



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **23RD DAY OF SEPTEMBER, 2015** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ellen Osoinach, Deputy City Attorney; and Jason King, Sergeant at Arms.

Item Nos. 972, 975 and 976 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
967	Request of Naly Setthavongsack, Torrie Eaglestaff and Tyrell Comeaux to address Council regarding Roosevelt High School homecoming activities (Communication)	PLACED ON FILE
968	Request of Abby Knott and Noel Guliksen to address Council regarding Roosevelt High School homecoming activities (Communication)	PLACED ON FILE
969	Request of Wesley Cady and Josephine Law-Streeter to address Council regarding Roosevelt High School homecoming activities (Communication)	PLACED ON FILE
970	Request of Rayanna Seamster and Madison Niewendorp to address Council regarding Roosevelt High School homecoming activities (Communication)	PLACED ON FILE
971	Request of Grace Aasen and Josiah Greene to address Council regarding Roosevelt High School homecoming activities (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		

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972	Appoint Marie Walkiewicz, Alice Brawley-Chesworth and Cindy Dietz as ex officio members to the Portland Utility Board for terms to expire on June 30, 2016 (Report) Motion to accept report: Moved by Fish and seconded by Novick. (Y-4)	CONFIRMED
Office of Equity and Human Rights		
*973	Accept and appropriate a grant in the amount of \$2,500 from the Regional Arts & Culture Council for the Portland Disability Storytelling Project, a project of the Portland Commission on Disability (Ordinance) (Y-4)	187346
Office of Management and Finance		
974	Authorize a contract with MOURI Tech, LLC for implementation of the existing SAP Human Capital Management Processes and Forms functionality for a total not to exceed amount of \$391,600 (Procurement Report - RFP No. 117881) (Y-4)	ACCEPTED PREPARE CONTRACT
975	Authorize a contract with Portland Streetcar, Inc. to provide operations assistance services, for a not-to-exceed amount of \$3,290,908 (Procurement Report - Project No. 117927) Motion to accept report: Moved by Fish and seconded by Novick. (Y-4)	ACCEPTED PREPARE CONTRACT
*976	Authorize charitable organizations eligible to participate in the City's 2016 Charitable Campaign; and authorize exemptions from umbrella requirement for Portland Parks Foundation and Portland Fire Bureau Toy & Joymakers (Ordinance) (Y-4)	187350
Commissioner Steve Novick Position No. 4 Bureau of Transportation		
*977	Amend contract with Portland Patrol, Inc. to provide security coverage to Portland Streetcar Facility for \$75,000 (Ordinance; amend Contract No. 30002191) (Y-4)	187347
*978	Authorize an Intergovernmental Agreement with Metro for the Project Development Phase of the Powell-Division Transit and Development Project (Ordinance) (Y-4)	187348

<p>979</p>	<p>Accept and authorize an Intergovernmental Agreement for a Regional Transportation Options grant in the amount of \$465,000 from Metro for Active Portland, Open Streets, Connected Communities program including SmartTrips (Second Reading Agenda 958) (Y-4)</p>	<p>187349</p>
<p>REGULAR AGENDA</p> <p>Mayor Charlie Hales</p> <p>Bureau of Police</p>		<p>CONTINUED TO SEPTEMBER 30, 2015 AT 9:30 AM</p>
<p>*980</p>	<p>Authorize an Intergovernmental Agreement with TriMet for transit police services (Ordinance) 10 minutes requested</p>	
<p>Office of Management and Finance</p>		
<p>981</p>	<p>Accept bid of James W. Fowler Co. for the SE Hawthorne-Salmon Sewer Reconstruction and Green Streets Project for \$4,237,700 (Procurement Report - Bid No. 00000064) Motion to accept report: Moved by Fish and seconded by Fritz. (Y-4)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>982</p>	<p>Authorize up to \$20 million of interim financing for local improvement projects (Ordinance)</p>	<p>PASSED TO SECOND READING SEPTEMBER 30, 2015 AT 9:30 AM</p>
<p>Commissioner Steve Novick</p> <p>Position No. 4</p> <p>Bureau of Transportation</p>		
<p>983</p>	<p>Amend contract with Motivate International, Inc., formerly Alta Bicycle Share, Inc., to implement the Bike Share System, not to exceed \$2,175,000 (Second Reading Agenda 953; amend Contract No. 30003174) (Y-4)</p>	<p>187351</p>
<p>Commissioner Amanda Fritz</p> <p>Position No. 1</p> <p>Office of Neighborhood Involvement</p>		

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<p>*984 Adopt regulations for marijuana license procedures and requirements (Previous Agenda 966; add Code Chapter 14B.130 and amend Section 3.96.060) 30 minutes requested</p> <p>Motion to approve amendments presented in Office of Neighborhood Involvement memo dated 9-23-15: Moved by Fish and seconded by Fritz. (Y-4)</p>	<p>CONTINUED TO SEPTEMBER 30, 2015 AT 9:30 AM AS AMENDED</p>
<p>City Auditor Mary Hull Caballero</p> <p>985 Assess property for sidewalk repair for the Portland Bureau of Transportation (Second Reading Agenda 965; Ordinance; Y1087) (Y-4)</p>	<p>187352</p>

At 11:49 a.m., Council recessed.

<p><u>WEDNESDAY, 2:00 PM, SEPTEMBER 23, 2015</u></p> <p>DUE TO LACK OF AN AGENDA THERE WAS NO MEETING</p>	
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September 24, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **24TH DAY OF SEPTEMBER, 2015** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Novick and Saltzman, 4. Commissioner Fish left at 4:05 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; Linda Law, Deputy City Attorney and 4:00 p.m.; and Mike Cohen, Sergeant at Arms.

The meeting recessed at 2:38 p.m. and reconvened at 3:02 p.m.

		Disposition:
986	TIME CERTAIN: 2:00 PM – Extend term of Street Closure Program in Old Town/Chinatown for a period of one year (Ordinance introduced by Mayor Hales) 1 hour requested	PASSED TO SECOND READING SEPTEMBER 30, 2015 AT 9:30 AM
987	TIME CERTAIN: 3:00 PM – Add fossil fuel companies to the City of Portland’s Corporate Securities Do-Not-Buy List (Resolution introduced by Mayor Hales) 1 hour requested (Y-4)	37153

At 4:16 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By **Karla Moore-Love**
Clerk of the Council

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

September 23, 2015
Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

SEPTEMBER 23, 2015

9:30 AM

Hales: Good morning, everyone. Welcome to the September 23rd meeting of the Portland City Council. Please call the roll.

Novick: Here. **Fritz:** Here. **Fish:** Here. **Hales:** Here.

Hales: Good morning, everyone, and welcome. We'll get to the Council's regular calendar in a moment. I just wanted to make an announcement of something that's going to be coming to Council because of the rising concern highlighted once again on the cover of today's Oregonian about housing affordability in the city and about homelessness.

The County Chair and I have been working together in a wonderful partnership with Home Forward to address the issue of veteran homelessness. We started with about 690 homeless veterans in our city and we're down to 230. So by a concerted effort on something of an emergency basis, we've proved that we can actually move the needle, and I think that we have to do that even more for even more people other than just our vets. I'm happy about that, but that's just a start. So, I'm going to bring forward to the City Council a proposal to declare a housing emergency in Portland and that will produce authority for the City to do things better and faster than we're doing now.

Similar efforts are underway in Seattle and in Los Angeles, where the Mayor Garcetti has gone to the LA city council and asked them to declare a housing emergency, and Mayor Murray in Seattle is doing similar things. So, I believe that the west coast cities that are dealing with housing affordability problems, with rising rents, and with intractable homelessness need to work together, and that's why I've invited those mayors along with the other west coast mayors to a west coast mayors conference here in November, and we'll continue our discussions together of those issues. But in the meantime, I think that it's time for the Portland City Council to act, and I believe October 7th is when we'll bring the ordinance forward for the community discussion and for Council action.

Because that's going to be an important item for the Council and for the community, I just wanted to announce that it's coming. There will be some more information coming out of my office today. And again, the Council will collaborate on the specifics of what we do under that declaration.

So with that, let me proceed to the Council calendar. We have folks signed up for the communications. We allow citizens to come in and make statements to the Council on any issue they're interested in, and we have five people signed up to do that. We'll call you in a moment. After that, we have the regular Council calendar. I don't think that we have any time certain items, so we'll call each of those items in turn on the regular calendar.

If you're here to speak on one of those items, you need only give the Clerk your name, you don't need to give us your address. Again, we typically allow people three minutes to testify. If you are in the audience and want to support somebody's point of view, feel free to give them a thumbs up or a wave of the hand, or if you disagree, a thumb's down, but we ask that we not make vocal demonstration in favor or against our fellow citizens' points of view so that we get to hear them all. So with that, I want to welcome everyone and take up item 967. Good morning, come on up. Welcome.

Item 967.

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Hales: Good morning. Come on up. Welcome

Tyrell Comeaux: I'm Tyrell. At our school, continued success of our athletic teams, with over 40% of our students are involved in athletics. In our reestablished leadership class, we have been helping plan events at RHS with our student government to keep the school spirit alive and active.

In theater, our production of *The Yellow Boat* was selected as a main stage production at both state top three, and at nationals, tome 10 in the country. Every year, students win awards in acting in theater design at regional, state, and national levels. We received an invitation to perform in Scotland at the Edinburgh Fringe Festival, the largest performing arts festival in the world.

Naly Setthavongsack: Hi, my name is Naly Setthavongsack, and I'm the all-student body president at Roosevelt High School. And currently, our school is going through a mass reconstruction. Our auditorium has been torn down as well as our gym, and our health center has been closed off. But even through these changes, we're continuing to strive with attendance and enrollment through our school, through our staff and our students. And now, our theater program is thriving and in a new arts area created for our arts, and our gym students are working with the temporary gym outside. Just outside of the temporary gym, we have our health center that's open to all the students.

Roosevelt is continuously giving us these great opportunities to thrive through the reconstruction of 100 million dollars that's occurring right. Speaking of the opportunities, Roosevelt offers a wide variety of AP courses that range from AP biology, tech courses, to the student inquiry, which offers 15 college credits. These allow us to give our students opportunities to gain college credits through their high school career. And college courses - - AP courses, specifically -- are very vigorous, so we're so thankful to have a well-established writing center at Roosevelt that has very passionate mentors that aid students in resume-building and scholarships and just everything.

Torrie Eaglestaff: Hi, I'm Torrie Eaglestaff and I'm the all-student body vice president. Last year, Roosevelt students were awarded six million in scholarship money and each year, it increases. In the last three years, we have had five Gates scholars. Also, students are awarded hundreds of college credits each year prior to graduation, and we have students attending college all over the nation and ranging from Rice, Brown, Oregon State, UW, and many more. Thank you.

Hales: Excellent.

Fish: I just have one question. The gentleman who kicked us off said that you've been invited to go to Edinburgh next summer, is that correct?

Comeaux: Mm-hmm.

Fish: The theater program. Parkrose was also selected for that. Are you now raising money for that trip?

Comeaux: I know our school is doing some fundraising.

Fish: And Parkrose has to raise 90,000 bucks to send the entire troop. Have you settled appear figure that you have to raise yet?

Comeaux: No.

Fish: Can you keep us posted? Because we want to find a way to help.

Hales: We can help to publicize that for you. Roosevelt is doing well, so we're very happy to have you here. Thank you.

Setthavongsack: Thank you.

Hales: We can waive the rules and applaud. [applause] For students, we'll always waive the rules. 968, please.

Item 968.

Hales: Good morning.

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Noel Guliksen: Hello. I'm Noel Guliksen and I'm from Roosevelt and I'm a student leader. In spite of all of the remodeling going on, there's no dip in the enrollment and it's still steady with all the students. We're still going strong with all the partnerships, including SUN, Neighborhood House, Multnomah County school-based health clinics. University of Portland with their tutors and their student teachers, along with our South Lake Church who help support with clothes closets and food pantries for students.

Since Roosevelt has rejoined as one school, we have had many teachers who have earned certificates from the National Board for Professional Teaching standards, considered the gold standard for teaching excellence. Those teachers say that teamwork is part of the excellence in Roosevelt, and students continue to show the excellence of teamwork. We always work together just to show all of our spirit and communication through Roosevelt. We always are asking help from our local -- like, our SUN programs. We always really encourage students to use their resources wisely. Along with all of that, we are really, really proud of all of our teachers who help to -- they help us to strive to want to graduate and get through all of our programs and just help us with everything that we need.

Abby Knott: Hi. My name is Abby Knott and I am currently the junior class vice president. I just wanted to touch on what Roosevelt really embodies as a school. Our most unique attribute is the fact that we are extremely diverse, considered the most diverse in the state of Oregon as a whole. As a student body, we make up 27 countries in 28 languages, which is extremely amazing. It's something that we are extremely proud of because we feel it's a unique thing for Roosevelt and it sets us apart from any other high schools around us.

Another extremely important attribute of Roosevelt High School is the fact of how involved that we are with our community and how involved they are with us. If there is anything -- our community of St. Johns is extremely involved in any athletic program we have. They come to all of our games, even if they are at Jefferson this year or their away games because we don't have a field to work with. They support our theater department by making sure that they have a large attendance, despite the fact that it may not be as recognized as our sports program. Also, the local businesses will donate and fundraise with us for anything we deem possible.

So, I feel that both our diversity and our community involvement is an extremely important part of Roosevelt, and we wanted to share that with you today. Thank you for listening to us.

Hales: Thank you very much. Thanks for coming. [applause]

Item 969.

Wesley Cady: Good morning. I'm Wesley Cady. I'm actually a member of our leadership class and a co-president of Roosevelt's thespian troop 7289. Josephine actually couldn't be here this morning, so I will be speaking to you.

I wanted to talk to you about the construction and the barriers that's brought for Roosevelt but also the abilities that we have had to come from it. And with the support of our teachers and our staff and the wonderful ability and kind of backbone we've been building in the few years that we've been leading up to this construction, we've really been able to hold our students and everyone else accountable and also lifting each other up through everything and making sure that this is not as much of a change in the sense that it's disruptive as much as growth.

Roosevelt has been given \$92 million out of a \$482 million bond to rebuild the school, which is an immense amount of money and we are extremely grateful. Looking at that amount of money, it's not just spending an amount of money, it's investing in an amount of money in North Portland. And I think that that's extremely important even as a

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senior not being able to see this finished work, I'm so excited to see what we'll breathe out of it and the students that will come forward from.

We have so many new spaces coming forward -- a new auditorium, two new gyms. We've got so many wonderful things and programs that are going to be coming forward from that and I really can't wait to see all of that.

And also, to talk about what you said earlier, as the troop co-president, we've actually decided not to try to go to Edinburgh this year because we could not make the first deadline payments, but we are pursuing a trip to England to visit and study more theater, or if we couldn't go to England -- we kind of have a steppingstone -- if we can't go to England, then we'll go to New York. And if we can't go to New York, we'll go to our thespian national festival in Lincoln, Nebraska. So, we've got a level of things that depending on how much we can fundraise. And also just working forward, as everyone has said, as an arts program -- looking towards the community. And like Abby said, really pushing in that community and reaching out to the community for help in this time that we need them. And they've done a wonderful job. I just want to thank the Council for being here and representing the City of Portland in such a wonderful way.

Fish: Just a comment, Mayor. First of all, let's thank the taxpayers for passing the arts tax, which has meant that 30,000 elementary school children now have an arts instructor in their curriculum. But just because you're being very modest about the Edinburgh invitation -- the Edinburgh theater festival, particularly the Fringe Festival, is the leading summer arts festival in the world. And literally, the city of Edinburgh is taken over with the arts. I think at some point, Mayor, if we have enough critical mass of festivals in the summertime, we'll actually have our version where August is like Edinburgh. It's very prestigious to even be considered for being invited to come to Edinburgh and perform. And so, congratulations to you and the young actors at Roosevelt for this milestone. Whether you go this year or you defer another year, you bring great distinction to our city for this recognition.

Cady: Thank you so much.

Fish: Have you already told them that you can't go?

Cady: I believe that we have, yeah. Our first payment deadline was back in July, if I'm not mistaken. And because the payments were such large sums, we were not able to -- as far as the terms between getting accepted in the time that we would have to fundraise the amount of money, we weren't able to pull that together. We did try to work with Parkrose in a fundraising group together to try and get us to go, but it was really too difficult for us with the construction and also finding spaces for us to perform this year. But moving forward from that, we're still extremely grateful. Like you said, it's prestigious to even be considered and we are extremely grateful of all the opportunities that we've been provided for. We continue to grow and still hold that close to us and use that as a form of growth.

Hales: I think you're hearing the message here from all of us that the next time you go one of these invitations and these opportunities, we encourage Roosevelt to reach out to other community leaders like the five of us and ask us to help. I think that you've got folks here that would be very willing to do that because we love what's happening in our schools and Roosevelt, in particular. The way that Roosevelt has been rising the last few years is really an amazing story. So, we want to support that. So, don't hesitate to ask.

Cady: Thank you very much.

Fritz: Given a longer time frame, maybe if you can ask them for an early entry for next year, we would be happy to help and publicize and help you with that.

Cady: Thank you very much. Have a great morning.

Hales: You, too, thank you. [applause]

Item 970.

Hales: Good morning.

