner Fritz, I want to thank you for your leadership on this. With your customary zeal, you've jumped in and brought us to this point and we're grateful the I want to briefly acknowledge three experiences in my life which have helped shape my understanding about the challenges faced by people with disabilities. The first was just being my father's son. My father spent 25 years working on what ultimately became the americans with disabilities act and he was a principle author along with senator kennedy and the historians will note that was a time when republicans and democrats worked together to get things done. [laughter] and maybe that spirit will infect the current debate on healthcare. As his son, I learned a great deal with these issues. The second, when I was in college, I needed a job to make money and I drove -- it was the handicapped van. The van that picked up disabled students and took them around. And when you don't have a mobility challenge, when you don't have a disability, you take advantage just getting around campus and for people who had to get from class to class, it was a huge challenge and I learned a lot there. And third, before I was elected last year, I had the privilege of servings as a civil rights lawyer and I represented people on ada claims which are enormously challenging and difficult and learned a lot. Like all of my colleague, learning every day about these issues. The commission, though, will help us take the good information and change policies. I was very pleased to join with mayor potter, who I would like to acknowledge, he's not here, he was such a champion on these issues and join with mayor potter to support the creation of a commission. As housing and parks commissioner, I know we have so much work to do to deal with access issues while we've put them at the heart of our policy making, we know we're falling short. I look forward to getting feedback and holding our feet to the fire as we go forward. Thanks to all of the commissioners who have signed up and to take the time to serve. I want to particularly

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acknowledge rudy soto, who is an intern in my office and neisha. This is the beginning of something wonderful and I am pleased to support it. I vote aye.

**Saltzman:** I want to thank commissioner Fritz for making the summary commission happen and to make today the Portland commission on disability a reality with our votes here. It's an outstanding example of her leadership and commitment to carrying through on something and I want to thank the new members for your willingness to serve and provide a voice to the city and in the city on issues that are of grave importance to you and us as a community. So I look forward to working with you and pledge all of my bureaus to have liaisons established. If they're not already established, we'll get them established and we look forward to your vigilance. Thank you. Aye.

**Adams:** I want to join with my colleagues and in thanking commissioner amanda Fritz for her inspired leadership on this issue. Grateful for it and part of what makes her leadership so inspired is the way she does it in involving a diverse group of folks in putting together a set of bylaws and expectations and beginning a culture of inclusive decision making that will serve this issue very well. So this effort has been put together the way that we aspire to be as a city government. Very inclusive and a process of continuous learning. I thank you and everyone who has been involved with this and those watching or listening who thinks this is great, but that's for those people, or other people, let me remind you that statistics are not on our -- or their side. This city is going to age. If you look at the demographics, we're going to become a much older city. And access, just physical access to the entire city is going to become a greater real-life concern for tens of thousands of additional Portlanders over the next decade, so this is about all of us. And I thank you. Aye. [gavel pounded] please read the -- call -- what's that?

\*\*\*\*\*: [inaudible]

**Adams:** We vote on the next one. Please call the vote on the report contained in 1418.

**Fritz:** I appreciate having two opportunities to make comments because I want to thank my colleagues, for theirs. Nicole and is tecra here. Come forward. They're reluctant to come forward when a lot of work has been done. I wanted to publicly acknowledge, thank you both of you for all of your work. [applause] this is a true partnership between a lot of city staff and the community. For those not appointed to the commission, we have the advocacy network. There's many, many different opportunities for people to be involved. By giving input and volunteering. Many, many different ways. And if you want to know about that. Go to the office of neighborhood involvement website and there's more information there. We're in this together and we all need to work on it. This is not go away and do your work and the rest of us carries on about our business. This is a true commitment by with your city government that this is an important part of our community, that we want to make it better. And so let's take that as this is the end of the beginning, I think they say. And now moving forward with a lot of good work and hard work. And this vote is to accept the recommendations for the members of the commission, thank you for serving. Aye.

**Fish:** Thank you for your service, aye.

**Saltzman:** Aye.

**Adams:** Aye. 1418 is approved. The commission is created. [applause]

**Fritz:** Thank you.

**Adams:** You're welcome to stay to see democracy continue. We will not be offended if you have to move on to other issues and other things for your day. Karla, please read the title for council resolution item 1434.

**Item 1434.**

**Adams:** Commissioner Fish.

**Fish:** Thank you, mayor. I have brief introductory remarks but I would like to invite our invited panel. Would president wim wiewel -- I have brief introductory remarks. Welcome, president.

\*\*\*\*\*: Good morning.

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**Fish:** Thank you all for joining us. Mayor and colleagues. About two weeks ago, I attended the sold-out premiere of papers, a documentary shown at the hollywood theater. Produced by Portland's own graham street productions highlighted the challenges faced by high school students with no legal status in our country. Today, there are over two million children currently living in our country with no legal status, raised and educated here and who consider america their home. And each year, 65,000 of these undocumented students graduate from high school, many with high distinctions, but are unable to work, to drive, or to attend college. Many of these students are academic stars in their schools, yet face a bleak future with no options for improving their lives, for 65 -- 65,000 students this may be a dream unfulfilled. Today, we can advocate for Portland area students who are impacted by this untenable situation. The dream act is a 10-year effort with bipartisan support to address this story of unfulfilled potential. The latest version of the act, entitled development relief and education for alien minors act, was introduced in march of this year, by democrat senator dick --en and republican senator rick lube. It is supported by both of our senators from Oregon, senators merkley and wyden, and the two congressmen blumenauer and wu. I want to -- and vanessa dominguez. Rebecca, would you like to go first?

**Rebecca Maxwell:** I would be delighted to. Mayor and city council, thank you for having us. The last time I testified publicly was at the state of Oregon when the state decided to comply with the real i.d. act and require social security number to obtain a driver's license, that and immediately affected hundreds and thousands of young people that wanted to get driver's licenses and wanted i.d.s and travel and participate in society. This is a much more exciting time to testify, let me tell you. It matter what is we do locally, it has a huge impact. When we look back historically, we'll see that Portland stood on the side of justice in this case. The resolution itself, I don't know if you'll read it, but the resolution itself speaks -- says all the facts so I don't need to repeat the facts. They're beautiful. But I want to say for these empty seats back here, I want to be very clear for every seat, there are so many student who's would like to be here buff fear for their own -- but fear for safety, and deportation and arrest. There's over 60 Portland area youth who have pap participated on the youth group. There are dozens of teachers. They would be here, but they're educating our kids so I want you to know in the sense, the empty seats represent the young people who need a voice and with the dream act would be able to be our leaders and be here with us. The other part, I want to say briefly, is that this is a Portland-made film. But it has national content, national characters and national impact. We interviewed senators and representatives from congress, immigrant rights leaders and people from around the country and we have 1400 donors from over 24 states and we've got screenings in seven more states. So I hope you can take pride in it. And when people say I heard "papers" came from Portland that you can proud that this community made it hand and I believe the office on human services is going to host --

**Fish:** There be an opportunity for the public to see the film on Oregon public broadcasting?

**Maxwell:** We're in conversation with public television about whether they would like to air it. That's to come. So you know, in Portland, starting october 23rd, it will air -- it will be screening at the living room theater downtown to at least a week and we've had requests from capitol hill, from the house and senate, in congress to screen it. So it will be -- you've only begun to hear about it.