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Madison Niewendorp: Hi, I'm Madison Niewendorp, and Rayanna won't be with me today so I will be speaking by myself.

So, again, I'm Madison Niewendorp and I am a student leader at Roosevelt High School. I would like to say thank you to the Mayor and the Council members for allowing us and giving us the opportunity to meet and talk with you about the things that are going on in our Schools. We would also like to thank them for their support of RHS.

Our hope today was to share with you information about homecoming, the remodel, the diversity of the school, our community connections, and the success of our students. That's all I have to say.

Hales: Thank you very much. Welcome. [applause] One more presentation, **Item 971.**

Hales: Good morning.

Grace Aasen: Good morning, I'm Grace Aasen and along with being a student leader, I am a senior class treasurer.

Josiah Greene: I'm Josiah Greene and I'm a student leader and a junior representative. Despite the construction at Roosevelt, we're still keeping the spirit alive. We still have spirit days and we keep traditions going at RHS. We call it rush week.

With the construction, we're not able to bring all the students into the gym for an assembly, so we had to bring all the students around the school, which is, we're pushing like a thousand students into the football field where it's 90 degrees for an assembly. In a lot of students' opinions, that was one of the best assemblies. So, despite the construction. All the bad things that were happening -- not bad, but all things happening, we still pushed through and kept the spirit alive.

Aasen: We had our first home assembly on Friday of last week, and it was very successful. We have got a lot of positive feedback from the teachers and staff at Roosevelt.

Although we don't have a home field, football field, or gym due to the construction, we have been very grateful to have the opportunity to partner with Jefferson and use their gym and their home field for our games, so we're thankful for them. Also, this Friday, is our homecoming game. We're super excited to go out. We're playing against Lincoln. And then the following day will be our annual Roosevelt High School homecoming dance. This year it's called the Roosevelt kick bash. So, we're excited to be able to still under construction go out with our peers and represent Roosevelt very well and still have the high school experience that every kid wants. So, we're super excited to have our fellow rough riders be able to go to the game this Friday and the dance.

Hales: Thank you both. Let's hear it. [applause] We appreciate hearing from Roosevelt this morning. Thank you for a great presentation and great organization in what you brought to us. You know, for folks that are watching, of course the City Council doesn't directly manage the schools, but we're such an important partnership between City government and our schools and the multiple school districts actually in the city of Portland that we work with, but one of the most amazing things that's happened in Portland, I think, politically, is that the voters stepped up and passed this enormous bond measure. I think it's the largest bond measure in the history of the city for any purpose. And to support the incredible renovation at Roosevelt and similar projects at Franklin and Grant, it's really a proof that the whole community supports your school and supports all of our schools. I think that that's one of the best things about Portland. So, it's pretty disruptive in the short-term, and you've given us a picture of what that's like -- assemblies outside and no place to rehearse and no place to have a number of normal activities in the school. Your successors will get to enjoy all those things in great new facilities, but the spirit of the school is so evident in what we heard from you all this morning, so thank you very much for coming. Let's hear it for the rough riders. Thank you all. [applause]

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Novick: Mayor, if I may add something, one of the great things about Roosevelt is the Roosevelt rough riders freedom fighters project where students interview civil rights leaders from around the community, some of them people who we've all heard of, some of them unsung heroes, and I've have had the opportunity to go to the result of those interviews where you honor the civil rights leaders, and that's a wonderful thing. So, thanks Roosevelt, for doing that as well.

Fish: One other historical note, which Steve will appreciate. I have a personal connection to the rough riders. You know the story of Teddy Roosevelt, and you know the battle of San Juan hill, what you may not know is that the first casualty of that battle was an officer named Fish and is buried in our family site -- Hamilton Fish, in fact -- the first casualty of the battle of San Juan Hill. So, that's my personal family connection, that's a great uncle. He is remembered as probably the bravest member of my family but was in the frontlines taking the fire and therefore was the first casualty.

Hales: A cool story, thank you. Thanks for coming in this morning. I hope homecoming is wonderful.

Alright, we'll move to our consent calendar next. I think that we have had three items pulled to the regular: 972, 975. 976. Any others? If not, then let's take a vote, please, on the balance of the consent calendar.

Roll on consent agenda.

Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Hales:** Aye.

Hales: OK, and we can go ahead and take those, if you want -- take the pulled items now. Let's take 975.

Item 975.

Hales: Good morning. Commissioner Novick?

Novick: Colleagues, for a number of years, you know we've had an agreement with Portland Streetcar, Inc. to provide operations assistance for the streetcar. Last year, we went through an open and competitive solicitation process to solicit other applicants for operations assistance. The recommendation is to contract with the successful proposer, which is Portland Streetcar, Inc.

The contract I think improves on our previous contract with PSI in a number of ways. It clarifies our roles and responsibilities. In particular, clarifies that they are an independent contractor and not the City's agent. We addressed an issue about the collection of public funds that was causing our treasurer heartburn -- some fare revenues had been collected by PSI itself. Now, all fare revenues will come to the City instead of any being collected and deposited by PSI.

Another thing that was particularly important to me was that PSI has always raised sponsorship funds, but there was no specific requirement for them to raise a specific amount. This contract does specify that they are expected to raise at least 300,000 a year in sponsorship funds. So with that, I will turn it over to Kathryn Levine.

Kathryn Levine, Portland Bureau of Transportation: Good morning. The report from procurement to you today is in regard to a solicitation and a new contract for operating assistant services for Portland Streetcar. The recommendation is to contract with a successful proposer, Portland Streetcar, Inc., a 501(c)3 corporation. I can go into detail about the process, if you would like me to do so.

Hales: I think a summary would be better.

Levine: OK. We will be short and sweet.

We advertised in April through the City's system, and then we also solicited and advertised and notified through the transit industry to the American Transit Association, Community Streetcar Coalition, and Transit Talent, Inc. In the end of April we held a pre-proposal meeting. We had three prime contractors and one subcontractor represented.

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During the course of the solicitation, we issued four substantive addenda to address the questions and clarify which contract terms were negotiable and which weren't.

Solicitations were due on May 18. We did receive one proposal from PSI. We had an evaluation committee of five. It included a non-City participant with a financial background from our minority evaluation program. We also included a representative from TriMet because they are a key funding partner in Portland streetcar operations, and we included a representative from the City's citizen advisory committee for streetcar.

They found the proposal to be responsive and acceptable. We issued notice of intent to negotiate in June. The period of protest passed with no protest. We began negotiations in July with a formal kick-off meeting with the board chair of PSI as well as their executive director and PBOT staff. We worked through completion of the contract in August and are here today with the recommendation from procurement in order to complete the contract.

Hales: Questions for Kathryn?

Fritz: Do all the PSI employees get \$15 an hour at least?

Levine: I don't know, but I can find out.

Fritz: I'd like to check on that and also if there's a built-in cost of living adjustment each year.

Levine: What we have done at a contract level is provide an assumed 3% increase of cost. We've not specified where that goes, but I assume that that could cover personnel.

Fritz: I'd like to make sure that it does. I think that we have an overall issue with some of our pass-through money staff get cost of living increases and some don't, so if you could check on that.

Levine: OK, I can.

Fritz: Would the answers affect the not-to-exceed amount?

Levine: I don't believe so.

Fritz: It's not an emergency ordinance though, so we could find out --

Levine: If I understand the process, this is the procurement report back after which the Chief Procurement Officer can execute the contract. We can respond to you probably today with the answers on your questions on the hourly wage and the cost of living.

Fritz: So usually, the contract is roughly in compliance with whatever is before us. I don't have the actual contract in front of me.

Levine: I don't think procurement included it as an attachment. I did get a copy of the documents that they submitted.

Fritz: Well, we can always amend it if necessary.

Levine: Definitely.

Hales: Other questions for Kathryn? Thanks very much.

Levine: Thank you.

Hales: Anyone want to speak on this item? Come on up.

Moore-Love: Mr. Walsh and Mr. Johnson.

Hales: Good morning.

Joe Walsh: Good morning. My name is Joe Walsh, I represent individuals for justice. We have a number of concerns.

First of all, we don't like you doing this underneath the table. This is the consent agenda, no discussion. But somebody that prepared these documents wrote "regular agenda," so it seems to be a conflict right away. It's three million dollars of tax money. Stop putting this stuff underneath the table -- we wouldn't have to pull it.

There are legitimate questions on this, Commissioner Novick, and the streetcar. If we didn't have the streetcar, we would not be spending this three million. Because when we looked at this, a lot of this is administrative. So, you know, spending three million

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dollars on administrative stuff. So, we don't like that. The only good part about this is that you didn't make it an emergency. So, this should have been on the regular agenda, and the questions that the good Commissioner, Amanda Fritz, raised a good question -- the people watching this have a right to know what their tax money is going to be spent on. I thought that we had an agreement, Commissioner Fish, that anything over a hundred grand -- we would have a discussion. This is three million dollars! A couple hundred thousand? What the hell? You know, you guys spend money and you don't have the courtesy of talking about it, no discussion. Consent agenda! Underneath the table! Slide it through! And I see the Commissioner dying to ask a question -- yes, ma'am

Fritz: I asked about this yesterday. My understanding it was a mistake, it was intended to be on the regular agenda and it was pulled yesterday. So, when you see in the report that the X was on the regular, it was a human error.

Walsh: A mistake, a three million dollar mistake.

Hales: It's not a three million dollar mistake. It's a clerical mistake, Joe. She's right.

Walsh: It's a three million dollar mistake. Because if it were on the consent agenda, nobody would have known about this. Nobody.

Fritz: I believe the Commissioner pulled it.

Walsh: Well, you know, you guys -- when we pull them, then you all of a sudden pull them.

Hales: No, he pulled it yesterday.

Walsh: Well, you didn't say a word there, Commissioner! How come?

Novick: Mr. Walsh, I have found it's unproductive to respond to everything you say because you say so many things.

Walsh: Respond to the three million! Don't respond to me!

Novick: We pulled it --

Walsh: Respond to three million --

Novick: We pulled it. It should have been on the regular agenda, it is now on the regular agenda.

Hales: Joe, thank you. Mr. Lightning, I think you are next.

Walsh: Am I out of time? I would like to have another hour.

Hales: I know you would, but we don't have one. Lightning?

Lightning: Yes, my name is Lightning. I represent Lightning Watchdog PDX.

One of the concerns I have on this agreement is I always have an issue on agreements being extended out too far. I don't like the five years, I'd rather have possibly a three-year -- I do not like the option to be renewed, at least without -- hopefully you will all have a say on that on a final vote on that. So even putting that option to renew I don't think is even necessary.

A couple of issues that I have on this too is that I really want to start watching on the financial reporting that is being done. I feel that the streetcar, TriMet, the bus transportation -- we need to start monitoring this closely on their financials due to the fact that Uber and Lyft are entering the market. I feel that they will have a direct effect on their financials and I want this to be monitored very closely. That's why I do not want this contract extended over five years because if we need to make adjustments, if we need to start Funding more money towards this type of transportation due to the fact of these TNCs coming to the marketplace with no caps, I want this documentation to be taking that into account. I want to be looking at other states at this time to also see what effect it has on the public transportation. And again, any of this public transportation -- any federal funding that may be granted in the future -- I want to make sure that this documentation is very well prepared to understand that if we begin losing money on these type of projects, we don't need to be funding these projects in the future. And it is the City Council's position and understanding, pertaining to the transportation, any new type of transportation entering this

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market system, we must understand and look at how it will affect every other type of public transportation system and the funding that we got through federal grants and other various forms. We are required to make sure that we do not begin to lose money because of the decisions that we make. Thank you.

Hales: Thank you. Good morning.

Charles Johnson: Good morning. For the record, my name's Charles Johnson. I am extremely concerned that the Portland Streetcar is not earning their money. When we linked at this through the agenda, there's only a two-page summary through Christine Moody. There's no direct link to the Portland Streetcar contract that talks about how we put teeth into the contract for quality control. There isn't any, and I hope Commissioner Fritz will simply vote against this. We have not seen any improvement in customer relations since Cameron Whitten, at his experience on the streetcar. The idiots that run the Portland Streetcar cannot fix the sign in front of the library. They neglected it so much that citizens tore it down. So, we have the reverse of broken windows policing here. We have the City doing a crappy job while citizens maintain things. So for a long time, in front of the library -- perhaps the most popular streetcar stop -- the stupid sign said "registering" for a month. The idiots at Portland streetcar wouldn't fix it so somebody tore the whole LED thing down, and it's been missing. It might be up yesterday. I don't know, I haven't looked for two days. That's going to happen next on the southbound 11th of a streetcar at Safeway, where under construction stop, the sign wasn't working to tell you when the streetcar was arriving. So, there needs to be direct sanctions, money taken out of the contract when Portland Streetcar has situations where they ignore obvious problems. Every operator can look a bit to their right, to see oh, look, the sign has been stolen, ripped out of the streetcar stop.

The next thing they need to do when they get this contract, is at the top, they need to print SOME vinyl stickers and say, Customer service is our number one priority. Our 24-hour number is 800, or no -- yeah, it should be 800, but maybe you won't pay for that -- so 503-pdx-scir or something like that.

Obviously, that's part of the reason you are hearing about these issues now is because it's not a friendly system to talk about quality control. I encourage all of you to vote no on this measure until presenters, actually, come from Portland Streetcar - -not a City staffer -- but if Portland Streetcar wants three million dollars, you would think that they could pay their highly paid employees to show up and say, we enjoy doing this work. We want to do it well. But, it's not. It's a pork barrel contract. Thank you.

Hales: Thank you.

Moore-Love: One more, Dan Bower.

Hales: OK.

Walsh: [indistinguishable] -- need to replace it -- [inaudible]

Dan Bower: Dan Bower, Executive Director for Portland Streetcar, Inc. to clarify three points for you. First of all, the sign was not ripped down, we took it down, and it's up yesterday.

Levine: Can I just add more to that? PSI is not responsible for maintenance of the facilities, that is something that Portland Streetcar does and we currently have a system that was based on 2G being upgraded to 3G and on some of the older signs, we have actually had to send them back to the manufacturer to be repaired.

Bower: I believe your two questions were on wage and cost living increase. We always have a cost of living increase. This year, it was 2.1%. Our wages for our lowest paid person, which is a customer service person which we hired last week, is \$14.40. If we want to do 15, that's fine with me. That was not set on anything in particular, just the rate that we've been occurring at.

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Fritz: So would you please increase it to 15?

Bower: Sure. I'm sure they'd be happy to hear that.

Hales: A good idea for all of our contractors -- for us to systemically keep advancing that into other contractors. I appreciate you bringing that up, Commissioner Fritz.

Bower: OK.

Hales: Other questions? Other things that need to be followed up on. Ok. Thank you both. Any further discussion? And if not, a motion, please, on the report?

Fish: So moved.

Novick: Second.

Hales: Roll call.

Item 975 Roll.

Novick: I really appreciate Kathryn's and the procurement office's work on this. We've got a contract that is significantly better than the one that we had before. Aye.

Fritz: Thank you. Aye.

Fish: Aye.

Hales: Thank you very much. Aye. Let's move to 976, which was one of the other items pulled.

Item 976.

Hales: Good morning.

Jane Braaten, Office of Management and Finance: I don't know if there were specific questions about this item, but we actually plan an event --

Hales: Tell us who you are, Jane.

Braaten: Oh, I'm sorry. Jane Braaten, Business Operations division manager. And with me --

Karyl Whelan: Karyl Whelan, I'm the charitable campaign coordinator.

Braaten: We actually have an event planned at Council to kick off our campaign and asked for a proclamation and have a full briefing planned for that time. This allows us to approve of the charities who've applied, who've gone through our review process, have met and signed off on all of our code requirements. It allows us to start our marketing materials for the campaign.

We plan to have our campaign start on October 21st and actually conclude just before Veteran's Day. We are offering all of our City employees an opportunity to select from one of our 16 eligible charities. Those are mainly umbrella organizations, so employees can choose up to 500 different organizations that they can give money to. The City has supported this for years, and it really allows employees an opportunity to choose to a charity and have that taken care of through a payroll deduction. Rather than end of the year financial constraints, they can choose an installment for their donations.

We have 16 charities participating. We are recommending that the Portland Parks Foundation and the Portland Fire Toy and Joy Makers -- they have historically not met the umbrella designation by contributing to nine different organizations, but they have had a long-standing history with the City and a connection to our City services. They do receive a fair amount of our City employees' pledges and are connected to our service, so we are, again, asking for the exemption from that nine organization umbrella requirement for those two organizations.

Again, we have almost 500 City employees donating almost a quarter million dollars through this campaign. It's a way that employees feel very good about giving back to their community in addition to their public service. They have enjoyed participating in this campaign, and we ask for you to recommend -- we are recommending the charities to participate and then have a full slate of campaign kick-off activities planned with the bureaus in your portfolio.

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Fish: I just want to make one comment, which is thank you for providing this benefit because it makes the act of giving easier when you can check a box and have it automatically deducted from your paycheck and go to a cause that you support. I think it's great that we do it, I think that it's important that we screen the organizations that make the list. I'm proud of the generosity of the City workers and really grateful that we have a system that makes it easy where it comes out of the paychecks, so thank you very much.

Braaten: Thank you.

Hales: Other questions? Thanks very much. We are looking forward to the campaign. So, does anyone want to speak on this item? Come on up.