**Fish:** Congratulations.

**Maxwell:** Thank you.

**Fish:** Vanessa.

**Vanessa Dominguez:** Good morning, mayor Adams and city council. My name is vanessa dominguez and i'm a freshman at jefferson high school. I'm one of the procures of "papers." and I want to thank commissioner Fish for coming to see the movie and taking personal interest. The dream act will help a lot of my friends have a positive future, which right now they can't have and we would like you to come and see it, because if commissioner Fish likes it, you will too.

**Fish:** Thank you very much. Thank you for joining us. President?

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**Wim Wiewel, President, Portland State University:** The new role as movie critic.

**Fish:** After me, it may be a full-time job.

**Wiewel:** Mayor and members of the council. I'm the president of Portland state university and i'm pleased to be here to testify in favor of the resolution: Previously i've made to secret for the children of undocumented immigrants. The dream act would provide this equity. By 2025, one in four students, one in four, in the k-12 system in Oregon, are expected to be hispanic. At present, only 56% of hispanic students ultimately complete high school. Without the promise. College, these numbers won't get much better. As you know, education is the pathway to success. And we're denying it by charging out of state tuition to students who may have attended every year of k-12 in america. As a state and nation, we've already made the initial investment in their future. Tuition equity for these students is the right thing to do. We really do have a choice, to allow students to continue their education or increase the likelihood of their dependence on social services in the future. If we choose education, we will allow them to attend our schools and help build or economy. Just so it's not abstract, the cost to attend psu full time at in-state tuition is about \$5,700 a year. Taking the exact course load as out of state student, it costs over \$17,000. As a result, the students who have to pay out of state tuition living here, been living here for many years, are the children of undocumented immigrants are unable to get federal grants or loans and, therefore, college becomes virtually impossible. Oregon is doing slightly better than other places. Two states don't allow children of undocumented immigrants to enroll at all. Regardless of the tuition they pay. There are 10 state that is already allow in-state tuition but there's court charges to those states - - court challenges. We're required to invest in k-12 for all students regards of status. We should require the same for higher education. I supported a state level measure in salem to fix the problem. But solving it at the federal level as the dream act is much better because it takes care of some of these legal issues. As an effort president, let me assure you we want these students on these campuses and classes. To kick off our new taskforce on hispanic students' success. We know even though our hispanic enrollment has grown by over 65% at psu in the last five years, we still can do better. I also want to address two objections that have been raised to the dream act or state measure. One is that it would mean a loss of income to higher education because these students would otherwise be paying out of state tuition. In reality, that's a nonsense argument because the students simply do not come. So there's no loss of income. The other argument is these students would be pushing other students out. At psu, once people meet the minimum requirement, we admit you. We will find a way to accommodate these students. And the idea that somehow or other, a measure like this, would increase illegal immigration seems to be farfetched. The idea that if a poor family sitting around saying let's immigrate to Oregon, because then my child can pay in-state tuition is too farfetched to be credible. I applaud you for taking up this resolution today and a support it strongly. Thank you much for your time.

**Fish:** Thank you, president. I would like to clarify, this resolution is introduced by mayor Adams, commissioner Fritz and me. The mayor has made creating opportunities for young people in both high school and college level, the centerpiece of thinks administration. I thank you, mayor for your support and leadership on this. And amanda, as well as, and I thank the panel for coming forward. This -- this film, and i'm not a film critic, but I will say I watched the documentation and deeply moved. There was one young person you featured in the film, who had an asian background who was not only the valedictorian, but one of the top science students in the country in a national competition and identified as one of the great -- identified as a great talent. He was faced with the prospect of being deported to a country that he had no infrastructure, no family. We cannot afford to lose people like this, this kind of talent. This act doesn't reward I don't think doing, it recognizes that these two million children, through no fault of their own are here and gives them a path to citizenship which includes a requirement that they pursue higher education successfully or serve in

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our armed forces and this is what we should be supporting and I thank my colleagues for cosponsoring this resolution.

**Adams:** Thank you for your testimony. Appreciate it. More invited? Anyone signed up?

**Moore-Love:** We have one person. Melissa.

**Adams:** Welcome to the city council. Glad you're here.

**Melissa Sarabia:** Good morning, my name is melissa. I'm here representing Portland state. We are a student movement fighting for human rights and i'm here to speak for those who are silenced. For those who were not able to pursue the education that i'm lucky to have. I appreciate this country very much. My parents are mexican immigrants and didn't have the opportunities I have today. I love Portland, this is my home. And I cannot let you guys know how much this would affect so many people in the community. So many people that I know. So many people that are smart, are brilliant, that can contribute to this country. And they're faced with a shut door because they cannot pursue their education. I want to emphasize that students who are accepted into any university, for example, Portland state, they don't get to pay out-of-state tuition. They pay international rates, as if they were foreigners, this is just outrageous to me because if I have the opportunity to pursue an education, I don't see why someone else who is from the same background as me, who has gone through a whole k-12 system cannot do the same. I think to better ourselves as a community, and to compete in this global economy that we want to compete in, education is a must. And I would like to thank you for the opportunity to speak today on those who are silenced. Thank you.

**Adams:** Thank you very much. Really appreciate your testimony. Karla, would you please call the vote council resolution item 1434.

**Fritz:** My colleagues know that I'm reluctant to cosponsor resolutions and ordinances without hearing public testimony. But when commissioner Fish asked me if I would cosponsor this, I didn't hesitate. I was honored to sponsor it. I think we all agree that we need immigration laws in this country which are fair, reasonable and enforceable. And we don't have that today. I sometimes shudder to think that if I were coming into this country as I did in 1979 today, I wouldn't be here on the city council because the laws have changed. And the laws are such that if you come into the country on a student visa and you fall in love with an American citizen, you have to leave for ten years before you're allowed to immigrate on a permanent basis. That would not have worked for me and so I know personally how the laws don't work. I got to stay because I had trained as a nurse and that was a profession greatly in demand in 1979 and in 1982 when I married my husband. But that's not the kind of country that I want the united states to be. We are a nation of immigrants. We need to be welcoming. We need to be sensible. It doesn't make sense to educate children, as i'm glad we do, in our great public school system and then say, once you turn 18, you're not ours anymore. Of course you're ours. We have invested in the children of our city. We continue to invest in the children of our city, and we want you to be part of our society. I am also the commissioner in charge of the office of human relations and liaison to the human rights commission. I thank the human rights commission for taking a position in support and for all of the work that we are doing throughout our community. This is one way that we are demonstrating our commitment to all people in Portland. New Portland is home to a very diverse community. Different opinions help give a better decision if we're all able to raise our voices. This is a long overdue bipartisan part of legislation in congress which we are hoping to pass in this new administration that has so much hope for so many people. I thank commissioner Fish for having the vision and the drive to bring this forward -- so quickly. I hope this is just a start, the dream act. If the city of Portland is going to pass that resolution, this is the beginning. This is not, ok, we're good. We move on. This is something that's really important to many people, and we need to keep working at it. Thank you very much to community members working on it and, again, to my colleagues on the council. Aye.