Lightning: My name is Lightning, I represent Lightning Watchdog PDX. As you know in the past, I've done speeches on the different foundations and of course, I support the foundations and hope that they do very well.

One of the issues I have on this whole situation is that when we're talking about authorized use of payroll deduction system, is that -- as Mayor Hales stated earlier today, we are in a state of emergency pertaining to the homeless, to affordable housing issues, and until we put that at the top of the list, and as Commissioner Saltzman has created the housing fund -- which I don't see on this list -- number one, I'd like to know if payroll deductions can go towards the housing fund, which I thought was originally set up to do. I'd also like to have this at the top of the list due to that state of emergency. I'd like all the employees of the City of Portland to understand that when you have homeless people scattered around on the sidewalks and in doorways, that is also your responsibility to make sure there is a solution for that.

Your salaries, your COLA, your pensions -- everything has an effect on that situation. I could sit here and start going after your salaries, your pensions, and your COLA, but I'm not doing that because you earn every penny. But you need to take into consideration that when we are in a state of emergency and other foundations can look other, to other areas to obtain their funding, the City and Portland's employees' first responsibility should be the homeless, should be to affordable housing. That is my position. Thank you for your time.

Fish: Lightning, Dan is not here to respond so I'll do so on his behalf. The fund you referring is the Housing Investment Fund. And it is an entity into which Dan has proposed putting general fund and other resources to build and preserve affordable housing. It does not qualify as a charitable 501(c)3 under this ordinance. I think you're raising a good question and we'll make sure that Dan hears your suggestion. I think that the broader comment you're making is that there is wonderful community nonprofits listed here, but there aren't any that are nonprofit housing providers.

Lightning: That is correct.

Fish: -- like JOIN and all the others. I think what you are doing is suggesting we go back and see if we can add an organization or two from that family to this list, and we will take that up with the folks that run the charitable giving campaign.

Lightning: That is correct. Thank you.

Hales: Thank you. I like that suggestion. So, Jane, you might want to respond to that now, but I think there's obviously an interest to making sure that's an option for people. There are great nonprofits that have their 501(c)3.

Braaten: Just to provide a bit of a clarification, the organizations that you see on the ordinance are all -- as the City requires -- umbrella organizations, so what we can provide to the Council is a complete list of all of the organizations that are under the umbrellas. So, an employee can choose the umbrella organization or any one of their affiliates.

We do have many of our local organization says participating under one of those umbrellas, including Street Roots, Sisters of the Road, Oregon Food Bank, and of course

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as you can see, the Sunshine Division. We'll also check and make sure that JOIN there. Happy to provide that information. Like I said, that may not have been as clear in the audience reading the ordinance with the 16, but actually, those 16 actually represent 500.

Hales: That's very helpful. So, can people designate when they make the charitable campaign decision to participate? They can designate where the funds go?

Braaten: Yes.

Fish: If you could follow up with us on that. I think Lightning, probably, reflects a broader maybe confusion on that point. We think of the United Way as the umbrella. You know, you want to put money into that United Way account, but as you note, they also fund lots of organizations. So, to the extent that you can direct your money to one of the discreet recipients, I think we should get that message out.

Braaten: I think Portland -- you supported a charitable campaign that, as we understand it, has one of the broadest arrays of choices that people can participate in. So, thank you again for that support.

Hales: Thank you. Ok, any further discussion? Let's take a vote on the ordinance.

Item 976.

Novick: This is a great program. It's a lot easier to give on, you know, a paycheck-by-paycheck basis rather than in one lump sum. So, I really appreciate this program. I appreciate your work on it. Aye.

Fritz: Thank you. Aye.

Fish: Thanks very much. Aye.

Hales: Thank you, and look forward to helping encourage all our fellow employees to make use of this option to do the right thing. Thank you. Aye. Let's go back to 972, if you are ready, Commissioner Fish.

Item 972.

Hales: Commissioner Fish.

Fish: Mayor, this shows up you were your name but you and I have agreed to tag team this morning, so I'll take the lead. A little bit of context.

When we adopted the legislation that created the Portland Utility Board, Commissioner Fritz proposed an amendment, and it was a very thoughtful one. She thought that during the budget season, we should expand the membership of the PUB to include three ex officio employees who would be resources to the PUB and essentially be the local experts on what's happening in the frontlines of the bureaus to be resources to the PUB. We memorialized that in the regulations. I'll just -- since I have them in front of me -- I'll just note that it's 3.123.040 sub C. The Mayor shall, in consultation with the Commissioner-in-Charge -- which is me -- appoint three non-voting ex officio members annually, to engage the utility bureau employees in the budget process. The ex officio members shall serve for a period equal to the budget process and they may be reappointed up to three times.

Council thought that proposal from Commissioner Fritz was a good one. It was accepted and incorporated into the legislation. Before us is the Mayor's recommendation in consultation with me, and the three names are listed on the ordinance. Marie Walkiewicz is the environmental program coordinator with Johnson Creek focus for the Bureau of Environmental Services, Alice Brawley-Chesworth a management analyst with the environmental policy division of the Bureau of Environmental Services, and Cindy Dietz is a manager in the Water Bureau's development services team. All three were selected by the bureaus to be representative of the employees in this process, and they are before us today for the purpose of confirming their appointment as ex officio non-voting members. Claudio, did I miss anything?

Claudio Campuzano, City Budget Office: Nope, that pretty much sums it up.

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Hales: OK. Questions from Commissioner Fish or Claudio? Thank you for being here. Stand by and we'll see if someone wants to speak on this. OK, come on up.

Charles Johnson: Good morning. Charles Johnson, for the record. I'm glad that there are staff members assigned to go to the utility board meetings and to be there to interact with volunteer commissioners. However, I think that after yesterday's big story in the Oregonian, people are very skeptical about the utility board.

We have holes in the ground. Then we plugged them up and built more holes in the ground and poured money into them. The responsible thing for the City to do is not to change anything at the Washington Park reservoirs until the president of the United States sends the National Guard. Spending over 100 million -- these people should quit their job in protest and get on the board and say this is an insane procedure we're doing at Washington Park. We can't do this job in good conscience, we quit. Nothing should change at Washington Park, instead of -- I understand lots of people will get jobs when we pair down Washington Park reservoirs, and drive trucks through there. It's an insane thing to do with an unlimited price tag.

We had the stuff on the agenda many times over the summer. I don't know how many utility board commissioners can speak competently about what the public's input was, but I know, Commissioner Fish, that as a water commissioner, you feel that you are in an awkward position because of the requirements of the EPA, but I think that the due diligence and the responsible thing is for you to not proceed with Washington Park and for you to convene the utility board and have a large forum. We can hear that people are now very skeptical of what can be done with Washington Park and that anything needs to be done. I will be engaging with the board Commissioners to find out how they can possibly rationalize staying in their job with such a boondoggle. Thank you.

Hales: Thank you. OK. Any other comments? So, we need a motion, please.

Fish: So moved.

Novick: Second.

Hales: Further discussion? Roll call.

Item 972 Roll.

Novick: Aye.

Fish: Mayor, I want to thank all three employees for agreeing to take this on this assignment. It will be time consuming, it will be challenging, and they will be working in concert with one of the nine board members that has been already appointed who actually was designated as a representative of represented employees. The additional three employees will ensure that the voice of the workforce is reflected as we go through the budget review process. They are, in effect, replacing folks that used to serve on the BACs, the budget advisory committee, but as you know, we folded the backs in with the PUB. So Commissioner Fritz I think astutely observed we ought to add the ex officio members at budget time to make sure that we have that staff input. It's a good idea and we're grateful that these three folks have agreed to serve. Aye.

Fritz: Thank you, Commissioner. Yes, I appreciate that these folks are willing to serve. It's always important to have employees on our budget advisory committees. Aye.

Hales: Aye. Thank you. Now, we'll go to the regular agenda.

Item 980.

Hales: Assistant Chief Modica is here this morning, I believe. Good morning. Tell us about how this agreement works and what's ahead.

Kevin Modica, Portland Police Bureau: Certainly. This was originally scheduled for June but we asked for an extension -- which we were granted -- so we could focus in on the specific language providing the selection criteria for the management of the policing.

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So, in the City of Portland, with TriMet, the Portland Police Bureau's umbrella agency provides law enforcement services for the transit system -- that's bus and rail platforms, bus stops. This ordinance covers for five years of those services. It's the prime agreement. There are 18 other agencies that participate in transit policing with us, and there's a revenue value total for the contract with TriMet of a little over \$30 million.

Hales: So TriMet contracts with each of them, as well?

Modica: That's correct.

Hales: With each of the other jurisdictions, and so they accumulate a police force by contracting with multiple cities and the sheriff's offices, right?

Modica: That's correct. It's considered best practice in the nation is to have a multi-agency task force model. We're the umbrella for that, so we provide logistical support, bricks and mortar, and supervision.

Hales: In terms of -- we have heard questions from the citizens about how these folks are deployed, how they spend their time, what they are focusing on. How is that determined -- what the police work is? Is that totally under TriMet's control? Is that a collaborative process? How does the -- how do you and the leadership of our bureau interface with the leadership of TriMet to say we should be spending our type on this and not on that?

Modica: I would like to describe it as collaborative. We really emphasize time on the line -- so that's on the bus lines as well as the MAX lines. And ultimately, we use some data to help drive our deployment, and we listen to the customers. If the customers are identifying, the citizens are identifying particular issues, we will revisit those areas. It's a very large system. There are five rail lines and 80 bus lines. A MAX alone is 60 miles. We cover three counties and over 19 cities, and we do that with the 68 officers and supervisors from multiple agencies. But we are always open to being flexible on how we deploy.

Hales: And then the other question that we've heard a lot is -- maybe you can give us a rough proportionality -- how much time and effort is spent on fare enforcement versus more classic, you know, rider safety issues?

Modica: I think percentage-wise, it's probably a 30-60. You know, fare is fair. People really should be paying their fare to ride on the line. I think what many people don't recognize is that TriMet also has fare inspectors, so if you encounter somebody in a uniform on the system that's asking you about your fare, it's not necessarily a transit police officer -- although we do do that -- but our officers are also equipped with courtesy tickets or warnings. You know, we really try to emphasize a safe, clean, respectful experience on the system. There are chronic issues -- as we all know -- on the transportation system, but those are national issues as well. You know, people seeing shelter and those that may have some addiction problems that seek space at the platforms or the bus stops, that type of thing.

Hales: Thank you. Other questions for Assistant Chief Modica?

Fritz: So, 30% of the time is spent on fare enforcement. And Mayor, as Police Commissioner, going after folks who are stealing a \$2.50 ride doesn't seem like a good use of our scarce police officer's time. We know that our police officers -- we have fewer per capita than many big cities our size. I would much rather, the officers --

*****: [phone going off] -- "I'm sorry, I didn't understand" -- [laughter]

Fritz: Siri!

Fish: This is what we have to deal with with the media. Commissioner Fritz, would you go back --

Hales: I don't know what's wrong with Siri, we all understood you --

Fish: We've always had a problem with your comments, let's go back to the beginning --

Modica: Commissioner, can I say that I certainly appreciate your perspective. I also asked for people to understand that it's a multi-agency task force, so it's not just Portland police

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officers. And in fact, it's the chronic issues and the safety issues, and then just presence -- time and presence. I think that what we've experienced many times is those without fare are those that have other presenting issues. When we say fare enforcement, there's a large span of what that really means. To include, as I said, either courtesy tickets or warnings or sometimes a citation, but that is also something that can be mitigated. We do recognize it's a low level offense. It does inject people into the system, and especially with regard to our young community, our kiddo community, we endeavor to do everything to not inject them into the system. But certainly, all of our time cannot be spent on fare inspection or enforcement. There are park and ride lots and there are other issues along with such a large transportation system. We're considered very safe nationally, as a transportation system.

Fritz: It sounds, though, that you're using fare inspection as almost like a pretext stop to go after folks for other issues. And maybe those are low level offenses also. I'd like to get the data on how many of your fare inspections do result in catching serious offenders. I'd also, Mayor like a discussion of -- with the amounts of money that we're spending for 30% of the officer's time on fare inspection, if we were to use that to subsidize TriMet so we had a fareless system, with that be more cost effective? We're currently giving TriMet over \$900,000 for students in the Portland Public School district to ride the buses free. You mentioned the issue with young offenders. If all young people got to ride it for free maybe they could get to their job interviews and their activities, such as the ones you set up this summer for the teen programs in the community center. We have a big problem in East Portland right now because their schools don't get the free bus pass. They can't get to Montevilla teen center because they don't have fares. So if those folks are riding the MAX and walking all the way along 82nd to get to the Montevilla, wouldn't it be better instead of spending the money on the police officer's time to subsidize the TriMet?

Novick: Commissioner, I have to say, I don't know what the number is but I think that making TriMet a fareless system is going to cost many, many times \$900,000.

Fritz: Well, maybe we could with the school ID for under 18. I'm very troubled with or police officers being involved with the fare inspectors. The fare inspectors, when they are on the buses or by themselves, come along and ask me, "can I see your ticket?" I've been on the MAX twice at the Rose Center where the officers -- both fare inspectors and police officers -- rushing onto the train, obviously targeting folks who may appear to be young or homeless, and frankly, it was a very frightening experience. I don't think that's a good way for us to get trust in our police officers when that's happening on our public transportation.

Modica: I certainly understand that, Commissioner. Hopefully, I haven't kicked the can down the road for you. But that 30% is spread out over three counties and 18 cities and really, it's just a part of what we do. We really, as a police force, focus on crime and criminal activity but also keeping the system safe and a preferably enjoyable way to commute. Part of our work is to ask if you have fare. I think one of the things that we'll experience is that with the updates to the TriMet system for fare payment with the cards and digital payment and so forth, they'll be less fare evasion, but that is part of the burden that we do share in keeping the system safe. I so recognize there's been Comments and observations about how the work is done, how the officers focus, where do they star -- it's a very simply just paying attention to the community's needs and concerns, which we do every day. We're obviously in a position where improvement is always sought, but I will say this, that the efforts that TriMet has made to provide fare for students enrolled in the schools has been tremendous. So, certainly appreciate your comments. And we do have a certified crime analyst onboard with our division, so data is forthcoming so that we can look at other issues that may be impacting how we provide public safety on the TriMet system.

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Fritz: You and I have had this conversation before and I've had this conversation with the Chief O'Dea, and I continue to get, "no, we'll continue this level of fare enforcement." Mayor, as the Police Commissioner, do we really want to have our police officers enforcing \$2.50 fares?

Hales: I hear the concern. I've heard it and share the worry that we have too much of our effort going into that particular need. I have a great deal of respect for Assistant Chief Modica and his ability to balance the use of fare enforcement as a way to keep it safe and fair for everybody and not simply be chasing people around for money.

Modica: Absolutely.

Hales: But I think he and I and the Chief have heard this concern, and I share it. Now, we have a contractual relationship with TriMet here. They want us to do certain things. They don't call the tune -- that's why I asked him the question, it's a collaborative process. So, we get to go to the table and say, here's what we're hearing from our constituents, here are the issues that we want to focus on, here's how we think that the priorities stack up and have that understanding with TriMet. So that's why I wanted to air this today because the Assistant Chief Modica has heard this from you and me and from others. It is heard and understood. The question again is how does he on a day-to-day basis strike that balance in terms of what people are doing when they are riding on a freezing rain or a bus.

Fritz: I would like to see that in the contract. This is where we're reauthorizing the contract, so now is the time not just to be having the conversations but to be getting it in writing.

Hales: So, what would it look like?

Fritz: I don't know. I just saw this when it came onto the calendar on Friday.

Modica: Commissioner, I can help you out here. Deployment strategy really can be derived without delaying the contract any longer. We hear the concern, and quite frankly, if you ask the officers ask the deputies assigned to the division, they would too echo what I'm saying. We really focus on crime interdiction and crime prevention. Fare inspection and fare enforcement is just a piece of that. The 30% number is an estimate if you spread that out over the total system over the total year. We're not hired as fare inspectors but as law enforcement officers that provide public safety for the transit system.

Fish: Sir, can I can you a procedural question? At some point, if Commissioner Fritz has a concern about language and wants to propose it, we may not have the votes to pass an emergency measure in which case it would come back next week. This is listed as an emergency. Is there some reason it has to be adopted today?

Modica: It was delayed in June --

Fish: I understand.

Fritz: It's already out of date.

Modica: And so, the dates for the contract -- this needs to be approved by the 30th of September to have the contract meet the --

Fish: So that means -- I'm not -- I don't control the time here. We have to have a unanimous vote. But that means technically, it could go to next week with an amendment and still have an emergency clause and meet your timeline, is that correct?

Modica: Yes.

Fish: It may be more fruitful to have that discussion so Commissioner Fritz can get the briefing she needs rather than to do it on the fly.

Fritz: I'd appreciate that, thank you -- to see if we can put some language into the proposal.

Fish: The intent would be to come back next week with language that we could -- we would just send it over with the emergency clause with the intent to put it to a vote.

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Hales: Let's take testimony today because there may be people who want to speak on this item, and Assistant Chief Modica and I will follow up with the Council with language that maybe clarifies what the rules of engagement are.

Fritz: Right. And Chief Modica, I need to emphasize I have the utmost respect for you and for Chief O'Dea and for all of your officers. This is a policy question that the Council is engaged in, this is the point where the whole Council gets to engage in the policy issue. So, thank you for all your service and for your leadership on this division.