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**Fish:** One question that I've received over the past week is why I was the city council taking up this issue, taking time on our agenda. And I think, from the testimony you've heard today, the answer is very clear. Because there are thousands of young people in Oregon that will be positively impacted by the passage of the dream act. And the student from PSU who so eloquently spoke about the difference between someone who might be a friend who she may have gone to high school with, who is faced with the prospect of paying out of state tuition because they are not deemed to be a resident -- a lawful resident -- of Oregon. Lord knows, at this time particularly with our economy where it is, we don't want to have any more barriers to young people reaching their full potential. And that, at the heart of this debate, is what the dream act is. The sad fact is that the dream act came up for a vote today, it is questionable whether it would pass and also questionable as to whether the entire congressional delegation from Oregon would support it. So when you ask why are we taking this up, it is because we do have a role to lobby our congressmen and our senators to make sure that the entire delegation is onboard. In turn, we do have a role through our federal lobbying team to say this is an issue that the city cares about, and please make sure that we're putting our voice behind it. I urge people watching this to see papers, a living room a great place to watch a movie. From time to time, I have snuck out and seen a movie and there seen two students from Lincoln making out in the back. [laughter] but it's a great place to see a film. This is really a very important documentary and very important because it tells a story too many of us didn't know enough about, and that's the essence of a great documentary, educating, informing, and then a call to action which follows. I want to thank my colleagues for co-sponsoring. I want to thank our panel, including Dr. Wiewel who is doing a fabulous job at Portland State, and I would say that even if he wasn't my wife's boss. [laughter] it is a great honor for me to cast a yes vote on this issue. I vote aye.

**Saltzman:** Well, I'm pleased. I want to thank Commissioner Fish for bringing forward this resolution. I'm pleased to add my support to hopeful congressional passage or state passage of something similar to the dream act. Immigrants and refugees really are sort of the lifeblood of this nation and have been since this nation's inception, and it's through the eyes of immigrants and refugees that many of us who were born and raised here gain a whole new appreciation of what this country is all about. Unfortunately, what this country is all about right now, is an immigration policy that to me is not rational nor humane nor compassionate -- nor compassionate, and I hope the dream act will go a long way toward helping deal with those agendas. I'm hoping President Obama will work on policies that will prevent inequities such as these affects young people facing getting a higher education, getting a driver's license, anything like that that will ultimately be dealt with. I dream with you. Aye.

**Adams:** I want to thank Commissioner Nick Fish for offering this resolution and for the opportunity to co-sponsor with him its consideration by the city council. I think it's very appropriate that we do so, helping Portland define what it means to be an inclusive and compassionate city and to hold children accountable and exclude children who have no control over what families, obviously, they're born into, and to exclude them from just basic human access, human rights in our country, I couldn't think of anything more passionately to stand against. I, too, want to thank their vebel for standing up and have his institution stand up and be part of making a continuous, progressive reform that affects the real lives of real Portlanders. It's really great and breathes new life into what Portland State is and what it can do and is doing for the city. So I thank you for that. I am enthusiastic in voting aye. Resolution so approved.

**Fish:** Mayor, I move to suspend the rules.

**Adams:** Rules suspended.

**Fish:** Could Carmen Rubio come and sit at the dias for one second? Mayor Adams and colleagues, today is Carmen Rubio's last day at city hall, and Carmen was instrumental in helping bring this dream act resolution before council. But for the past five years, she has played a leadership role on



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so many things in this building, first serving mayor potter with distinction and then serving as my senior policy aide. From her passion for immigrant rights to the work she's done on census 2010 to serving as my housing liaison, to being just an incredible community resource, she has made a huge impact on our community. And whatever anger that I feel in having her poached from my team -- [laughter] -- I must say it is off set by my absolute delight that the latino network has chosen a wonderful new leader to take that organization forward, and I know she will ab great community partner with us -- be a great community partner with us in her new position. I just wanted to give each of you have an opportunity to wish her well in that position, and I specifically wanted to tell carmen how much I appreciated her work, that we love you for your service, and we have high hopes for you in your new position at the latino network. So thank you.

**Fritz:** Carmen, thank you for all of your work. I'm with commissioner Fish. You were particularly helpful to us over the summer, being an advisor to us on many issues over many years. I wish you well in your next executive director job. It's actually pretty impressive that commissioner Fish also seems to be a training ground or at least a nurturing place for people to continue on to wonderful things both in his office and in the community. So thank you for all of your work.

**Saltzman:** I would also thank you for your service and wish you well in your future. I look forward to working with you.

**Adams:** And we're going to miss you, but what's great for us is you'll continue to be a leader in an organization that we rely on very much so. So the community benefits even if commissioner Fish's office take as hit. So thank you for your service.

**Carmen Rubio:** Thank you.

**Fish:** And I have some flowers. [applause]

**Adams:** Do you want to say anything?

**Rubio:** I just want to say it's been my utmost honor, my highest honor to be able to work with all of you. I've learned so much, and I have learned how dedicated you all are to serving the community, and I will take that message far and wide. I think -- it's been a wonderful experience, and I want to be partner with council and move our agenda of equity and inclusion forward for Portland. Thank you so much. [applause]

**Adams:** Council comes back into order. Carmen -- carmen. Karla, would you please read the title for second reading of ordinance agenda item 1435? Please call the vote.

**Item 1435.**

**Fritz:** We made comments last week that I think some of them bear repeating. This has been a major project, and a lot of people put a lot of effort into it. Theresa boyle is here. Thank you for your help in informing our staff and also the long history of this project. I thought the ordinance was very clear in describing the background and issues. I'm very impressed with how Portland citizens and the workers are making sense of the new mall configuration and being careful. We need to continue to be careful. Being on the ground level of city hall on fifth avenue, I get the firsthand view, and it's gratifying to see how many people are now using the max train lines at psu. We still have empty trains going by as the drivers are practicing, and then in the first couple of days, when it was still in operation, there seemed to be few people on the max trains. Now they're packed. It's very good to see. I'm commending mayor Adams for his vision over many years in making sure this was going to happen. I'd ask for continues diligence by the citizens of Portland to make sure it continues to work. Aye.

**Fish:** Aye.

**Saltzman:** I also want to thank theresa boyle for her good work on this and mayor Adams and basically also to the business community paying taxes to support the mall. I'm pleased to support this. Aye.

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**Adams:** Thank you again. Really appreciate your great work. Thanks, as well, to the business folks who agreed to tax themselves not once but twice. I really appreciate it, and thanks for the kind words. Aye. Can you please read the title for 1436?

**Item 1436.**

**Adams:** Unless there are objections, i'm going to send this back to my office. I'm trying to work out a win/win, but I just wanted to let council know that, if I don't get movement from the parties, we'll just be coming back with something that is not a win/win. I'm going to do my best. So unless there are objections, 1436 is referred back to my office. Please read item 1437.

**Item 1437.**

**Adams:** Good morning. How are you?

**Christine Moody, Bureau of Purchases:** Good. Good morning, mayor and council. Christine moody, procurement services. 11 responses were received to the request for proposal for this the intent of the solicitation was to act contractors to give the city creative ideas on the transport and reuse of biosolids. Although there were other options presented, the only viable option for the city at this time was to stick with the use of biosolids for agricultural land applications. The rfp collection committee was made up of city staff, a representative from the university of Washington, clean water services, and a local environmental engineering firm. K&s madison received the highest score on the proposal, and I am recommending the award of a contract in the amount of \$2,928,675 for a five-year period.