Hales: We certainly appreciate your comments.

Hales: Alright, thanks. I will see if there is anyone that wants to speak on this item.

Moore-Love: We have two people, Joe Walsh and Charles Johnson.

Hales: Come on up. Thanks, Kevin.

Modica: You're welcome.

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. Commissioner Fritz asked a lot of the questions that we had. However, let me give you some anecdotal information. I ride the MAX all the time. I ride the buses, I ride the MAX trains, and one of the things that we see is all the police checking for fares. And we have the same reaction, what is that? 70,000-dollar cop checking for \$2 fare. And in my case, some of the adults [indistinguishable]. We don't like them doing it. They have guns, and they scare people.

I pass through Gateway all the time. TriMet has their own police department. Let them do it and hire people to do it. They did it on the cheap, they built the damn thing on the cheap, so they didn't have each station taking the tickets and verifying the tickets. What they did was they said, "OK, let's hire a bunch of cops." You have much more goodwill with this police department -- this is the police department that is under investigation by the Department of Justice. When are you going to realize that? There's no goodwill here, folks!

You cannot believe the police officer when he says 30% -- maybe 30, maybe 25, maybe 40 -- you don't know, you represent the people of the city. TriMet is supposed to be an independent entity, am I wrong on that? My god! Why do we have to bail them out? These guys have got guns! They got mace! And they treat people with authority of a dictatorship! Got your fare? Oh, it's an hour over. Here's the ticket. He's got courtesy tickets? Does he give them out? How much? Good questions. How much? What percentage? When they make the contact with a little old lady or a little arrogant Irishman, do they give them a courtesy ticket or do they say, "go to court"? A couple hundred bucks it is. And you want to take their word face value? My god! Have you no shame? I better not do that, I'll get excluded again.

Hales: Good morning.

Steven Entwisle: Good morning, Council. My name is Steven Entwisle. I'm a founder of the healing man's sanctuary and I'm also a whistle-blower for the less fortunate. Yeah, the 900 million -- or excuse me, 900,000 dollars -- that is going for this enforcement aspect -- you gotta remember that we used to have a fareless square. The fareless square was a pretty good deal and it helped a lot of people get around. My issue with the fareless square, the problem with that was it did not expand. It should have expanded up to Washington Park so that the people with the disabilities and such could have a free ride up to the park because the people that live on the fixed income -- even 250 you know, or -- is, is not -- it's too much. The students, people that need to get around, people need to make their meetings, people need to work, people need to go to school, people need to get around and do the things that they need to do. And any time that you go a subsidy for the fare that helps people, and it cost -- it actually lowers the cost, lowers the crime rate down when people have transportation to get around and get the things done that they need. And I commend Amanda Fritz for recognizing that fact, especially for the young folks and

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the folks that really need a bed. The subsidies should be there. The reason it's not I think is quite obvious, frankly, and we should really take a hard look at the needs of the people that really need the transportation the most. Thank you.

Hales: Thank you.

Charles Johnson: Good morning, Commissioners. For the record, my name is Charles Johnson and I have direct experience, as I mentioned. The main thing that I think Commissioner Fritz highlighted through her questions is we have this 29-page of information here. We have -- because we live in a society that's obsessed with lawyers and litigation -- we have vehicle information numbers from vans from 1987 in here but we don't have any performance goals. We don't have any commitment from TriMet to give us information about how many times the MAX has delayed so that four or eight police officers can block all the doors, hold the MAX in position, come on and do a fare inspection. I think the City should use its authority to have some public review on whether this is really a way to accomplish the public policy goals of the greater Portland area.

When the fareless square was taken away, we never really got -- Mr. McFarlane continued to collect his big check as director of TriMet, but we never got any public information about what was going on. There was publicity about how they would reach out to TPI and help people in serious need, but I think that you could withhold the contract, you could just not partner with TriMet and everything would be fine. We need police there. When someone snatches an iPhone or purse or something like that, that's an issue for police involvement. But TriMet will run just fine without police. Actually, one of your armed security guards who comes here works for G4S, they can contract with them at a better rate. So actually, you don't need to improve this contract at all. It doesn't save lives. Chief Modica does good work and I would rather he be relieved of these duties and be able to work on improving Portland police performance under the DOJ settlement.

I encourage you to think long and hard about whether this needs to happen at all. There are public policy issues where it might be useful to talk about getting statistics the best way to influence things, but the best way to influence this is to say, "TriMet, G4S is enough for you." When G4S workers need police, they can have a communication system that will get them there, thank you.

Hales: Thank you. And anyone else want to speak on this? I will plan to continue this and give the bureau a chance to follow up with you, Commissioner, and anyone else on the Council who wants additional information. We'll bring it back next week.

Fritz: Thank you.

Hales: Thank you. Let's move onto the next item on the regular agenda.

Item 981.

Hales: Good morning, Ms. Moody.

Christine Moody, Chief Procurement Officer, Office of Management and Finance:

Good morning. Christine Moody with procurement services. We have before you a procurement report recommending a contract award to J.W. Fowler. The engineer's estimate on this project was 4.5 million.

On August 4th, 2015, six bids were received and J.W. Fowler is the low bidder at \$4,237,700.

Fish: Stop right there. Let's just let that sit in. [laughter] The one thing that we noticed, colleagues, is that in this period of construction boom, our bids come in above the estimate because there's such competition in the marketplace, there's a scarcity of supply. So, we should acknowledge that we came in under the estimate, which means we're going to save ratepayers a few dollars.

Hales: And how many bids again?

Moody: We received six bids on this project.

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Hales: That's good.

Moody: Thank you, Commissioner.

Fish: This will be noted, salary -- [laughter]

Hales: If this was the private sector, that would be true.

Fish: OK, we'll split it with you.

Moody: OK. So, the Bureau of Environmental Services reviewed the bid items and they accept the proposed pricing, as the Commissioner stated. The City identified 10 divisions of work for potential minority, women, and emerging small business opportunities. The MWESB subcontracting participation on this project is at 78.5% with work being performed in concrete cutting, hauling, traffic control, and landscaping. I'll turn this back over to Council if you have any questions, and Scott Gibson from Environmental Services is here to answer technical questions as well.

Hales: Great. Questions for Christine? Thank you very much. Any for the bureau? Anyone want to speak on this? OK, then a motion, please.

Fish: So moved.

Hales: Second.

Hales: All in favor of approving the report, roll call, please.

Item 981 Roll.

Novick: Aye.

Fritz: Thank you. Aye.

Fish: Thanks to the bureau and thanks to the procurement services and Christine for their great work. Aye.

Hales: Aye. Good work, thank you.

Item 982.

Hales: Good morning.

Jennifer Cooperman, City Treasurer: Good morning. For the record, Jennifer Cooperman, City Treasurer. This ordinance authorizes a revolving line of credit in an amount not to exceed \$20 million and for a term no longer than five years to provide interim financing for the local improvement district projects located throughout the city. This request will authorize a new line to replace an existing line of credit that expires December 21st of 2015. Approval of the ordinance will ensure continued funding for local improvement district projects throughout the city. Amounts borrowed on the line will be repaid from assessment payments from property owners and from proceeds of long-term bonds. We will be selecting a commercial bank to provide the line of credit through a request for terms process.

Fish: Jennifer, I just have one comment.

Cooperman: Yes.

Fish: You know that I hold you in the highest regard, are we correct on that? [laughter]

Cooperman: You've told me.

Fish: OK. Big fan of your kids, I love your work, and grateful for your service.

This isn't really directed to you, but when I saw the schedule, the agenda, I had no idea what 982 was reading off text. And all I'm going to ask is that if we can go the extra mile when we write these up to provide a little more detail so that the public doesn't have to read the underlying documents -- something a little bit more about what we are doing and why, because 20 million to fund the local improvement projects is very, very generic. And we have made a lot of progress in making sure that our descriptions actually put the public on notice as to what we're going to do.

Cooperman: OK. I will note that for the future. Thank you.

Hales: Thanks. Any other questions for Ms. Cooperman? OK.

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Fritz: I have a comment in that I do appreciate that information was in the impact statement, so I think maybe what Commissioner Fish is referring to is to put it more details in the ordinance just so that it comes up front. I appreciate your attention to the financial impact statement.

Cooperman: Particularly the title -- that's what I am hearing.

Fish: The part that's actually on the agenda.

Cooperman: OK.

Fish: Because that's what people, the public triggers off of. Sometimes, we just put "authorize money for financing," and it doesn't really give the public enough information about what and why.

Cooperman: OK.

Hales: Any other questions? Thank you very much and we'll see you again tomorrow afternoon.

Cooperman: Yes, you will.

Hales: Thank you. Anyone want to speak on this item? If not, then it passes to the second reading next week.

Item 983.

Hales: Second reading. Any comments Commissioner Novick or others before we vote?

Item 983 Roll.

Novick: Yes, colleagues. This is, of course, the second reading -- or as Yogi Berra would say, it's deja vu all over again -- but I'm glad that we have two opportunities to talk about the fact that we are finally going to have bike share in Portland.

I want to give a shout out to two members of the world's greatest bike share band who are here, lead singer Steve Hoyt-McBeth and lead guitarist Margi Bradway. Our drummer, Gabe Graff, was here early but had to leave.

I know that some people have a concern about Portland based on another Yogi Berra-ism which is that people are afraid nobody will come here anymore because it's too crowded. And people might be concerned that adding bike share -- which is among other things, a tourist amenity -- will contribute to that problem. But I would note that bikes take up less room than cars and that their contribution to overcrowding is minimal. Finally, I want to note that, in order of Yogi Berra, anybody who rents a bike share bike will be instructed, "if you see a fork in the road, take it." Aye.

Hales: Would you call the next one?

Moore-Love: We're doing roll call -- is that it?

Fritz: That was the vote, right? [laughter] Got it.

It's been several years since the Council made the policy decision to apply for grant money for a bike share program in Portland. At that time, I opposed the request for various reasons -- first and foremost because I believe the funds would be better spent on safety projects that would save lives. Other issues I was concerned about includes a lack of helmet, safety of pedestrians with inexperienced cyclists riding on sidewalks, protecting the City's general fund.

Later, when the contract implement came to the counselor I voted for the contract because the policy decision to move forward had already been made and the contract implemented that. So, I'm going to support this ordinance for the same reason. The policy of bike share has been made, and as Commissioner Novick mentioned, your team has worked very diligently on trying to address the issues I raised. I remain very concerned about the lack of progress made in finding a bicycle helmet solution. I appreciate the commitment of 120 days to figure one out. We recently adopted Vision Zero. Putting cyclists on the street without helmets available to riders who may be tourists who did not bring their bike helmet and who may not want to purchase one is counter to Vision Zero.

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Similarly, inexperienced cyclists riding in the wrong places downtown -- particularly on sidewalks and along the MAX tracks -- creates a dangerous situation. I personally witnessed a cyclist crash on the MAX tracks right after the orange line opening, and it wasn't pretty. I obviously of course also see a lot of cars driving in the wrong lanes on 5th and 6th as well -- they obviously have a lot more protection than a cyclists or pedestrian.

So, I'm voting for this contract amendment and I look forward to working with the bureau and the Commissioner on a strong education component encouraging helmet use, giving directions on when helmets can be purchased, and giving directions that it is illegal to cycle on sidewalks in the downtown area and it is very dangerous to drive on the tracks. Thank you for your attention to my concerns. Aye.

Fish: I want to begin by just acknowledging all of the hard work of Leah Treat and the professional team at PBOT who have brought this home and congratulate them and also acknowledge that Commissioner Novick has worked tirelessly to bring us to this day. Thank you, Commissioner.

I first started working on this in 2011, and that was the year in which there was a contentious debate at Metro about how the federal funds would be divided, and that's when I really first had a chance to learn about bike share and the benefits to our community. But frankly, what sealed it for me were two things. One was just the experience of visiting other cities in the country where bike share is a huge success. I have mentioned New York, Washington, and San Francisco, in particular. The second really was the opportunity to meet with the proposed new operator, and I could not have been more impressed with their team and their commitment. It frankly brought some of my concerns down about what happens in years four and five. I think we are linking our fate to a professional operator that gives us a great chance to be successful.

I guess just a point of pride -- I wish we weren't the sixty-fifth city to adopt bike share. I think we all wish we were in the top 10. But we are now joining 64 other cities that have experienced bike share and have provided this additional transportation option to their residents and to visitors, and I am confident that this will be a success. I also appreciate all of the steps that the bureau and the Commissioner have taken to ensure that the general fund is protected in this enterprise. I wish you the best of success, and I can't wait to be one of the early adopters. Again, congratulations, Commissioner. Aye.

Hales: Great work, Commissioner, and bureau. We often say that we should measure twice and cut once. I think this twice we measured three or four times and cut once, but it's a good piece of work and it will make a difference in a city where we've long believed we ought to give people transportation choices and make them attractive. And this one will be, too.

As I mentioned last week, we've heard lots of predictions over the year of failure every time we have done something in terms of transportation innovation from gubernatorial candidates who said we should lock up the light rail and throw away the keys when it was open because no one would ride it to a friend of mine at TriMet --- who I'll protect his anonymity for the minute -- who used to call the streetcar the "donkey trolley" and also predicted low ridership.

Every time we've done this, it's been proven that choices attract people to take then, and this is a good one. I look forward to having it on our streets. And although I still have a sticker on my bike that says, "Portland is just an avenue in Minneapolis" that was supplied to me by one of the cities that's done this before us, that's OK, as long as we're all still going in the right direction and more quickly. So, well done. Thank you very much. Aye. OK, we have a couple more regular agenda items left.

Item 984.

Hales: Commissioner Fritz.

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Fritz: Thank you, Mayor As requested by Council after the hearing last week, we are returning with amendments to limit locations to a thousand feet across both medical and retail. We are also amending the fee schedule to cover the cost of the program with fewer successful applications likely, and we're adding a severability clause to the ordinance so if any part of the proposed code is found to be problematic, the rest of it still stands. With that summary, I will turn it over to Theresa Marchetti.

Theresa Marchetti, Office of Neighborhood Involvement: Thank you so much. Good morning, Council members. I'm Theresa Marchetti, I'm the livability manager for the Office of Neighborhood Involvement. And really, I'm just here to answer any questions that you may have.

Hales: Questions for Theresa or Victor?

Fritz: Do others have the amendment language and also the ordinance change with the severability clause in it?

Fish: Yeah.

Marchetti: Yes.

Hales: Do we need a motion for those amendments?

Fish: So moved.

Fritz: Second.

Hales: Further discussion of accepting the amendments in our packet dated today? Roll call on accepting the amendments.

Roll on amendments.

Novick: Aye. **Fritz:** Aye. **Fish:** Aye. **Hales:** Aye.

Hales: I believe we need to provide the opportunity for anybody who wants to speak.

Moore-Love: Yes, we have a sign-up sheet.

Hales: Good morning, come on up.

Nathanial Williams: How are you doing? My name is Nathanial Williams. One of the issues that I feel like the City lacked in this amendment is that regulations on schools. Because my my nephew is 12 years old in middle school and he said the teachers -- when the kids are on break, they're smoking pot. And I know the industry is growing large in the state of the Oregon. The thing is is that they're advertising more and this is leading kids to do more to recreational drug use and leading them away from education. When schools are allowing kids to do this at school and no one is enforcing it, the City should look more close into getting superintendents into school enforcements in these things and having control over these things.

And also, I'm really against regulations on local business because these are businesses and, you know, they have a right to make a living. And that's what voters pass these things for.

One thing that the industry should take into consideration is they should promote more on advertising, like, "hey, don't do drugs at school." You know, go talk to schools and say, "hey, drug-free zones," more things like that instead of posting marijuana attractive everywhere in all communities wherever you go, they're promoting smoke pot. And that's my concern on that issue that school should be a number one focus. Do not lead our kids astray. Education is the key to success. Marijuana is a gateway drug to a lot more things and I know a lot of kids start off smoking at 14, 15 years old and they should be focusing on their school work. Industries are now freely promoting it wherever you go and passing out flyers and saying, "hey, come smoke" and a lot of our kids are doing it. And schools should be held accountable for those things and should be enforcing teachers with allowing kids to smoke because probably the teachers probably smoke pot as well -- it happens. They're not enforcing it. I feel like it is a concern for my nephew when he's telling me kids are smoking weed at schools. I'm like, "wow, do the teachers do anything?" He's

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like, "no." So, I think you should take that into consideration and give that really strong look into the school districts in the city of Portland instead of putting more regulations on the cannabis and come agreement on promoting it. Thank you.

Hales: Thank you.

Fritz: Thank you. I do think it maybe is not an either/or, it's both. This is the regulatory system and we are going to have a big education campaign. If you could talk to Rachael Wiggins who's behind the Council Clerk, and let her know which school your nephew attends, because we do have school police officers, and absolutely, it is not legal it marijuana in public -- and kind of public, and that includes to any place that you can pay to get into if anybody can pay to get into it. There is a lot of education that we need to do. It is not, "hey, this is legal and we can do it anywhere we want." I appreciate your comments.

Williams: Right. Teachers should be held accountable for those things and the superintendent should be really strict.

Fritz: If you could talk to Rachael, I would appreciate it. Thank you.