**Adams:** Some questions, if I could have staff come up?

**Moody:** If there are questions about the project, we do have the project manager from bes

**Adams:** So the rfp was for the continued transportation of biosolids or looking for a variety of options for dealing with biosolids?

**Steve Burger, Bureau of Environmental Services:** We looked at a variety of options, opening it up to proposals from any number of different opportunities to reuse biosolids.

**Adams:** And what kind of responses did you receive?

**Burger:** A variety of responses were land application on pasture land, on white winter wheat. We had opportunity for application on a poplar farm. I think there was a grass seed reuse opportunity. There was also an energy opportunity presented using the biosolids to produce energy.

**Adams:** Why did this proposal rise to the top?

**Burger:** Criteria like cost, the operational approach, the environmental benefits, and the community impact. The very prestigious selection committee evaluated all those opportunities and determined that there was a clear separation, the top two bidders, the best two bids on land application very similar to what we do now. It affirmed kind of the approach that we've been using since 1990. But the benefit was to diversify and get a little bit closer to Portland so we didn't use so much diesel and hauling distance, that we were going to save transportation costs. So it was the best cost for the city. It affirmed that land application was the most viable and cost-effective approach to reuse biosolids for -- biosolids for Portland. When we got down to the final two proposals, the committee interviewed those two companies to determine. Because there was relatively little separation, and ultimately the factor was the flexibility and the cost benefit offered by k&s madison.

**Adams:** So there are requirements on the -- obviously a significant amount of the cost is trucking.

**Burger:** Yes. That's correct.

**Adams:** There's no certified mwesb participation on this contract?

**Burger:** I don't believe we had -- well, we did have some.

**Moody:** Actually, contractor is using several subcontractors for the hauling services and for the application. One of them is currently applying for their wbe. So there's seven subcontractors that they're using.

**Adams:** And where is that? I didn't get that information.

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**Moody:** I have it in my notes.

**Adams:** Seven subcontracts, one going to wbe. Are there any expectations on the type of equipment used to haul the materials? Do they have to be low emissions? 'Cause we do have -- I realize these are big trucks, but the city is currently investing in lowering our emissions for our large vehicles. Is there any requirement that they will be hauling our biosludge in as low emission as possible?

**Burger:** I don't have that information. I'd have to get you that information.

**Adams:** Any other questions or comments?

**Burger:** I do note the hauling contractor is the trucking company that uses newer equipment, and typically they would have lower emissions.

**Adams:** Since purchasing reports get on the council calendar directly, they don't -- that shows up under my name. Unless there's objections from the city council, I'd like to hold this over for a week to answer my questions. And by questions, I mean expectations.

**Saltzman:** Yeah. I know we -- recently the city council or I should save the city was awarded a large grant from epa for using diesel technologies on our own fleet, and I actually spoke with bes afterwards about making sure that we can do that with our contractors as well. So I think that's a really good question you asked there and we should come back to you.

**Adams:** It has a lot of impact. Then 1437 is held over until next wednesday. For further consideration. Thank you very much.

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

**Adams:** Please read the title for council calendar item number -- it looks like an ordinance from previous agenda, 1438.

**Item 1438.**

**Adams:** Is there anyone -- hi, john.

**John Hunt, Office of Management and Finance:** Hi. Good morning, mayor, commissioners. John hunt, city fleet manager. The item before you today is for some utility vans or specialized vans that will be used throughout the city to remove signs and sign poles and do various work throughout the city. The vehicles that were --

**Adams:** And by vans, you mean utility trucks?

**Hunt:** That's correct. They are utility-type trucks that are really more of a mobile shop, because they go out and actually provide power for tools and equipment that they use in and around the city. And the van that's we would like to buy will have a hybrid drive system that will lower the amount of fuel that they use, not only driving around the town but they'll also use less fuel while they're parked, because they'll use the battery and hybrid-drive system to generate the power for the equipment. They will burn biodiesel fuel when they do need fuel, and they'll reduce, over their lifetime, 151 metric tons of greenhouse gases for each vehicle. So that's times four of them. So we believe that it meets the city's vision, which is to be an international model for equity and sustainability, definitely deliver efficient and accountable public services, enhance human safety and falls with our initiatives and our idle policy. The outside public sector, fedex, they actually have 10 of these here in town. Ups has bought 200 of them. So I think it's a proven technology. It's like we're on the leading edge but not on the bleeding edge of technology, so I think we're right in the right spot to be. The incremental costs will be about \$37,000 but with some grant that's we're eligible for and with the savings on fuel cost over the life of the vehicle, we think that it will be a net wash to the city. So we believe that we're doing the right things for the right reasons and still saving money.

**Adams:** That's interesting. Leading edge and bleeding edge, what's the difference?

**Hunt:** Leading edge is we are where we want to be and not taking the risk of spending city money on something we shouldn't be doing.

**Adams:** Questions from council for mr. Hunt?

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**Fritz:** My understanding is that you're planning to use tractor fuel. You'll use hybrids and give us a report?

**Hunt:** Yes. We actually have a computer chip that we'll put on the vehicle, and that chip provides us with computer data that's onboard the van, and so we'll be able to actually look at idle times and how much fuel was used and also overall mileage.

**Saltzman:** I guess similar to the discussion we just had about the hauling and the diesel particulate emission, now i'm not familiar enough. Does biofuels eliminate the need for the trap?

**Hunt:** If you burn fuel, you put out some greenhouse gas no matter what fuel you burn. But when the vehicle is idling -- well, not idling, then we're not burning fuel and putting out the greenhouse gas.

**Saltzman:** Is it considered diesel fuel in terms of particulate content? Not so much greenhouse gas. The particulates the fuel --

**Hunt:** It will put out less.

**Saltzman:** It will.

**Hunt:** Absolutely. It will come with 2010 emissions onboard. Because it doesn't run while it's providing the power when it's stopped, it will put out less particulate matter.

**Adams:** Let me try to translate to see if this is right. That in addition to having biodiesel technology onboard, it also has the best emissions control that we can procure.

**Hunt:** Right.

**Adams:** And on top of that, because it has a crane and it has plug-ins that, whereas in the old rigs you would have to be running the engine to provide power for cranes and plug-s in, this one will not require us to run the engine.

**Hunt:** That is correct.

**Adams:** You've been training me. Thank you. Does anyone wish to testify on item 1438? All right. It moves to a second reading next week, and we are recessed until thursday at 2:00 p.m.

At 11:28 a.m., Council recessed.

**October 15, 2009**  
**Closed Caption File of Portland City Council Meeting**

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: \*\*\*\*\* means unidentified speaker.

**October 15, 2009 2:00 PM**

**Fritz:** Please read the title for item 1439.

[roll call]

**Fritz:** Now we read the title.

**Item 1439.**

**Fritz:** Commissioner Saltzman.

**Saltzman:** Thank you, madam president. Girlfriend we -- before we begin, i'd like to request a motion to amend this item to accept the execute for exhibit a. These are minor formatting changes that were made after the document was filed with the clerk. I'm move to substitute, I guess.

**Fish:** Second.

**Saltzman:** Great.

**Fritz:** Do we vote on that?

**Leonard:** Aye. **Fish:** Aye. **Saltzman:** Aye.

**Fritz:** Aye. We'll take comments on both sections.

**Saltzman:** Thank you. Portland is recognized internationally for our commitment to integrating bicycling, walking, and mass transit into our transportation system. Our success at increasing cycling and pedestrian use has not come without its challenges. Today's agreement between the Portland police bureau, the bureau of transportation, the bicycle transportation alliance, and the willamette pedestrian coalition, establishes a framework to identify and to address these challenges and problem areas. This collaborative approach will focus on planning, education, enforcement, and engineering solutions to promote safe access for all modes of transportation. The agreement will include joint development of legislative initiatives, agreement on the locations where greater safety needs exist, improved data collection processes to accurately inform the community of safety trends, and these strategies and programs identified through this agreement will then be reexamined and brought back for renewal on an annual basis. This is the next step I believe in Portland's evolution as a leader in multimodal transportation and community policing. So before I invite up our presentation panel, I do want to recognize that this agreement was led by -- by the bureau's behalf by Portland police captain eric hendricks. Captain hendricks, as many of you know, was in a serious auto accident with his wife coming back from the coast a few weeks ago. He is expected to recover, but he has a long road ahead of him, and I just want to say that we are thinking of him, and we are wishing for him to get well soon. At this time i'd like to bring up our presentation panel. After this presentation, officer robert picket will join us to introduce a new training video for the Portland police bureau.

**Bryan Parman, Bureau of Police** good afternoon, my name is bryan parmen, the acting captain of the traffic division. I am happy to be here today to help present this community policing agreement for your consideration. Over the last several years, the city of Portland has seen a shift in the transportation options chosen by our citizens. More and more, citizens are opting to walk or bike rather than drive. As these more vulnerable road users are added to our system, the demand for safe and equitable travel increases. The police bureau and the bureau of transportation have partnered with the willamette pedestrian coalition and the bicycle transportation alliance in order to tap into their perspective of the needs of our transportation system. Overall, what we have found is we all

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want the same thing. Each of us is here today in that we want our transportation system to be safe and comfortable to use, regardless of the mode of transportation you choose. This community policing agreement will formalize our partnership and set forth a process for identifying areas in our transportation system that have the greatest need for improvement. By working together on these areas, our efforts will make the best use of scarce resources in order to make the greatest impact on our roadways. The police bureau is excited to be a partner in this effort, and we look forward to continuing to develop this partnership as we move forward from today.

**Michelle Poyourow:** Good afternoon, council president, and commissioners. My name is Michelle, I'm an advocate and educator with the bicycle transportation alliance. It's our pleasure to be speaking to you today about the one more step we've taken with the city of Portland towards making our roadways safe and accessible and improving the health of our communities. Over the past two years, we have worked collaboratively to address problem areas that are particularly dangerous or that generate conflict with education, and enforcement. Enforcement might include citations, warnings, or invitations to attend the share the road safety class. Last summer the bta partnered with the police bureau to educate Portland residents about the requirement that they use front lights on their bikes. Officers distributed free lights to people who were riding without them. The bta focused our education efforts on the same topic and then the police bureau focused enforcement on warning and citing those people who still had not gotten the message. Meanwhile, the community cycling center also gives away hundreds of bike lights to unlit cyclists every year as part of their get-lit program. This year the bta helped the bureau and the city attorney's office develop a roll call video for Portland police officers which you will see shortly. Also this year, the police bureau did an exceptional job of Policing many of the events associated with pedalpalooza, a two-week cultural festival that has become one of Portland's major summer attractions. These examples are the products of a great collaboration among bureaus and organizations which share traffic safety goals. We look forward to continuing this collaboration with future projects this year and far into the future. Thank you very much for support from the police bureau and the bureau of transportation in this approach and leading this city towards a healthier, safer future.

**Stef Rouse:** Good afternoon, president and council. I'm Steph, the director of the willamette pedestrian coalition. An organization that works to make walking safe and attractive for everyone through education empowerment and advocacy. We are proud to stand with the Portland police bureau, the Portland bureau of transportation, the bicycle transportation alliance, to solidify this partnership to make our streets safe every day. We're also grateful to other community leaders who have helped promote this framework of collaboration. As one shining example the group we're all traffic represented here today by Susie and Erin has helped propel ongoing dialogue for traffic safety through their dedication and spirit. For pedestrians, and we're all pedestrians at some point in our day, this agreement means an integrated approach to advocacy, policy, education, and enforcement to better serve Portland. We have seen success through strategic pedestrian safety enforcement actions and look forward to working with the police, the bta toward our common goal of safer streets for everyone.

**Greg Raisman, Bureau of Transportation:** Council president and council, thank you for the opportunity to thank all of our partners for this really important accomplishment and agreement. Portland has a proud history of comprehensive approach to traffic safety that includes engineering, education, and enforcement. And this project really encompasses all of that and helps push us further down the road to making our city as safe and livable as it can be. I'm sorry, I'm Greg, a traffic safety specialist with the Portland bureau of transportation. We use a three e approach to our traffic safety engineering education enforcement. And a multimodal approach of reducing driver error bicycle, and pedestrian safety, and safe routes to school. And it's through these types of community partnerships that we're able to really push the bar on how safe we can make our neighborhoods and our commercial streets, and how livable we can make it to live in Portland. Portland really should

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be proud of what our community has accomplished with traffic safety. We're on a general 22-year downward trend with traffic fatalities. Really hit a watershed in 2008 with the lowest number of total traffic fatalities in the city of Portland's history. With a record that goes to 1925 and a trend that is six times faster than the rest of the country and if we don't include Portland in the numbers, about seven times faster than the state as a whole in terms of reductions in traffic fatalities. We're also seeing reductions in injuries. These are across modes. The largest reductions have been for motor vehicle occupants, but we've seen a number of years with zero bicycle fatalities, and last year was our lowest number of pedestrian fatalities ever. So it's agreements like these and partnerships that are as strong as this that help us do our job. And help us work together to bring our expertise and community understanding to the table so thank you very much for all the support and leadership that the council has provided, enabling us to have a model traffic safety program that's looked at around the world as seeing one of the biggest reductions in injuries and fatalities while seeing one of the biggest increases in multimodal transportation of any city on the planet. Thank you.

**Saltzman:** If there's no question, we'll have officer picket show us the roll call video.

**Robert Pickett, Bureau of Police:** My name is robert picket, i'm the bicycle liaison officer for the Portland police bureau. I'm also the vice chairperson for Portland's bicycle advisory committee. Here's a traffic stop last spring on northeast ainsworth street involving two people riding a bicycle. Two people riding two bikes and traffic -- and a patrol officer that led to disagreements or the applicability of one of the traffic laws as it relates to bicycles. In response to the police bureau offered to make a training video to help remind officers about some bicycle specific traffic laws and to advice officer discretion in use of enforcement resources. We'd like to present this video to you today produced by the Portland police bureau's training division in cooperation with the bicycle transportation alliance, and the bureau of transportation with important help from deputy city attorney david woboril, as well as members of the city of Portland's bicycle advisory committee. This is a perfect example of the positive results of collaborative work among agencies and individuals. Just on a side note, in the spirit of collaboration, when we start the video you'll see michelle and I do a introduction. And my hair is flying around in the wind, and in spirit of collaboration, michelle offered to give me a hair pin, but I thought, no, i'm too tough for that. Clearly I have more to learn about taking advice.