Hales: Very helpful, thank you. Good morning.

Alex Pavich: Good morning. Thank you, Mayor Hales and Commissioners. My name is Alex Pavich, I'm a city business owner here in Portland. I'm here to represent the citizens and marijuana patients that strongly urge you to vote no on this last minute, poorly thought-out ordinance that duplicates current state laws and regulations but also includes higher standards and guidelines that are already existing on an Oregon state level.

The people understand there's a fear for lack of regulations in this new industry, but this ordinance is an unnecessary overregulation at a City level that duplicates two state agencies that already have set laws and have already been regulating the marijuana industry for almost two years. Creating a duplicate oversight committee and division at the City level is a waste of taxpayers' money and valuable City agencies' time. This ordinance will create such overregulation and City bureaucracy in an industry already facing overregulation more stringent than any other industry at this time.

This ordinance undermines the state agents -- the OHA and the OLCC -- that have been working tirelessly to create new divisions, agencies, and educational programs to help teach our public. More importantly, this ordinance creates conflict between City and state laws which will inevitably increase conflicts, black-market sales, potential lawsuits against the City, which is a further waste of taxpayer money.

The people understand that the City want more oversight and regulation. We can agree on a City fee for business permit, but it should not include more stringent guidelines that are outlined by state laws. I also urge you to review the fees so that they are fair to business owners rather than the noted fees listed at greater than 10 times higher than any other business fee in this City to date. Do use these fees to help raise awareness in educational programs -- since the gentleman was mentioning there -- please help fund schools, help the homeless situation, fix those transportation and streetcar sign problems. Do not fund a new City division or program wasting time and money duplicating already in-place state laws. I again note that conflict will rise when already-licensed state businesses and invested business owners potentially fail to receive a new City permit under this more stringent guideline outlined in this ordinance.

In conclusion, please don't make a hasty decision based on fear of the unknown, but do take the time to propose a logical guideline for the marijuana industry at the city level. Do require a registration of business in city. Do require a fair City business permit fee. Do require these businesses to apply with local business and building codes. Do require this list of businesses to be accessible to other agencies, but do not require these agencies to waste more time and taxpayer money having to approve each application under this ordinance, and please do not conflict with current state laws and regulations. Do

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require the City Attorney to review a proper ordinance so as to not conflict with current state law, and please do not use taxpayer money or moneys collected from fees to fund duplicate oversight committees and programs at the City level that already exist at the state level. Thank you.

Fish: Just one comment you made I just want to respond to and maybe give you a chance to comment.

I've been on the Council for seven years. This is the first time I have ever heard someone from the public say that when the City proposes to regulate in the public interest in a way that's more stringent than either the OLCC or some other state regulatory body that we are quote "undermining them." Just from my vantage point, the typical testimony we get in this body is that they haven't gone far enough in protecting public health and safety. So, we are urged to step in to the breach and to adopt local standards and community standards consistent with our values. So, I'm a little surprised -- I understand you have a disagreement. And I would also quibble a little bit with your comment this is poorly thought out. Just about everybody who testified last week said they thought this was the best public process they had ever participated in -- which is not surprising, because Commissioner Fritz supervised it. We also had a hearing in which a lot of people testified and led to these amendments. So, I don't think it is poorly thought out, I think we have an honest disagreement, and you're free to have a disagreement. But the notion we're going to do something different and it undermines the OLCC -- I don't understand that perspective. And maybe take a second just to help me understand your point.

Pavich: Commissioner Fish, have you actually read the ordinance in full and compared to the current state law guidelines? I mean, there are more -- the City is trying to impose more stringent guidelines --

Fish: Right. And sir, whether you agree or disagree with that, the City is a separate entity with its own powers and if the City chooses to regulate at a higher level than state -- we're usually applauded for doing that, not criticized. I'm curious why you think that undermines the OLCC. You may disagree with the level of regulations --

Pavich: It might be a personal interest being that if I owned a business that was currently licensed by the state and I've been operating for numerous years with numerous employees, and now the City comes in and requires further regulations and says that I am unable to obtain now a City permit even though I've been operating for years under state law -- basically you're telling me that I've just lost my investment, I've lost my employees, who have to find new jobs --

Fritz: Let me just ask a question about that. So, you're a medical marijuana dispensary.

Pavich: I own a medical marijuana dispensary, correct.

Fritz: And the amendments we are making today were made at the request of multiple medical dispensary --

Pavich: Not arguing that. Like I stated, there are numerous things in the ordinance that I do agree upon -- fees and certain oversights -- you know, making sure that agencies are aware that we're doing business in the city. I wholeheartedly agree with that. I wholeheartedly agree with the gentlemen stating there are going to be bad apples in our industry that are putting out horrible representations of what we are trying to do. I mean, this is something that cannot be overregulated, through. You are just going to push people back to the black-market. Once again, imagine a business owner saying I've been operating here for two years and now you're taking away my ability to operate because I can't get a permit through the City -- that individual is going to be left without jobs.

Fritz: We'll have the staff come back and address your concern. Thank you for raising it.

Pavich: Thank you.

Hales: Thank you very much. Good morning.

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Aligra Rainy: Thank you guys. Hi, my name's Aligra Rainy and I'm an OMMP patient and a resident of Portland. I also sit on the chair for the ACMM and for the OLCC. Appreciate your time.

I feel that the regulations and licensing of the application fees are extremely unjustified. I agree with the City of Portland that we do have to have some sort of limited involvement with the marijuana facilities. There must be a more appropriate happy medium for both of us.

Dispensaries have proven they can exist for over a year and a half without causing any concerns in regard to public health and safety. The City of Portland would like to have the marijuana business, which means you would like to have the taxpayers' money, which means it should be accepted that the OHA and the OLCC has done their regulations.

HB 3400 granted local government to adopt an ordinance prohibiting the sale of limited marijuana product from SB 460 and HB 3400, the local opt out section, which you may allow to do if you would like to do. It is not granted to the local government to create its own set of rules -- which you are trying to do -- and regulate for the business to submit to. This is why we have the state agencies in place and ready to go. If the state clears PRF for operation, there should be no further testing that a person should to operate a business here in Portland. I don't understand that with a personal history form it could provide, after residency, background check and more has been cleared by the state.

In response to the ordinance, in part 14 B 130.080, Oregon's existing dispensary law can protect an OMMP patient who works at the licensed medical facility to consume marijuana. Again, I don't believe you as the City of Portland should have the override of what the state law has set in place.

I don't think the City of Portland understood the implications what it might be premises in any room in the property of the location. You do not have to have your ID checked at the door of the liquor store, just at the point of sale. By not allowing minors into the premises or even at a waiting room of a medical dispensary and/or rec at your choice, it would make it difficult for many patients to get transportation or even their medicine. For the patients who need information and for minors that come in, we need to allow that space. The marijuana is in a separate room and away from the public, so you guys understand.

Air filtration regulations also seem to be excessive, and it is shown to not be deemed that smell is a nuisance. There is also a link I could quote for you guys.

Portland Police Bureau's inspection is also an unnecessary allotment of our taxpayer money and a huge waste of time. Facilities have already met regulations and regarding to a location and security set in place by OHA. It seems unnecessary to implement these large application and license fees to carry out unnecessary oversight on a small business as what you're trying to promote here in Portland. I would like to see that both reach and oversight and fees come down to a regional point for both of us, at least for the medical side because they serve the patients who need this.

You cannot develop a program to try to regulate October sales. It is too late, you guys. Regulations and fees have been set and they should be set until 2016 forward.

It is necessary to not allow new marijuana facilities to come into existence within the thousand feet of the school or existing medical marijuana dispensaries. They have been serving their populations and fulfilling their needs. They should be able to serve those patients and now choose to serve the general public as they need it.

Please do not pass this ordinance and please take extra time to read this. I don't know how much more I can hope that you guys would actually read this, and I don't know if you have actually read the OHA or OLCC, but you guys are super redundant and I think it's a huge waste of time as patient and an advocate in the city of Portland. This is my

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home town. I've been born and raised here and it makes me sick to my stomach to see this go in. Thank you for your time.

Fish: Are you here as individuals or representing a trade association --

Rainy: I'm representing about 45 patients who could not be here. I'm representing myself as a person as an OMMP patient, and I'm here representing as an operator of a medical marijuana dispensary.

Fish: Right. I've been doing this long enough -- your testimony sounds like a tort claim notice and you have every right to put that in the record. You've laid out what is potentially a legal challenge, and it sounds to me like the crux of your argument -- and I'm not judging your argument, I'm just trying to understand it -- is that you don't think we have the legal right to do this under state law.

Rainy: It is not that I think you have legal right but I don't see how guys have legal right to go against what we've already put in the effort for, what OHA and OLLC has already been working and --

Pavich: You're creating a program to create a job for a director that already exists by the state.

Rainy: And you stated in there that you were -- it says in the amendment of your ordinance that this is solely to fund the program that you solely creating. Why are we creating another program, more fees for a program already set?

Fish: I'm going to ask you a couple of questions because I'm trying to understand. You've been very clear in your testimony so you don't have to state it over and over again. It is your view that we don't have the legal authority to adopt these regulations?

Pavich: That's up to an attorney, Commissioner Fish.

Fish: In fairness, sir, you have both been reading a script, you've been reading testimony that has been crafted -- I'm guessing -- with an attorney. I'm just asking your opinion. Do you believe we have the authority to adopt these regulations?

Rainy: No.

Pavich: I believe the City is trying to oversight already imposed Oregon law, absolutely.

Rainy: I think you guys are going overboard.

Fish: I'm anticipating a legal challenge, and you have every right to do that. What specifically --

Rainy:

Fish: OK. And what specifically do you want us to change in the ordinance that is before us?

Rainy: I don't think the ordinance should be involved in anything. I don't think the ordinance should have to be passed or be brought up. I don't believe the neighborhood has --

Fish: That's clear.

Hales: Thank you both. Others that want to speak? Come on up.

Lindsay Rinehart: Mayor, Commissioners, my name is Lindsay Rinehart. I testified last week and I also sent you numerous emails and asked others to do so as well. I'm back again because I'm a little confused by your intent.

Last week, we testified that we would like the fees lowered. They have been raised tremendously. I also asked for the right to consume my medication on site in an enclosed, locked room the way the state law reads and that has not been changed. I also asked for businesses to not merely be registered with the state and to be licensed, and that's the crux of the argument against you.

The dispensaries that are licensed with the state have already paid a \$4000 fee, they've already been operational since 2014 or longer, and they've already a patient and employee base that they already serve. These dispensaries provide wages between two to

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15 people, depending on the size of the facility, and they are already providing medicine from 200 to 4000 patients each. To let a registered business open prior to allowing a medical business to open under Portland licensing is exactly the problem that you're facing.

The people that testified before me saying that you will have legal problems are absolutely correct. If a medical facility that's already been operational is forced to close because a recreational facility is merely registered with the state but not licensed with OLCC, you will force small businesses to close their doors. Patients will lose their access, recreational users will lose their access, and people like me will lose their jobs. This job provides for my family of four. I am the sole person that provides income for my family.

If a recreational facility opens their doors across the street from me as a registered facility but not licensed and they hit enter before the PRF of my medical facility, you effectively closing a medical facility and allowing the recreational facility to open in its place that has not done their due diligence. They have not been serving this community, they have not been providing jobs, they have not been providing medicine. Frankly, the argument is that's not fair. It's not. These licenses were approved by the state. So when people say you're superseding the state and OLCC, that's probably likely where I come from is that these businesses were already operational, they were already licensed. You're going to force people to close their doors the way this is written. That's why we testified the way we did last week. And to come back and see the amendments worse is not OK.

Fish: So when you say worse -- the amendments say that we're going to treat both classes of uses the same for purposes of the anti-concentration rule, the one-mile -- whatever it is -- thousand foot rule. Are you saying as you read it, an existing -- there is an interpretation that an existing operator, let's say a medical marijuana dispensary, would have to close if someone opened within a thousand feet of them?

Rinehart: Yes, sir. That's the way it reads. The language says "licensed or registered." So, if you are licensed with OHA, you have paid a \$4000 fee and you've gone through everything.

Fish: We'll ask staff that question. We had a clear intent when we were talking about this, and we'll come back and have that conversation. Thank you.

Rinehart: Thank you.

Fritz: Thank you for your very clear testimony this week and last week.

Hales: It helps, thank you. Charles.

Charles Johnson: Good morning, Commissioners, Charles Johnson. I don't have near the breadth of experience, I'm not a consumer or medical marijuana patient, but I do think that we should sit back for a moment and look. We know that our city -- even though the economy is rebounding -- is always looking for new sources of revenue, even though we don't know what we're going to do about the streets since the legislature let us down. But I almost want to ask the Auditor to review what has gone on here. How many hours and how much wages of City workers -- which hopefully will be recouped by the fees -- is going into marijuana while people are still being killed by drunk drivers and people are dying on the streets of Portland from heroin?

I think that there is -- it is a little bit of a rabbit hole because this ordinance comes with a funding mechanism, and, you know, we can argue that that's an argument why Portland should be in the lead to adopt a better drug policy -- like many cities in Europe -- to deal with our heroin problem. But that would be a big fight against the federal government, which can't even figure out what to do about marijuana yet. I do want you to listen to the voices of these people who've said that there are problems that could impact existing medical marijuana dispensaries. I think that nobody in any neighborhood wants to see a dispensary that has been around for a year or more and which they have some

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comfort level with be replaced by a recreational marijuana facility. So, consider not passing the ordinance.

And also, it's just marijuana, people. We really have more important things to worry about. Let the process -- don't make this person or staff that's hired bust their butts. Have them sit by the phone and wait for complaints and get input from neighbors so that they can really find out -- nobody really cares -- unless you have extreme sensitivity to the smell -- nobody really cares about marijuana, what they are worried about is other criminal activity, which the police should be taking care of without a fancy 15-page marijuana ordinance. So please-- regardless of whether you have the sense to strike down this ordinance or pass it -- make sure that the enforcement is complaint-driven and sane. We all know that there are occasional -- people who process complaints for City know that there are some intense complainers and that the complaints need to be put into broader perspective of the neighborhoods. Thank you.

Rinehart: May I ask a question, please? Is there any way -- I heard you all discussing before delaying a vote until next week that could still be done in an emergency -- is there any way you could delay this vote until the language is clear?

Hales: We'll check on that. We'll get staff back up and get some answers to these questions.

Fish: Thank you for being here.

Rinehart: Thank you.

Hales: We appreciate that point. If there's no other public testimony, anyone else? So, come on back up, please.

So, yeah, walk us through this based on the testimony that we got last week and the amendments in front of us. There was this concern raised that -- and we've heard it again here today -- that we have existing medical marijuana licensees that are located with or without a thousand-foot spacing standard somewhere, right?

Fish: Let's assume there's nothing within a thousand feet.

Hales: OK. So, they're located here and there. Are any of them within a thousand feet of each other now?

Marchetti: Yes, some of them are.

Hales: Some of them are. OK, so the state didn't enforce a consistent thousand-foot spacing standard on their own --

****: [indistinguishable] -- not true -- [indistinguishable]

Hales: Hang on, folks. We got a chance to --

Fish: Sir, please, you don't score points talking over others and you're going to get the same respect that they're going to get. So, please. It does not help your cause. I can see your thumb. It does not help your cause.

Hales: So -- alright. So, we have --

Fish: Mayor, you made a point. Let me piggyback off of it. Why are we not grandfathering people in who find themselves in that circumstance? Our rule is a thousand feet.

Hales: Right.

Fish: But to the extent there are people who through no fault of their own would be within a thousand feet, why aren't we grandfathering existing licensees in?

Marchetti: We don't currently know where all of the licensees are because up until this last legislative session, there were confidentiality parameters. So, there are some licenses, or some -- I'm sorry, some dispensaries, that are operating as dispensaries that doesn't have a registration with OHA. We don't know who those are until we actually receive their paperwork and can make that phone call to OHA. It's one of the challenges we're trying to work out with that agency. The other -- go ahead.

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Fish: I was going to try to simplify the question because I appreciate the thoughtfulness that you are answering. But let's assume we knew where everyone was.

Marchetti: OK. So, we've also been asked through the entire process to apply an equity lens to this, and the medical dispensaries -- again, before last legislative session -- really existed in an unregulated market. They had a registration. And the philosophy behind the medical dispensary's existence was that they provide medications for their patients. So, there is not necessarily a history of compliance that we can look back at and say, OK, these businesses therefore need to be grandfathered in." In fact --

Hales: Wait a minute --

Marchetti: -- we give them a leg up over a population of a lot of individuals that we've heard from that look at that as a barrier --

Hales: Wait a second, we have no history of compliance or non-compliance, right? I mean, we know that there are dispensaries here, there, and everywhere. Some of them located within a thousand feet of each other. Many of them were licensed by the state.

Marchetti: Correct.

Hales: Not all, but many of them were. OK. And now, we're going to have a City standard that I think the way this reads now that says regardless of whether you're a medical dispensary or recreational dispensary, you must be a thousand feet from everybody else in that business, right?

Marchetti: Correct.

Hales: That's what the words on the page say. We'll figure out if it is good public policy or not, I think it is, but that's what the words on the page say. Then the question that Commissioner Fish has raised is, so what about the people who are already there and who weren't subject to that standard at the time they located their business? What happens to them under this approach?

Marchetti: There is the possibility that -- I mean, as it is right now, if we were to accept on a first come, first serve basis applications that came into City, there is the possibility that we would say no to an existing medical dispensary.

Hales: So they would lose their ability to operate in that location.

Marchetti: Correct.

Fish: So, now I understand it, and thank you for your clear view. So, if the Council decided to tweak that, I can think of two possible options. And the Council may not want to, but let me just put them on the table for discussion.

One is to grandfather existing entities defined a certain way, because we would have to be satisfied that they met some qualification. Or, two, if we didn't want to do a blanket approach like a grandfather, we could just have a provision that says that you can -- if you're denied and the reason you're denied is because there is someone else within a thousand feet and you weren't first to market, there is a process to seek a review of that and to get an exception. And the exception would go to someone who could show they've been operating, paying taxes, you know, don't have any complaints against the business, those kinds of things. They would then be eligible for an exception. That's not the blanket grandfathering, that gives us a little more latitude to make sure we're only extending the exception to the good actors. Steve can you think of another option?

Novick: I like that option, I like your exception option.

Fish: I kind of like the exception, too, provided we are on solid legal ground, which means we'd have to have a clear standard that you apply. We can't put you in a position of saying, "yeah, maybe, not." It would have to be provided they meet two, three, four criteria, they would be eligible for the exception.

Hales: I like that, too. What are we trying to accomplish here? We're trying to make sure that we don't have a concentration of licensees for marijuana because we've been there

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before with other state licensees. And as I mentioned last week, I'll try to say this respectfully to our state agency partners, it hasn't always been ideal to have a state agency regulating a business that then has neighborhood side effects. We have been there before. It's not pretty. See Hayden Island. So, therefore, that's why we're exercising - - that's one of the reasons why the City is exercising its regulatory authority here, once burned, a little bit shy.

We also heard a lot of testimony from the community and the public involvement process that Commissioner Fritz led that created this ordinance -- we've got a lot of genuine concern about impacts on schools and all of the rest. So, we tried to capture all of that and say a reasonable spacing standard is going to work for everybody. Plenty of places where you can locate either a medical or recreational dispensary and we're making sure that they're not so concentrated that they change the character of a neighborhood commercial district in ways that most people would find unfortunate. That's what we're about here.

Well, as far as I know, we're not over-concentrated with dispensaries today.

Marchetti: Correct.

Hales: So, the ones that are on the ground doing business we're not getting a lot of complaints about. Maybe they're not all exactly a thousand feet apart, but we're OK, in my opinion, based on the lack of screaming and yelling -- at least in my office -- on this subject. Plenty of other subjects illicit that, but not this one. I'm being a little playful here, but my point is I have not heard in these two hearings or otherwise that the existing situation on the ground is terrible.

Marchetti: That's true.

Hales: So, a thousand feet is a nice number but it's a standard for getting a result, not something that is mathematically pure.

Fish: So, Commissioner Fritz, how would you feel about a carefully-crafted exception that says if you've been operating a responsible small business and you meet a certain set of criteria, you can get an exception to the rule if you -- again, if you meet a standard that we establish for demonstrating that you have been operating and operating in a responsible way. There would be an exception to enforcing the thousand foot rule for an existing business.

Fritz: I'm certainly open to that. I think in addition to the public safety issues that the Mayor raised, we've all been very clear that we want to support medical marijuana continuing to be available for patients and supporting existing businesses.

So, I'm wondering -- on page four of the proposed code, we have a definition of medical dispensary, which means a business located in the city that is registered with the Oregon Health Authority under ORS 475314. I'm wondering if there's a way to reference that on page give where we talk about minimum standards and the medical dispensary.

What we want to make sure of is that we are talking about licensed businesses. So, for businesses that are properly licensed with the state now, then yes, I believe we should grandfather. If there are businesses that haven't been licensed, none of us are OK with that. What I've heard a lot from the businesses and the advocates is that we want to go through the steps, the proper steps.

We also do have on page 16 of the code the administrative review by director and appeals to the code hearings officer, which you'll remember that we amended last week at the request of the Auditor. So, it's possible that we could put something in there. But I'm wondering, staff, how quickly could you craft an amendment with the City Attorney? I know Ben Walters is out today.

Marchetti: He is. You know, in terms of setting a criteria for an exception -- and correct me if I am wrong -- I don't think that needs to necessarily hinder the adoption of the rules with

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direction from Council to develop a criteria for exception by rule that comes back to you for approval.

And the reason I say that is because I think there are probably a pretty good set of criteria that we could come up with that would be very fair and equitable in its practice, but I wouldn't want to do that in a rush necessarily -- definitely in time and in place for when we decide to roll out the program on December 1st, but having these regulations in place -- the comprehensive scheme is quite important for addressing some of the concerns that we started to see across --

Fish: It is an emergency ordinance. You may be being very modest because you've done a ton of work in one week to bring this to us. And I actually don't think this exception has to be a complicated exception. I think that we just establish the sense of what you've heard here, that an otherwise licensed business -- we don't want a bad actor getting the benefit of the exception, but I think everyone sort of knows what we're talking about and we just come up with the simplest way of stating that to give you the right to on a case-by-case basis make an exception so that people are not put out of business. The safety valve is if they disagree with that, it goes to a code hearing -- to delegate to you right to make an exception, and if the applicant disagrees with you, let that go to code hearing and just agree that we won't take any negative steps against you until the code hearing is completed.

Fritz: For the City Attorney, are we allowed to do that kind of exception by administrative rule or does it have to be in the code?

Ellen Osoinach, Deputy City Attorney: Ellen Osoinach, deputy City Attorney. I was just looking at it. I mean, I think the policy intent is very clear, but we -- I think we're going to have to look at an amendment because what you need to do is to delegate that authority to the director, and right now what we say is if the minimum standards are met the director shall issue the license. So, we don't -- even though we provide for an appeal, we would need to craft an amendment to make the exceptions something that you delegate --

Hales: Right, there's already section 14 B 130.1 20, right, that talks about appeals, so --

Fritz: The Mayor likes to say, measure twice and cut once. Think we've measured about 16 times at this point. Still, could you remind us the timeline of when things are going to happen?

Marchetti: Recreational sales of marijuana in limited quantities will start from dispensaries as of October 1st. And I think that the variation in compliance will be more evident then. There have been many anecdotal complaints -- I'm sorry, anecdotal stories about individuals looking to push the bounds with that new ability to sell recreational as of October 1st. I think that these -- our intention to get these regulations in place for the City of Portland before that October 1st date was specifically to address that spectrum of licensees looking for what's going to fly here.

Fritz: So as of October 1st, only medical dispensaries will be able to sell recreational.

Marchetti: Yes. And I did want to clarify one point that we heard from the community. The OLCC has not developed their rules. I am part of their rules advisory committee. We just had an eight-hour meeting on Friday to look over a subsection of them. We are going to have another one in October. Hopefully, there will be something going before the commission by the end of November for their licensing scheme starting in January. So, there really is no framework at this point at the state level.

Fish: Help us understand a procedural point. If we adopt the rules today and we come back a week or two to deal with the additional component that is under consideration, would any of the folks who testified today and expressed concerns be prejudiced? I mean, they might disagree with parts of the rules we're adopting today, but in terms of the overall

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concern that they could be prevented from doing business or put out of business, would they be prejudiced?

Marchetti: No, not if we're coming back in two weeks to address this exception.

Fritz: Just let me continue asking you about the dates. So on October 1st, do the medical dispensaries have to apply for a recreational license or are they allowed to sell recreationally by right?

Marchetti: No, Commissioner Fritz. They simply need to notify the OHA of whether or not they will be selling recreational items.

Fritz: OK. And is any recreational retailer allowed to apply for a license on October 1st?

Marchetti: No, ma'am. The availability for those licenses -- even to receive the application -- is not until January 4th with the OLCC.

Fritz: So, we don't actually have to adopt this before October 1st, even.

Marchetti: We don't have to, but the regulations that are in place here with regards to the environment in which the service is occurring -- which means the hours of operation, the standards by which consumption can or cannot happen -- those kinds of elements will not be in place as of October 1st.

Fritz: So those would apply to the medical dispensaries for how they can sell retail. So, as long as we were to adopt them next week, which is September 30th, and we all have had a very robust discussion of what that should be -- actually we could adopt them today because since we're not going to have the issue of anybody applying to us for a retail license as of October 1st, that's not what is being contemplated, all we would be doing is setting the standards --

Marchetti: Correct.

Hales: So, we might get advice of legal counsel on that point, but it would seem to me that given that there will always be someone who questions the City's authority to do something and that there is an important turning point in this issue on October 1st, that it would be wise for the City of Portland to have the regulations in place on October 1st.

Osoinach: Yes.

Hales: Given that we can still amend the regulations later or we could adopt them on the 30th -- I don't think either of those choices make --

Fish: What's the sponsor's preference?

Fritz: I think we could probably craft another amendment and bring it back next week -- I'm looking at my staff who look like they're about to cry because it has been a very long road.

Fish: It's a comprehensive package.

Fritz: I think it's actually better to get it as close -- now that this issue has been brought to our attention -- and I again appreciate all of the constructive comments we've had, and some of them we will be able to accommodate and some of them we are going to choose not to -- that is why we have these public hearings -- there is this tweak that I think we can craft some language on and bring it back again next week, still adopt it on the 30th -- looking at my colleagues because I want to make sure that we are going to be adopting it on the 30th -- and obviously there is still time between -- December is when other new dispensaries can apply -- retailers can apply. Is that correct?

Fish: Commissioner, I want to note, we wouldn't just be adopting this, we'd be celebrating an important birthday that day, too. We would have to find time for both.

Fritz: Indeed so, sir.

Fish: I think if we set this over a week, we can do both. And then to the extent there are folks here who still have concerns, Mayor, I find it very useful last time to allow -- to signal that we'll certainly be reading our emails and any comments that come between now and then because we will, in fact, be taking a vote next week.

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Fritz: I believe actually, many of us have the same interests at heart. We want to continue to make medical marijuana available. We want to be clear in our rules. Some people don't like the rules, but from my perspective, I want to be clear in the rules, and we want to have a program in force -- in effect by October 1st so that the staff and everybody else knows what the rules are.

Novick: Colleagues, I just want to point out I'm going to be out on the 30th.

Hales: But I think Commissioner Saltzman is going to be here so we'll still have a quorum.

Fritz: We'll have four on the 30th?

Moore-Love: Yes, we will still have a quorum.

Hales: Good. OK. That sounds like we may have a consensus that we will continue this item a week. We're going to give people in the community a chance to continue to communicate to us by email or phone call or any way you can -- street corner conversations -- whatever it means you want to make yourselves available to to let us know if you think we're getting to the right place. That's the intent here. I appreciate the testimony. I think if I can capture this, it is the Council's intention to amend this ordinance to allow existing businesses to continue even if they happen to be located a thousand feet from another such business --

Fritz: As long as they're licensed.

Hales: As long as they've been properly licensed before a date we will specify in the ordinance.

Fritz: Right.

Hales: That's the goal to not put people out of business, to establish a reasonable spacing standard going forward, and to assert the City's ability to regulate beyond the level that the OLCC regulates. That's again an area where we may disagree philosophically but certainly that's my feeling and I think that was the intent of the draft.

Fritz: Thank you, colleagues, and thank you everybody for your testimony. This is a rare occasion that I wish we had an afternoon hearing because I don't think it will take a great deal of time to craft this amendment, and I do appreciate all of the time that was put in. That means there will be a lot more testimony and comments and such.

This is going to be a process of us figuring out what's legal, what we want in our community for the wise and useful use of this new substance, which is going to be legal.

Hales: Thank you very much. Continued one week until next Wednesday. Thank you. OK, we have one more item.

Item 985.

Hales: Comments, concerns? Roll call, please.

Item 985 Roll.

Novick: Aye.

Fritz: Aye.

Fish: I object to this procedure -- [laughs]. Aye.

Hales: You better not. Aye. We're recessed until tomorrow at 2:00 p.m.

At 11:49 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

SEPTEMBER 24, 2015

2:00 PM

Hales: Good afternoon, everyone. Welcome to the September 24th meeting of the Portland City Council. Would you please call the roll?

Saltzman: Here. **Novick:** Here. **Fish:** Here. **Hales:** Here.

Hales: Welcome, everyone. We have two time certain items on the Council calendar this afternoon. We think they'll each take roughly an hour and we'll get to the first one in a moment.

Just basic ground rules. If you're here to testify, sign up with our Council Clerk. If you want to speak, you need to give only your name, no need for addresses and such. If you're a lobbyist representing an organization, under our code, please disclose that. Obviously, we always maintain the rules of decorum here, so please no vocal demonstrations in favor or against your fellow citizens' point of view but if you'd like to give them a thumbs-up or thumbs down to show how you feel, that's fine. So welcome, and let's hear please item 986.

Item 986.

Hales: I want to call up a panel for presenting this. Commander Westbrook, are you coming up? I know Sergeant Simon is. Kelly Sills I believe is coming up with you, and Art Pearce. Come on up on whatever seating arrangement we can manage for the four of you and then we also have a couple of other folks as well. Alright, we'll make it a five-person lineup.

*****: Interagency coordination --

Hales: It takes a village to do this. Commander and team, good afternoon.

Sara Westbrook, Portland Police Bureau: Good afternoon I'll start this off. I'm Sara Westbrook, I'm the Commander at Central Precinct. I'm really here to give that introduction and say that we are in favor of the street closure. Sergeant Simon here is going to give you the history of the street closure and some of the specifics about what we know about it, particularly in this last year.

Hales: Good afternoon.

Robert Simon, Portland Police Bureau: Good morning, sir. Sergeant Rob Simon. I'm a member of the Portland Police Bureau. I'm currently assigned to the entertainment district downtown.

Hales: Sergeant, pull that microphone a little bit closer to you. There you go.

Simon: The closure began and has been operational since December of 2012. It's basically Friday and Saturday nights from 10:00 p.m. to 3:00 in the morning, and we do it only special occasions. But generally, it's one sergeant, four to six officers. We close the area off at a request for public safety -- just the sheer number of people in the area. On the screen there is the map of the closure. It is NW 2nd to 4th, Burnside to Davis. And again, that's Friday to Saturday night we do that.

Some of the statistical analyses that have been done was mostly done in 2012 and 2014. It shows self-initiated calls, dispatch calls. 2015 data is currently unavailable with our operating system issue -- we're having problems crunching those numbers on that.

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Hopefully, it will be remedied soon, obviously, but right now, our statistics for that are unknown.

This graph shows kind of the second one in 2013, this spike in self-initiated calls. That's when the closure first started. We did some things to tweak that because that was the officers going out to the bar areas doing self-initiated calls all the time. We changed that radio dispatch coding system. After we changed that, the calls went way down -- the self-initiated. However, the dispatch calls you can see went down as well. Once the closure happened -- the streets were closed off -- it became a safer environment for citizens and everybody else, and those crimes and calls for service went down.

This graph shows the total offenses, part one and part two crimes. The big thing to get from this graph is the simple assaults -- that's most of your bar fights and things like that -- that number 2012, 2013 was 18. That went down to seven in 2014, and we believe that trend to be down even further now. That's the majority of calls we get -- the bar fight calls, typically.

The total calls for service between '13 and '14 went from 75 to 46. That's a pretty significant decrease. We believe that's all based on the closure.

Certain things we do within the closure to modify things and kind of work as we go is we established the new radio code, as I mentioned, to bring that self-initiated number back down to reality, which is on par, about the same.

We believe that the officers' use of force within the closure is less, and that's because we often preempt fights. We're there when tensions get heated up. Typically, if you respond to a call for service, you respond to fights in the process or just got broke up. Tensions are way high. For us being there all the time, we can literally preempt fights. When we see two guys squaring off or security dealing with somebody, we just intervene immediately and the problem is just squashed.

We're that visual presence of the officers there in uniform and often, security uses us to defuse their problems. Someone will have a problem with security, they'll point to a police officer sitting half a block away and say, "if you don't want to deal with me, you can deal with them" and typically people will just go away. It's kind of a livability issue that's increased.

Another thing we've done is to continue to improve collaboration among the safety and bar personnel stakeholders. Since we've started the closure, two more locations have opened up within it and both their capacity combined is about 300, so we're adding 300 more bar-goers and citizens within that closure.

The area has become a tourist destination. Every weekend, we're having pictures taken with bachelor and bachelorette parties. Every weekend, we get people from all over the country -- Seattle, saying, "we don't have this in Seattle, what is this place? This is great." It becomes a tourist destination. It seems like that's what it's become.

We also handle livability issues in the area. Every weekend, we deal with people who got their credit card stolen a weekend ago or someone using a doorway as a urinal. We deal with livability issues as well, and that's because we're there, we're handling all the issues as we go.

We select the officers to work that area based on their temperament, their personality, kind of their patience level. They've got to be friendly and outgoing, kind of a face for the Police Bureau to the public. And that's where we get -- I mean, if you look at Twitter and Facebook, you'll see pictures every weekend of officers posing with citizens in the area, and we believe that's positive. That's part of our gig is kind of being an ambassador for the Police Bureau.

For all those reasons, we believe the closure should stay. I don't know how the sidewalks would handle if everybody were let out at the same time in the area anyway.