**[video - start]**

\*\*\*\*\*: Hi. I'm robert picket with the Portland police bureau.

\*\*\*\*\*: I'm michelle with the bicycle transportation 8 lie answer.

\*\*\*\*\*: The video you're about to see was meant to inform Portland police officers about city of Portland's bicycle transportation policy. And remind them about some of our Oregon's bicycle related traffic laws. As you can see the Oregon vehicle code is quite hefty. As a police officer I would be the first to admit such reminders can be value unit.

\*\*\*\*\*: Also, the widespread popularity of buys kevin love columbia gorge is relatively new to Portland and to the Portland police bureau. Helping officers hone their skills and their knowledge about common bike enforcement situations is one of the ways the bureau can help make bicycling even safer and more comfortable than it is today.

\*\*\*\*\*: This video is also meant to advise officers' discretion in bicycle enforcement situations. Discretion is an indispensable part of police work as it allows officers to reasonably apply a written code to the huge variety of specific enforcement situations they encounter every day. We expect officers to take the suggestions in this video as advice and not as a mandate, and the members of the public should not interpret any part of this video as exempting them from following the letter of the law.

\*\*\*\*\*: If you would like to learn more about brik laws or take a free class on urban biking skills, come visit us at the bicycle transportation alliance. [Www.bta4bikes.org](http://www.bta4bikes.org).

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\*\*\*\*\*: This video was created with the valuable advice and help of the bicycle transportation alliance, the city of Portland bureau of transportation, and the city of Portland's bicycle advisory committee.

\*\*\*\*\*: Over the past decade, the city of Portland has invested in bicycle infrastructure and programs with the goal of increasing bicycle ridership. The hope is to decrease vehicle emissions, congestion, and road wear while increasing the fitness and sense of community of Portland citizens.

This policy has resulted in a dramatic increase in trips taken by bicycles since 2000, and a significant change in Portland's bicycling culture. The outlaw that was prominent part of the old scene is being overwhelmed by a flood of mainstream citizens who bike for health, thrift, the environment, and fun. The biggest concern of the typical rider is safety. The biggest concern of the typical motorist is that bike riders be predictable. Regardless much their chosen vehicle, citizens look to you for guide ons on how to share the rooted safely. Recently a group of bike savvy patrol and traffic officers met to propose enforcement guidelines for you for some common bike traffic enforcement scenarios. In helping to inform your discretion, an emphasis was placed not on the strict letter of the law, but on enforcement that best uses scarce resources to promote safe sharing of our Roads. The group suggests you use four criteria to determine enforcement priority. Available law, safety, sharing, and education. Let's apply these criteria to a few of the more problematic scenarios officers face. One of the businessest problem areas has been the right hook. In general, the responsibility for avoiding collisions between cars and bikes in a bike lane falls on drivers. Ors provides the right of way to bikes and bike lanes. However, bicycles can forfeit this right of way through extreme behavior. Examples of dangerous bicyclist behavior include a bicyclist riding in excess of the speed limit and disregarding a car's turn signal or riding without a bike light or reflectors at night. Examples of dangerous driver behavior include distractions such as cell phone use, making no effort to look for bikes, being ignorant of the rules, or not using a turn signal. This is a flash point for rider-driver relations because the number of conflicts in the vulnerability of people riding bikes. Portland bike planning and policy depends on drivers becoming better at avoiding conflicts when turning across bike lanes. These situations present a difficult challenge for the police bureau because the public often expects us to determine civil fault at these scenes, and they look at citation decisions as a public announcement of who Was right and who was wrong. Ochessers do perform an important function by collecting information and evidence for the eventual civil parties, but as with almost all traffic work, whether you write a citation or not should depend on your evaluation of the need to affect the future behavior of the driver, bicyclist, and the public at large.

\*\*\*\*\*: Oregon statutes prohibit impeding traffic require that bicyclists generally stay as close as practicable to the edge of a roadway, and use bike lanes or bike paths when available. However, these statutes also allow bikes to leave the edge of the roadway, leave a bike lane, or move from one side of a multilane road to the other in order to avoid hazards, paths, or make a turn. These laws are vague number that -- enough that judges and officers have not been able to agree on consistent enforcement. The Portland bureau of transportation ed indicates bike riders to operate away from bike lanes or the edges of the roadway when necessary for safety. The bureau of transportation has also designed many miles of bicycle boulevards, which prioritize the movement of bicycles. Usually resulting in calmer, safer operations after vehicles. It is expected that bicyclists will operate reasonably with regard for other road users and cross lanes of traffic when they can articulate a safety reason for doing. So the group feels it is best to watch a rider's behavior to Determine if the rider and cars are sharing the road in a reasonable manner. Before making a citation decision, ask your rider the reason for taking a lane, when other options seem to be available. All in all, given Portland's desire to have motor vehicles become accustomed to bikes in the travel lane, we feel impeding should be a low enforcement priority unless a biker intends to



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inconvenience drivers. Look at the totality of circumstances and remember that the Oregon careless driving law can be used to address dangerous lane changes and transit as well.

\*\*\*\*\*: You may encounter large groups of bicyclists traveling to or between events. Themed group rides are becoming more common in Portland during the warmer months and especially in June during the two weeks of Pedalpalooza. At first glance, the groups may resemble critical mass, but they are often nothing like it. These aren't protests aimed at traffic disruption, but are semi-organized processions of good humored fun seekers who don't want confrontation with law enforcement.

\*\*\*\*\*: They have the authority to direct traffic on city streets so these groups must follow your directions on how to use the road. Your goal should be the safe and efficient movement of these large groups with minimal disruption to other modes of traffic. Typically it will be best to limit the group to using one lane of a multi-lane road. To move the groups through intersections quickly and minimize traffic conflicts, you should require the lead to stop at a stop sign and then allow them to pass as long as there's no conflict with cross traffic. In general, you should require a group to obey lights and shouldn't allow them to block cross traffic. This will break some groups up, but avoid what has an Albanian flash point of conflict with cross traffic. If you feel the goal is better served by blocking cross traffic, you also have that discretion. Blocking traffic can support a charge while use of multiple lanes may support citations for impeding or improper lane usage. Officers who need to alter the behavior of a group ride might first attempt to communicate with a ride leader about their concerns. Policing large groups of mobile bicyclists is a specialty and you should bring in a traffic officer if you have any questions about how to manage one of these events.

\*\*\*\*\*: Much like speed enforcement, the question is how to spread our enforcement resources in a way that does the most good. ORS 811.265 gives you clear authority to cite when a bicycle or a car doesn't come to a complete stop just like the speed laws allow a citation for 36 miles per hour in a 35. With a stop sign running, the danger increases as the speed increases. In addition, damages done to the confidence of all road users in their ability to safely share the road. The group feels that a bicyclist's speed and care should guide you in deciding whether to cite. If a cyclist approaches an intersection at walking pace or less, and is attentive, enforcement resources may best be used elsewhere. There should be a significant enforcement interest once the speed is above a walking pace or if the cyclist is not looking. And enforcement should be a very high priority when stop signs are blown from high speed or in a reckless manner.