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There's thousands of people who come through this closure on the weekend, and if it wasn't there and the bars let out at 1:30, people are going to be in the streets and someone's going to get seriously injured by a car coming through. I'll pass it back to the Commander.

Westbrook: That's our part of it.

Hales: Thank you very much. Good report. Good afternoon.

Kelly Sills, Portland Bureau of Transportation: Good afternoon, Mayor and City Council. My name is Kelly Sills, I'm the parking control manager in the Bureau of Transportation. I just have a couple of slides.

The first one I want to present to you is the occupancy data for the Naito and Davis Smart Park garage. The reason that's relevant is it's within close proximity to the closure area, and one of the changes between last year and this year is that the Davis Street portion between 2nd and 4th Avenues in Northwest was withdrawn from the closure area to allow not only parking but better access to the garage.

Hales: Those are all Saturdays, is that right?

Sills: Actually, it's both. The bars represent the weekend data.

Hales: All weekend, OK.

Sills: The bright red line, which is inclining, is representing Saturdays only, and then that kind of brownish line, which is relatively stable, is Fridays.

Hales: OK, I get it now.

Sills: And the opening of Davis Street really has had no appreciable impact on Fridays, but it has resulted in some increases on Saturdays. And so, we think that's a positive thing and we would like to see it stay open.

Moving on to the next slide, this is the information about citations and tows. This slide reflects data just from summer of 2015. As you can see, it's quite variable, which is probably a reflection of what the attractions are within the closure area on any given weekend, but the average number of tows during that time frame is nine. That's out of a total of approximately -- or I should say, exactly, 386 citations of which 250 vehicles were towed. So about 65% of those vehicles cited were towed. The reason there's a discrepancy between the two is that between the time a vehicle receives a citation and the time that a tow car is available to pick it up, the people may in fact leave the closure area in that window of opportunity. And that really is all I had.

Hales: Great, thank you. Who's next?

Art Pearce, Portland Bureau of Transportation: I think I'm next. We're demonstrating all the different City agencies it takes to help support these efforts.

Coming out of the nighttime closure work, we heard requests that not just during the weekends and not during just these late evening hours, there was a desire from Old Town businesses and Chinatown businesses to see a more livable streetscape as a more permanent structure there. So, PBOT was engaging at the request of the adjacent property owners and the Old Town/Chinatown Business Association to come up with a suggestion of a pretty simple striping change we could make to the section of 3rd Avenue from -- specifically Davis to Stark. So this is a hard graphic to see. We were hoping we would have "after" pictures to show today. We thought we might be able to do that this past weekend -- it's likely to happen this coming weekend.

The key piece of it is that -- particularly in that area right around Ankeny Alley -- we're able to narrow the number of vehicle lanes, add in a protected bicycle lane, and create about 28 feet of additional plaza space for Ankeny Alley. Just by some restriping and really we think minor operational tweaks, we'll be able to narrow down that space.

A lot of the concerns we heard was about the crossing of 3rd itself, but also the crossing of Burnside and the crossing over to Ankeny Alley -- that the pedestrian

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environment is not very friendly the way it's designed now. So, we think this change is a relatively minor tweak, but it will make a real difference in the 24-hour day experience of this area.

It also comes with eight additional crossings -- and this is one of the areas where we just did those raindrops crossings at 3rd as well. That's sort of a hint to come of what the street might be able to look like long-term.

Hales: Eight crossings on 3rd itself or not all?

Pearce: I think it's the surrounding area. It's sort of complementing that. So we hope that probably this coming weekend will be when that striping will occur, so we'll show some pictures or direct you to those.

Hales: Great, thank you. Sarah, welcome.

Sarah Harpole, Portland Development Commission: I think a recurring theme is both the interrelationship of the number of activities and the inter-bureau effort, and that was echoed in the five-year action plan that was before Council a year ago. We're one year into a five-year plan, and that was a three-pronged effort to focus on business vitality, neighbor investments, and livability efforts. And so, I wanted to highlight one effort in particular.

Last year, we unrolled the community livability grant program for the first time in Old Town/Chinatown, and we awarded five projects through that grant program and I want to highlight one project in particular that's related to the efforts we're discussing today along 3rd Avenue.

One of the challenges that we highlighted in formulating the action plan was the challenge crossing Burnside and some of the balance of uses and activities that we have seen in Old Town/Chinatown. So, the Ankeny Alley Association is a nonprofit association that was founded by the businesses that are adjacent to Ankeny Alley to activate and effectively program that area. They applied for a grant to improve the cleanliness, the safety, and the activation of Ankeny Alley, as well as expand and capture some of the unused right-of-way into the 3rd Avenue plaza area. They were looking to improve some of the drainage challenges they have and some of the safety and livability challenges with sight lines that would allow them to reconfigure and better program the space in collaboration with some of the partners you see here today who would allow them to better program.

As was mentioned, Ankeny Alley -- as well as other old areas of Old Town/Chinatown -- are one of the premier destinations of Old Town/Chinatown when you think of entertainment. If you Google what to do in Portland, you will see Voodoo Doughnuts, you will see Ankeny Alley, you will see Old Town/Chinatown as an entertainment destination. We saw this project as a way to highlight how to enjoy Old Town/Chinatown as a positive entertainment destination, and this nonprofit association has really focused on doing that in a positive way and the positive activation of this plaza was seen as a pilot to help demonstrate that.

So again, it's about an \$88,000 project. PDC through our grant program they're providing the majority of funds, but the association is also bringing in-kind dollars as well as real dollars to the match for this project.

We are currently in the process of working on operations and maintenance agreement and securing the final design and bids for the project, and hope to wrap that up by the end of the year, at which point they can move forward with construction and hope to be over for the next spring season.

I think one of the key things to feature is the staff at the Bureau of Planning as well as PDC and other partners, including the Clean and Safe at the Portland Business Alliance, have been focusing on how to positively program this space. It is a significant improvement -- [indistinguishable] -- expansion of space that goes beyond just the

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businesses' immediate front doors, and so how to make this a positive environment that is adequately programmed and creates the kind of space and activities we would like to see in this space will be important and so the operations and maintenance agreements are an important first step. And again, having this active environment helps bridge that to be able to cross Burnside to the closure area.

So again, touching quickly on some of the benefits of kind of the improved drainage that would allow them to better reconfigure and orient their space and better program their space, and again, that connectivity. It's really a good pilot program of how we can see positive activation and entertainment uses through kind of a broader range of hours within this area.

Hales: Thank you all very much. Questions for this panel? Great work. I know we Ryan Hashagen here from our community advisory group and some others that want to testify, as well. We'll bring you up, Ryan, since you've been part of this project since the beginning.

Ryan Hashagen: Hello, Mayor and Commissioners. My name is Ryan Hashagen, I've run Icicle Tricycles and Pedalworks in Old Town and I'm the chair of the 3rd Avenue stakeholder advisory group. Our group includes a wide range of stakeholders from social service providers and residents to night life businesses. Over the last several years, our group has worked in partnership with the City, Portland Police, and PBOT to enhance the live ability of our neighborhood.

While the street closure has enhanced public safety for the people enjoying the night life of Old Town, it also brought our community together to create a plan for incremental neighborhood improvements for everyone in Old Town. With the help Chad Stover from the Mayor's office, PPB, Commissioner Novick's office, PBOT, and Better Block PDX, our stakeholder group has seen the City designated taxi loading zones on Burnside; installed eight new crosswalks on 2nd, 3rd and 4th Avenue; created better access to the Smart Park garage; and will soon see the restriping of 3rd Avenue and a future expanded plaza at Ankeny Alley.

These improvements recognize the historic nature and density of uses in our neighborhood and create safe routes for people and maintained mobility for all users. They improve pedestrian crossings and connections in the neighborhood, calming traffic speeds and allocating a dedicated space for people walking and biking while also maintaining neighborhood parking and mobility for all users with no anticipated additional traffic delay.

The overall projects stem from community demand for a safer more walkable Old Town/Chinatown for residents, visitors, locals, and tourists at all hours of the day. With the help of Better Block PDX, a pilot project brought our community vision to the street and we had the opportunity to test out what worked and what didn't work. This allowed our stakeholder advisory group and the Old Town/Chinatown community association to reach a unanimous decision in support for the 3rd Avenue street safety plan. These plans build on the PDC's five-year action plan for our neighborhood by increasing access north and south across Burnside and creating opportunities for better daytime business environment in Old Town/Chinatown.

Our stakeholder group will continue to meet and provide feedback on the results of the street closure and the street safety plan. We've had active recent discussions with the City regarding reducing the amount of vehicles towed, installing TNC loading zones, and reviewing the seasonality of the closure in addition to managing parking with later meter hours. Our stakeholder group would like to thank the City, Portland Police, and PBOT for responding to our community needs and continuing to work for a better Old Town/Chinatown for all visitors and locals to enjoy. Thank you.

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Hales: Thank you. Really appreciate your leadership on this and you pushing us to try experiments as a way to figure out how to make places better. It worked.

Hashagen: Thank you.

Hales: OK. I see we have some other folks signed up to testify, is that right? Lisa Frisch from the PBA is here. Lisa, why don't you come on up and we'll take you first and then we'll take the sign-up sheet.

Lisa Frisch: Good afternoon, Mayor Hales and Commissioners. My name is Lisa Frisch and I am the downtown retail program director for the Portland Business Alliance and Downtown Clean and Safe.

I'm here to support the Old Town/Chinatown Community Association and their efforts to foster a vibrant neighborhood. You've just heard testimony -- well, you haven't heard testimony, sorry -- you just heard staff members talk about the Old Town community's support of the extension of the entertainment street closure project and the 3rd Avenue restriping plan. I want to reiterate that this is a success story.

When we were here two years ago, there was considerable conflict with residents and entertainment-based businesses in the neighborhood. The City has proposed formalizing street closures in the night life area, closing the area to cars to allow for safe pedestrian passage as well as visibility for the police to spot any trouble that might occur. The project was met with concern from both residents and long-standing businesses in the neighborhood. The night clubs were very worried about the real threat the street closure could pose to the survival of their businesses in the district, but the night clubs took this as a challenge as a call to action on their part to ensure patrons were engaging in safe and responsible behavior in the district. They organized a hospitality committee, developed standards and best practices, and have engaged in self-policing to improve their operations and reaffirm their commitment to the neighborhood and being good neighbors in the district.

For the past two years, the committee has been working closely with partners, including Portland Police and the Bureau of Transportation, on enhancing the environment for pedestrians during the day as well as Friday and Saturday evening. Enhancements suggested by this committee that you just heard included adding new crosswalks on 3rd Avenue and Davis Street amongst others, supporting the development of an active Ankeny plaza, modifying the street closure to open Davis Street to allow access to Smart Park garage and hopefully reduce the number of car tows, creating taxi pickup zones in the closure area for their patrons, and the overall 3rd Avenue restriping plan that you just saw.

The initial restriping plan developed by Better Block PDX seemed really focused on restricting automobile access, much to the chagrin of long-standing neighborhood businesses that rely on this auto traffic to bring customers into the district. We applaud PBOT's efforts to develop a comprehensive plan that accommodates existing automobile traffic and retains much-needed on-street short-term parking for customers in the area. The width of the street allowed for a bike lane to be added and should not negatively affect capacity levels in the neighborhood.

It is not easy for a project to satisfy the needs of varied interests in the neighborhood, and I want to again thank committee members and City representatives for truly making this work for all Portlanders. Both the ongoing street closure project and the restriping plan support the ongoing vibrancy in the Old Town/Chinatown neighborhood and the City's adopted five-year plan for the district to spur market-rate housing, retail, and restaurant development. Thank you.

Hales: Thank you. Questions? Thanks very much. Who else do we have signed up, please? Come on up. Mr. Walsh, I think you're first.

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Joe Walsh: For the record, my name is Joe Walsh and I represent individuals for justice. We have no serious objections to this. We think it's a good idea, it should be extended for the year. We do have some concerns about the noise level, but my understanding is this is on weekends and it ends at 2:00. I asked some questions of one of your staff and we have no serious objections to this.

However, I think the police department could at least be sensitive to the noise level. You know, once it gets 3:00, 4:00, that noise travels. In our apartment complex, we have people coming and going on Friday nights and Saturday nights going to party. It's part of living. You know, you've got to be a little flexible. However, it shouldn't be ignored, and it's a problem because we don't have -- apparently in this city -- a really good noise level monitor. You know, we seem to be always talking about sending somebody out -- check it out, find out what's going on. My understanding also from your staff again is this lasts about an hour after the people come out of the bars. I haven't been in a bar so long, I had to check the closing time, but that's from 2:00 to 3:00. So, those are our concerns. We like the idea. It sounds like fun. People should be able to enjoy their lives within reason. Thank you.

Hales: Thank you. Mr. Lenzen, welcome.

Dan Lenzen: Howdy. Good afternoon, Council members. My name is Dan Lenzen. I'm a partner with venture hospitality and real estate. We have 30 years of experience owning property and operating hospitality venues in Old Town, Portland. I am also a board member with the Old Town Community Association and chair of the Old Town Hospitality Group representing nearly 40 restaurants, bars, and clubs in Old Town.

Prior to the street closure, hospitality businesses in the closure all vied for business in a vacuum, meaning the collaboration between business owners, management, and staffs was minimal. As the closure continued and in 2013, a collaborative of businesses emerged named the Old Town Hospitality Group or OTHG. This group quickly found its voice and since has moved on to making great strides.

Some of the accomplishments that have come of it are advocating for better mobility; shared resources in employees and management; mitigating issues and lowering calls for service; working actively and proactively with police, fire agencies, OLCC agencies; marketing outreach to the metro area; creating and distributing a best practices for neighboring businesses; and coproducing the Portland bar academy with big village to raise the bar.

Members of the group are actively involved with the 3rd Avenue steering committee, Ankeny Alley Association, Old Town/Chinatown Community Association, and our national speakers. Businesses in the street closure have said how much they enjoy working with Sergeant Simon and his associates from Portland Police, John Maureen [spelling?] from OLCC, and Rob Cruiser from Portland Fire. These individuals have fairly worked to achieve compliance through the respective roles they enforce.

The surviving businesses in the street closure have adapted and innovated during this time. Now, they're doing better.

Old Town Hospitality Group generally is a proponent of the extension of the ordinance. The support comes with the caveat to continue finding ways to implement the recommendations previously submitted by the Old Town Hospitality Group to include seasonality with a final goal of possibly removing the street closure as it is if it morphs into something else. From the hospitality group, we thank you for this opportunity to speak.

Hales: Thank you. Thanks for your work. Mr. Isaac, welcome.

J.E. Isaac: Thank you, Mayor and Commissioners. J. Isaac with CFM, we're representing Oregon Theater Management which owns and operates the Roseland Theater, which is an Old Town entertainment venue and member of the Old Town Hospitality Group.

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We believe the history of the closure thus far is an excellent example of public-private joint efforts to improve our community. We support the continuation of the closure for an additional year, provided -- as others have mentioned and will mention -- that Davis continues to remain open. That was a tweak that our group asked for last year, and it was instituted and it's been great.

The recent efforts to reduce towing of cars -- which creates an unbelievable amount of bad will -- if we can continue that and not only continue it but augment it and try to figure out a way where there can just be really expensive ticketing or something so that people don't have to go through that really expensive situation of waiting on their car all night and paying \$400 or \$500.

Physical improvements that are being planned and talked about -- hopefully, those can be brought online as soon as possible.

We strongly support this idea of this year trying seasonality. And what seasonality means, not to reduce the police presence -- hopefully, that would continue to be 365 days a year -- but in the heart of winter where we really don't see the type of street activity that we see other times year, it may be possible that we wouldn't have to close streets at all for certain weekends say in January, February when we're having the wettest part of our weather. So that's what we would like to see going forward -- a test of that this year.

Novick: Mr. Isaac, this is a bit of a tangent, but you brought up the issue of towing. One of the things we've been looking at at PBOT is should we move from a system of towing to one where we rely on boots?

Isaac: The boot idea -- I didn't know if we had that technology or could do that but I think that's an excellent idea because there is the issue of if someone comes out of the bar during the closure and the barricades are up, how are we supposed to do deal with that? A ticket probably won't do it but I think boots or something like that would be an excellent solution.

Novick: Thank you.

Hales: Good thank you. OK. Others that are signed up to speak, come on up. Welcome.

Karen Bowler: Thank you. Hello, Council. I'm Karen Bowler with Tube and Fortune in Chinatown. Turns out I'm reiterating a lot of what J. Isaac said. I'm a member of the Old Town Hospitality Group. We'd like to request that the City stops its practice of towing vehicles parked in the street closure.

Currently, drivers must pay around \$300 in tickets and tow fees to get their vehicles back. Additionally, a driver must go to a lot under the freeway in industrial Northwest to wait until 6:00 a.m. for the tow yard to open to reclaim their vehicle. Needless to say, we've all had countless former patrons tell us they will not return to Chinatown again after such an experience. Frankly, we do not feel that we can afford to lose 18 vehicles' worth of customers every week. We believe that the \$90 ticket currently issued is punitive enough to deter repeat offenses and yet reasonable enough so as not to deter people from coming back to the district.

Additionally, I'd like to thank you for declaring a state of emergency for housing the homeless in Portland. We're excited to see more beds become available for those in need. I do ask that you please also address the other piece of the puzzle by establishing enforceable laws to curb nuisance behavior by those on the street. We are truly hoping that this state of emergency will help homeless people as well as local business. Thank you.