\*\*\*\*\*: Some other problem areas identified by the group of patrol and traffic officers include drivers passing bicyclists too closely at speeds above 35 miles an hour. No lights on bikes at night. Failure of bicyclists to yield to pedestrians. And the running of red lights. All of these behaviors can be very dangerous and lead to serious accidents. They create considerable tension between road users of all kinds, which leads to increased conflict and often to confrontations that escalate out of hand. In these cases, if your discussion with a violator doesn't give you confidence that the behavior will not be repeated, our officers advise that enforcement through citation should be a high priority.

**[video - end]**

**Saltzman:** I guess that's it? We have a few people signed up to testify.

**Moore:** We have five people signed up.

**Fritz:** You each have three minutes to make your comments. We just want your first and last name, no address.

**Ruth Harsfield:** Council members, I'm Ruth Harsfield, I'm the executive director for the Alliance of Community Traffic Safety. We're a nonprofit that works statewide to promote traffic safety, and I'm here to commend all of this effort to create a collaborative comprehensive program. We work statewide to share with communities examples of projects that work well, approaches that work

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well time pact traffic safety in their communities and we often refer to Portland and the wonderful work you're doing here to share with them how to do these things in their community. I'm here today to commend you and also to support the community policing agreement.

**Erin Greeson:** Good afternoon, my name is erin, i'm a cofounder of the group we are all traffic. In october 2007, we -- traffic fatalities exping ries impacted many members of our community. Families, friends, and strangers shared in a collective sense of grief toward the unnecessary loss of bright and remarkable lives. Simultaneously controversy about road users and traffic legalities sent waves of conflict throughout the community. Adding layers of dischord to a devastating time. During this troubling period in our city's history, a Grass-roots citizens coalition called we are all traffic was born. Comprised of citizens from diverse sectors, our group is found on the shairtd belief that traffic is comprised of people, not categories such as cyclists, motorists and pedestrians. Our mission is to make roads safe, respectable, and enjoyable for all who share them. And our method is direct action. Two years ago we called upon city leaders and citizens to join us in demanding safer streets. Hundreds gathered, listened and engaged despite down pour conditions at our outdoor city hall press conference and community rally beneath the hawthorne bridge. The local media listen and their coverage of traffic conflicts shifted from a sensational bikes versus cars tone toward more sensitive reporting about shared road conditions and the community losses that we were going through at that time. Our city's leaders also listened. As evident in a meet 82 subsequent actions and as we gather today to address the community policing transportation safety agreement. Your role in this monumental collaborative effort sets an example for our community members to consider as we go out -- go about our daily lives and navigate Portland streets. Strong leadership is a requirement for positive change. Throughout my involvement with we are all traffic, I have had the honor to work with community members who have emerged as some Of the most influential activists in our city's recent history, including the individual to my right. On behalf of we are all traffic, I would like to thank the many civic leaders and collaborators who develop this provision to protect all people who share the road. The conditions of our diverse transportation ecosystem will continue to improve. Thanks to your current efforts and ongoing commitment. Thank you.

**Fritz:** Could you give me an example of what your organization is going to do to help support this community policing agreement?

**Greeson:** I think we'll continue to work on looking for opportunities to influencers, if you will, and also to debunk myth and stereotypes that are propagated through the media and other channels that tend to categorize cyclists, road users, vehicle operators. We're all people just trying to get to where we'd like to go safely, I for one bike most days, I drove today, I also enjoy walking across the crosswalk very safely. And it's our job to debunk some of those myths and stop the categorization of people in prompt collaboration. So we're here and available if there's anything we can do to support any of these efforts and drive them forward.

**Fritz:** Thank you.

**Dr. Susan Kubota:** Good afternoon, commissioners, my name dr. Susan kaboda, anesthesiologist and kind of safety advocate. Two years ago my sister's only Daughter tracy was crushed by a cement truck while riding legally in the bike lane at 14th and burnside. At the time my shock disbelief and pain was compounded by apparently indifferent official response from the Portland police bureau. The statements from the then bureau spokesman implied if you are a pedestrian or cyclist, on the road, it is at your own risk. In that it was not reasonable to expect safety. At the time, I publicly criticized the bureau and the media's portrayal of this tragedy. In the aftermath of the tragic events of that year, we have seen a remarkable change in the bureau's approach under chief sizer's leadership. The collaboration between the Portland police bureau, the Portland bureau of transportation, the bta and the wpc, is a positive and encouraging and will improve the safety of all those who travel the streets of Portland and will protect the growing number of vulnerable road

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users. The transformation has been remarkable. The Portland bureau of transportation acted quickly after these events by deploying bike boxes throughout the city, and by eliminating the dangerous right-hand turn at Greeley, and altering auto traffic at other high-risk areas. The new Portland police training video outlining enforcement guidelines signals a significant and commendable change in attitude and commitment to the safety of cyclists on our road. The community policing transportation safety agreement is a written directive to protect all of the users of our public rights of way with the -- with infrastructure, education, and enforcement. I applaud the Portland police bureau, the city of Portland, the BTA and WPC for formally declaring a shared commitment to protecting us all no matter how we travel these streets. Thank you.

**Fritz:** Thank you very much.

**Tara Krugel:** I'm here on behalf of the Elders in Action Commission with a brief statement from them. 34% of seniors 65 and older do not drive. That number increases for lower income seniors who are unable to afford a car and upkeep they require. This is one of the many reasons that Portland is a great city to live in for older adults. With the city's commitment to bicycling, walking, and mass transit, and the good work that the many partners in this room, we are creating a livable community where seniors can travel safely for their basic services, socialization and exercise. There's still work to be done to ensure that Portland seniors can safely access mass transit that sidewalks are maintained and elderly -- elder friendly, crosswalks are installed and allow adequate time for slower crossers and more education is done for seniors to encourage them to walk knowing their pedestrian rights. We support this vision and appreciate the work done by the Bureaus involved, the bicycle transportation authority, and the Willamette Pedestrian Coalition. The commission also supports this community policing agreement and your passage of this ordinance. Thank you.

**Fritz:** Thank you.

**Michael Morrison:** President and commissioners, I'm Michael Morrison with Legacy Emanuel Hospital. I'm a trauma nurse, and I administer the Share the Road Safety Class which started a little over two years ago. I also bring regards from Judge Christopher Larson, which is a partner in the Share the Road Safety Class. And we have provided some education to nearly 6,000 Portland residents, since that has begun. We wouldn't be able to do that without the involvement of the Portland -- the Portland Department of Transportation and the Portland Police as well as the community advocacy groups, Willamette Coalition and Bicycle Transportation Alliance. I strongly support this community policing agreement as an obvious evidence of the police working within the community, and providing the education that often isn't able to be provided at the road side when the individual gets a ticket or as Judge Larson would point out, at the bench when he's adjudicating these cases from the court. So the education that goes along with this agreement is a strong component of Portland's effort to continue to decrease injury and fatalities. Last year it's evident that Portland has the lowest fatality rate since we've been keeping statistics, so we are doing the right stuff. The other benefit that I've also seen is people that attend their education classes at Legacy have frequently made the comment that "I'm glad the cop gave me a ticket" which is a comment that you wouldn't normally expect, but people are actually learning to share the road, and learning how to apply the laws and be safer in our communities so that we can all -- all users of the road can arrive to their destination safely. So I do strongly support this agreement, and I would encourage signatures.

**Fritz:** Would you please tell the viewers at home what the Share the Road program -- .

**Morrison:** The Share the Road Safety Class is for people that have received citations that have failed to yield the right of way to other users of the road. And so it's for car drivers, bicyclists, pedestrians, we've had skateboarders, scooter riders, and even a snowmobiler. And it's to provide the education on how -- what the laws are and how to apply them, as well as motivation to try to

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promote safety. And so it's the class that's offered twice a month and they have a one-time opportunity to have a citation dismissed and have the education in place of that citation.

**Fritz:** Thank you very much. There are no further testimony, we'll close the public hearing. Any questions from council? A question for transportation And one for police. I think this is tremendous work. Obvious lay lot of work has gone into it, and it's very nis. One of the questions I have is as far as when we determine that there are infrastructure improvements that are needed to improve safety in particular into sections. How do we prioritize how they get done and how do they get on to a capital improvements list?

**Raisman:** In general, a big source of information for us is crash data. How does this particular place compare with other places in our city? But crash data isn't a little complete. And so we have to look at a broader picture. How are people using this space? How is the space itself set up and how does that physical characteristic of it compare to other places where we have problems? And so in terms of prioritization, there's just a whole slew of policy and then also programmatic areas, where we need to look at how we can best use our limited resources to have the best influence on problems. So some areas might be, for example, our bicycle boulevard efforts with the adoption of the bike master plan, we can make significant safety improvements in residential neighborhoods and a fairly wide swath fairly easily, very high impact and broad. But some of the bigger locations let's say broadway and flint, top crash location in the city for bikes for the past decade, Much more expensive and complicated fix and even though it's the top crash history, it's such a complicated fix that we're having trouble figuring out how to get that together. So it really becomes a process of both prioritization and also practical reality to be able to have the best impact we can.

**Fritz:** If citizens whether they're drivers, cyclists, pedestrians, skateboarders, have a particular concern about a safety infrastructure issue, how can they get that to you?

**Raisman:** We have a traffic safety and neighborhood livability hotline, which is 823-safe.

**Fritz:** I know this is a community policing agreement, and it's all about -- it's not the bicycle transportation alliance or the willamette pedestrian coalition or any particular entity is solely responsible, it's all of us. Thank you very much. My question for the police is, is it legal to bicycle and skateboard downtown on the sidewalk?

**Parman:** In the downtown area, no, it's not. Inside the 405 loop, essentially in the downtown core area it's not legal to apartment on -- operate on the sidewalk.

**Fritz:** And what about outside of downtown? Is it legal to skateboard and bicycle on the sidewalk?

**Parman:** Yes.

**Fritz:** What are the guidelines that pedestrians are concerned about unsafe bicycling or on the sidewalks, what are the rules that an officer would look at?

**Parman:** A person is operating a Bicycle on the sidewalk, needs to operate with a higher level of due regard, keeping in mind you are likely going to be the fastest moving object on that particular stretch of the roadway. And much in the same way they would expect the operator of a motor vehicle to pass them with care when they're on the roadway, where on -- they rtd fastest moving vehicle and should exercise a significant amount of care because we'll see families and small children and the surface of the road is much more unpredictable because it's not often maintained as well as the roadway.

**Fritz:** Thank you very much. If there are no further comments or questions, please call the roll.

**Leonard:** Thank you for all the good work that's been dog behind this effort. I am familiar with officer picket's work in the past, having observed him and his interaction with the bike community, so i'm not surprised seeing you central in bringing this together. I very much appreciate the work. Aye.

**Fish:** I too want to thank everyone for their participation and I thought that video was terrific. In fact, I have to confess I learned a few things. My pet peeve where I live in a residential part of Portland is just to get people in cars and in bikes to slow down at intersections. Because the truth is

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that increasingly people are not slowing down, they're going through. Making a judgment. And they're doing so at different times of day when the lighting conditions are either good or bad for that, and you're taking a huge chance. And I just wish we could get the word out for people to come to a stop. And just make that happen about it. But I think I see both cars and cyclists equal opportunity offenders on that. Sounds to me like that's a question of education, getting the word out. A request I would v. Can we get an electronic copy of that video? Or for those who want to post it on our web sites any think it's a great service. I think it's very informative. Thank you dan and everyone who's work order this. I vote aye.

**Saltzman:** I want to thank again the parties to this agreement. The police bureau, the bicycle transportation alliance, the willamette pedestrian coalition, and the bureau of transportation. I think as was said in the video, bicycle commuting has gone from outlaw etchiness to mainstream. Increasingly in this city. And one of the chief drawbacks I think as somebody who puts myself on that sat kelly meining category is I don't feel safe on the road on a bike. And I think that's something that the person missing today mayor Adams I know is very committed to addressing these issues, and making Portland and keeping Portland the most bike friendly city in the nation. But I think the framework of this agreement and bringing the parties together to talk about solutions to problems, whether it's enforcement, engineering, or planning solutions, I think is really what we need to get us to that next level. About it this is about everybody sharing the right of way and doing it in a manner that treats people with respect, each other with respect, and keeps Portland safe. I want to thank -- I just want to acknowledge my chief of staff, brendan fin, the choreographer for today's event the chief bicycle commuter in my office for all his good work. Aye.

**Fritz:** Thank you, this is a tremendous report, and a tremendous body of work. Thank you chief sizer for all your diligence and leadership at the police bureau. I do also want to commend mayor Adams and his absence with his work consistent work with the bureau of transportation and leadership on many of these issues. I was walking around downtown yesterday and a young man went past on his skateboard and having learned through the sidewalk management plan that indeed skateboarding on the sidewalk is not allowed downtown, I got him to take his ipod ear plugs out and I said, excuse me, would you mind not skateboard ought sidewalk, it's illegal and it makes people like me nervous. And he looked at me, but he got off his skateboard. I thought, that worked well. Even more astonishing, as I on my way back, i'm on the max and the same young man is carrying his skateboard downtown. So it is all about community policing. It's about each of us speaking up and we don't have to call 9-1-1 to get things done. We need to say these are public spaces and we need to share them, and your behavior is -- feels unsafe to me. If that is the case. And thinking about how is my behavior affecting others. I also came to find out over the course of the last 9.5 months that hitting a bicyclist is a measure 11 offense. And you can go to jail for very long time for that. And that is as good a reason as any for all drivers to be -- the best reason is to keep each other safe, but there is an interest for every user off the right of way to be look out for others, where's the punishment or the incentives are or just the community policing that we're all trying to do on this. So thank you all for your work. The bicycle transportation alliance, the willamette pedestrian coalition share the road, so different community partners who are working on this. And it is up to all of us to educate our friends, our neighbors, our other drivers that we need to share our public spaces. Aye. And with that, we are adjourned. [gavel pounded]

At 2:43 p.m., Council adjourned.