Hales: Thank you very much. Welcome.

Steve Entwisle: Good afternoon, Council. I was told not to speak too close to the mic.

Hales: You're fine, that's good.

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Entwisle: Steven Entwisle. I am a cofounder of Oregon healing man sanctuary. I'm also an advocate and whistleblower for the less fortunate, and this is one of the issues that we've been dealing with for a long time.

We have here in this city an historic indifference towards local residents. Let me repeat that again. We have in Portland a historic indifference towards local residents living here for a long time in these areas that are affected by noise. Noise is the n word that nobody wants to speak about because we have a problem with that.

I'm a noise-affected person on a daily basis because I live next to one of these bars and when you try to make a complaint, when you try to get any kind of result -- best practices are never in use, not for us, not for the people, okay. But it's actually -- when you complain, there's bad will that comes at us. We are the neighbors. We're the ones that are there that live there. We're not there partying. We're there living there. Some of us work and live and when you take away our ability to sleep, it takes away our health, it steals from our job, it steals from our livelihood, the livability is basically what you guys are doing is irresponsible capitalism.

You talked earlier this morning about responsible capitalism, Mayor. This is irresponsible capitalism. When you ignore the needs of the citizenry of your City and just go over the top and don't care about them, don't care about their complaints. And then you go well, nobody complained over here. Everything must be fine, right? No, it's not. People getting hit on the chin every night. They've complained. But you know what? They get no results, nothing happens. How many citations have you given these bars on noise in the last year? Two years? Three years? Tell me how many? Does anybody know?

People are dying. Homeless folks are trying to get into housing. Some of these areas. They're leaving that housing because of the noise and they're going back on the street. Think about that for a moment. I think the officers should be required to live in the housing units affected by the noise. Thank you.

Hales: Thank you very much. Anyone else? So any Council questions for staff? This actually is going to come back for a second reading. I have a few comments and others may want to make comments as well.

First, I want to appreciate the comments that were made in the hearing about both noise and towing. I think those are two issues where we have to tune this particular tool a little bit better. I've been out with the team sometimes to see how it works, and the noise level is significant. I think we only have one and a half or two now noise officers for a city of 600,000 people, so managing noise in an increasingly busy city in a very busy entertainment district is a challenge and I appreciate the points that were made about noise.

I think Commissioner Novick may speak to this as well, but it's certainly not the City's goal to tow people. We certainly want this public space to work, so that's why vehicles that are there when the closure starts are ticketed, and I like the suggestion about boots and certainly think it's worth pursuing but I want to reflect on the success here overall and the huge progress that's been made in a couple of years.

This went from a damage control strategy in the Police Bureau to a community-building effort led largely by people from the community with support from the Police Bureau and elsewhere, and that's the way it should be. I appreciate the business owners and the organizations that have stepped up to build that civic infrastructure that makes this a great neighborhood and so it's our job to be an effective partner for that. I think it's pretty remarkable -- and I think Dan does, too -- to see where we are now given where we were. And it's our goal as a City for this to be a lively, successful entertainment district and a great neighborhood. And that's a difficult balance to strike, but it certainly sounds to me like we're striking it better.

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The other comment I want to make is to just thank Chad Stover, a member of my staff, who gets strange assignments like Last Thursday and this, we sometimes call him the “manager of mayhem” in our office, but it’s not mayhem at all, because now it’s actually a pretty lively place where people are getting along by and large and I want to commend Chad for his good work and thank him very much for working with the community to get to this level of agreement that I don’t think anybody might have had any reason to expect a couple of years ago.

Any other folks want to make comments at this point? I want to thank you all, this will be scheduled for next week, and we’re recessed for 20 minutes until we take up our next time certain.

At 2:38 p.m., Council recessed.

At 3:02 p.m., Council reconvened.

Hales: Good afternoon. We’ll come back to order, please. Would you please call the roll?

Saltzman: Here. **Novick:** Here. **Fish:** Here. **Hales:** Here.

Hales: Welcome, everyone. We have a single item remaining this afternoon and I’ll have Karla read it in a moment. I want to welcome you to this hearing. If you’re here to speak, we will have a sign-up sheet, so please let our Council Clerk know if you would like to speak. If you’re here to speak on this issue, you need to give us our name, you don’t need to give addresses and such unless you’re a registered lobbyist representing an organization.

We maintain the rules of politeness here in this chamber, so if you agree with someone and want to validate their point of view, give them a thumbs-up. If you don’t agree with someone and want to disagree with their point of view, give them a polite hand gesture to the contrary, but we ask that we not make vocal demonstrations in favor or against our fellow citizens’ points of view here so they can all be heard. So with that simple ground rule, please let’s hear the item 987.

Item 987.

Hales: Welcome. I’m going to call up Zach Klonoski and our Treasurer Jennifer Cooperman and shortly, I will call up our County Chair Deborah Kafoury, who I very much appreciate being here. Just a few comments from me as we get started.

This is quite a day for the climate here in Portland. In the course of this day, we’ve listened to Pope Francis address a joint session of Congress and talk about his encyclical about care of the earth and care for people. We’ve seen the first Portland bike share bike with the Council there to celebrate that moment, and now, we’re here to talk about the very concept that Pope Francis spoke about this morning, responsible capitalism. How do we invest public dollars in a way that is both socially and environmentally responsible while still being true to our fiduciary responsibility to take good care of our citizens’ money? And that’s what we’re about here with this resolution.

We’ll have our staff -- Zach Klonoski from my office, and Jennifer Cooperman -- present this here momentarily. But before they do that, I want to thank 350.org and 350pdx.org and countless other organizations who have been advocating for this and have been patiently waiting for their public agencies -- first Multnomah County this morning and this afternoon, the City of Portland -- to put our values into policy. So, I appreciate that advocacy. I suspect we may hear a little bit more of it this afternoon, but thank you for coming to do that. With that, let me ask Zach and Jennifer to walk us through the resolution.

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Zach Klonoski, Office of Mayor Charlie Hales: Good afternoon. Mayor Hales, members of the City Council, for the record, my name is Zach Klonoski, I work for our City and the Mayor's Office.

Fish: Zach, is this your first official appearance before Council?

Klonoski: This is my first official appearance.

Fish: Mayor, I think we should acknowledge that.

Hales: Hear, hear. [applause]

Klonoski: Thank you. I am honored to bring forward Mayor Hales' resolution which, if enacted, will add the top 200 publicly-traded coal, oil, and gas companies ranked by the amount of CO2 each currently holds in their proven fossil fuel reserves to the City's corporate securities do-not-buy list, effectively disinvesting the seat from fossil fuels. In Portland's 2015 Climate Action Plan, the City pledged to establish a divestment policy by 2020. This resolution makes good on that commitment.

The divestment movement began with 350.org founder and renowned climate scientist Bill McKibben who I'm thrilled to say will appear via video during today's hearing. Now, I originally planned to go into great detail about the science behind climate change, but I think we can all agree that the science is settled. Climate change is here and it is already having devastating effects on our city and state. From this summer's devastating wildfires that filled the Portland air with thick black smoke, to the unprecedented warm water temperatures in the Columbia River and its tributaries that led to massive salmon die-offs numbering in the hundreds of thousands, to the record breaking summer days where we all sweated in temperatures soaring above 90 degrees -- indeed, the things that define our state are now threatened. From our pristine air and water to our beautiful snow-peaked mountains, from our lush seemingly endless forests to the salmon that swim in our rivers and have sustained the people of this region since time immemorial, it is clear that the Oregon way of life, our way of life, is in jeopardy due to climate change.

I promised not to get bogged down in the science of climate change, but I do want to leave you today with one scientific fact. At the current rate of fossil fuel burning, we will surpass the earth's carbon budget. The carbon budget is the amount of CO2 scientists say we can safely emit and still have a good chance of staving off runaway climate change. We will surpass that budget in approximately 15 years -- before a baby born today would be eligible to get their first driver's license or go to their prom -- and that's why we are all gathered here today.

Simple facts and observed realities have allowed humanity to put fossil fuel companies' core business model on trial, arguing that those companies have become rogue actors whose continued record profits rely on radical climate destabilization. Any institution claiming to serve the public interest has a moral responsibility to liberate itself from these contemptable profits, profits made at the expense of our communities and of the planet's future.

In her recent book on Climate Change: This Changes Everything, Naomi Klein captured the spirit and practical effect of the divestment movement when she wrote, "the divestment movement is not meant to bankrupt fossil fuel companies. Rather, it is meant to chip away at the social license with which these companies operate. It is socially and morally unacceptable to be financing fossil fuel extraction."

By passing this resolution today, we are joining a growing chorus of men and women, scientists and citizens, governments, universities, faith-based groups, and institutions from around the world that are standing up to fossil fuel companies and saying that your fundamental model of extracting and burning carbon is creating an uninhabitable planet. You must stop. You need a new business model. Just yesterday, Pope Francis said at the White House, "it seems clear to me that climate change is the problem which

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can no longer be left to a future generation. When it comes to the care of our common home, we are living at a critical moment of history.” And the world is rising to this moment.

As of two days ago, it was announced that investors representing \$2.6 trillion in assets have pledged to cut fossil fuels from their portfolios. That is a 50 fold increase from the \$52 billion that had been pledged at this time last year. Let’s live up to this moment and add Portland’s portfolio to the list.

Hales: Thank you very much.

Klonoski: Unless you have any questions for me or for Treasurer Cooperman, I’d like to turn it over to invited testimony.

Novick: Actually, Zach, I do have one question. I noticed that there is one company on the list that has a significant local presence, I was wondering if we had talked to them about this -- Evraz.

Klonoski: I believe we reached out to Evraz and let them know they are on the list.

Novick: OK. That’s a reasonable courtesy.

Hales: It is.

Klonoski: It is, thank you.

Hales: So simple question from me. We are unusual as a city in that we have had for a very long time a triple-A bond rating by Moody’s and other services. Do you see any threat to Portland’s bond rating or the health of our fiscal balance sheet if we do this?

Jennifer Cooperman, City Treasurer: No, I do not.

Hales: Thank you very much. Any other questions for our staff? Thank you both. I’m now very pleased to ask Chair Kafoury to come forward. The County board acted on this same policy issue earlier today under her leadership, and I’m very happy to have you here this afternoon.

Deborah Kafoury: Thank you. It seems like I’m a frequent visitor to your building, I’m wondering when I can get my own office.

Hales: It’s only reasonable.

Kafoury: Good afternoon. Thank you. My name is Deborah Kafoury, I’m the Multnomah County Chair. I very much appreciate the strong partnership that Multnomah County has with the City of Portland in addressing one of the most challenging issues of our time, the threat of climate change.

Portland is a recognized leader on this issue and today, you have an opportunity before you to continue that leadership. We were honored this morning to have the Mayor join the County board to support our adoption of a fossil fuels divestment policy similar to a resolution that is before you this afternoon. Together, we are sending a clear message with these policies that we must accelerate the transition from fossil fuels to a future of clean renewable energy. The era of fossil fuels is ending, and we are backing up those words with action.

Where we invest our dollars is a reflection of our values, and investments in fossil fuels conflict with our sustainability values and our mission to protect the most vulnerable in our community. We know that the burning of fossil fuels pollutes our air, water, and land -- the building blocks of life and a crucial part of our identity as Oregonians. Even more concerning, the burning of fossil fuels is the primary cause of global climate change. For Multnomah County, this means we are now facing hotter summers that will increase the risk of heat stroke and respiratory disease, and warmer winters that will lead to an increased risk from vector-borne diseases like the West Nile Virus. And these aren’t far off impacts. This past summer was a post card from the future. We had 29 days with temperatures over 90 degrees, which is a record for Portland. We opened our cooling shelters more frequently in response to make sure that seniors and people with pre-existing medical conditions could get out of the heat.

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Pollution and climate change are fundamentally environmental justice issues. The impacts fall hardest on those who are already struggling with some serious health and socioeconomic inequalities in our community. These are many of the same people that Multnomah County already serves: older adults, our homeless population, people of color, and low-income community members. This is true all across the country, where low-income people and people of color often face the worst exposure to the negative impacts of fossil fuels. It is for these reasons that the County supports fossil fuel divestment, and we encourage the members of the City Council to do the same. Thank you.

Hales: Thank you very much. Thank you. Let's suspend the rules and thank our chair. [applause]

Fish: Mayor, I just got a text from Fred Miller. He did find the Chair a very attractive office in our building. [laughter] Where to send the rent bill?

Hales: Thank you very much. OK. We have some invited testimony I'd like to bring up now. Sandy Polishuk from 350.org, Colin Price from Oregon Environmental Council, and Ashley Henry. Come on up. Good afternoon, and welcome.

Sandy Polishuk: Good afternoon, Mr. Mayor and Council. My name is Sandy Polishuk. It's with great pleasure that I speak to you today as we in 350 PDX celebrate this landmark.

Mr. Mayor, from the moment we heard you come out for divestment on June 5th, 2013 World Environment Day press conference,, since you shook Bill McKibben's hand over this idea the next month, since we met the same summer with your fellow Council members and secured their support, we've been waiting for a vote. So, thank you for bringing us here today.

Climate scientists tell us we must keep 80% of fossil fuel reserves in the ground if we are to maintain a livable climate, which is why the divestment movement's ask is no more investments in the carbon tracker 200 companies, those fossil fuel companies with the largest reserves. These companies continue to search for more reserves. Shell is pursuing extreme drilling in the highly-risky Arctic as we speak. Exxon is spending \$90 million a day exploring for new carbon reserves at a time we can't afford to burn most of the reserves they already have. These companies' balance sheets are based on their reserves. They are resources which will become stranded assets when global policy catches up with science.

At times, our campaign has been frustrated. While we waited for the Mayor to turn his pledge into action, the City added fossil fuel companies on the carbon tracker 200 list to its portfolio: \$61 million in bonds in Chevron and Exxon-Mobil. Because of these new investments, the City will not be divested until March of 2018 instead of this coming June.

Back in 2013, we proposed a straight divestment resolution. Although we welcome the addition of carbon tracker 200 to your do-not-buy list, it's important to point out that this puts the most destructive industry in human history up for review again next year. So while we're excited that the current resolution is finally before you for a vote, we're still going to urge you to go further and pass a permanent resolution just as the County did this morning.

Thank you for your forward-thinking choice for our city. Your decision to no longer invest in these companies will not only be consistent with the climate planning you've been doing putting our money in line with our values, but a wise financial one, as well. Thank you.

Hales: Thank you. Good job. [applause] Thank you. Welcome. Good afternoon.

Colin Price: Good afternoon, Mayor Hales, Commissioners. My name is Colin Price, the director of market innovation with Oregon Environmental Council. Oregon Environmental Council is here to testify in support of this resolution that would add the 100 largest coal

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companies and the 100 largest oil and natural gas companies to the City of Portland's corporate securities do-not-buy list.

In making the move to no longer buy securities from the largest oil and gas producers, Portland is taking action like other Oregon cities -- including Ashland, Corvallis, and Eugene -- who all voted to divest from fossil fuels in 2014. Oregon Environmental Council believes that changing the targets of our city's investments combined with a full and robust implementation of our city's Climate Action Plan will help the City of Portland to better align itself with the values of its residents while setting an example that other cities and institutions can follow.

We also believe it's important for the City of Portland to make sound fiduciary decisions. It's time for Portland to disentangle itself from the industries chiefly responsible for the climate crisis that threatens the health and wellbeing of our people, our businesses, and our ecosystems.

Oregon Environmental Council's own experience shows that a fully-divested portfolio can provide rates of return that are in line with market performance. Earlier this year, OEC made the decision to divest our entire endowment portfolio. OEC moved our endowment funds to a portfolio that reflects our values and our commitment to clean water, a healthy climate, and an unpolluted landscape as well as our commitment to long-term financial sustainability. One year later, our experience shows that it is possible to make principled investment decisions without sacrificing returns or taking on additional risk.

I'd like to thank Council for supporting this resolution and I'd also like to thank 350 PDX and our other partners for moving this forward.

Hales: Thank you very much. Ms. Henry, welcome.

Ashley Henry: I'm Ashley Henry, I'm here today as someone who served on the temporary socially responsible investment committee last year and I'm really pleased that this conversation has advanced to the point that it has so that you're actually evaluating putting these companies on the do-not-buy list, which was something that we didn't as a committee have the opportunity to propose. So, thank you very much for this opportunity.

When I was asked to serve on the committee, I was at the time an employee of a nonprofit organization that advocates on climate and clean energy policy called Climate Solutions. I've gone on to work in the financial industry, and I'm pleased to say that one of the areas in which our company is active is in the development of renewable energy, which is a growing economic opportunity globally and certainly in the state of Oregon.

And, of course, we've already spoken about how climate change is one of the great moral issues of our day -- certainly don't need to emphasize that anymore, but one of the things that I am so glad that Chair Kafoury pointed out is the human impact and the impacts that climate change is already having on our most vulnerable citizens in Multnomah County. So, I'm really grateful that that part of the conversation is very vibrant because this is not just about polar bears, this is about human lives in our own communities and you taking action on this is an expression of your commitment to the diverse communities that we have here.

I know that historically, there have been some questions around whether or not our investment policies as a City should be politicized, and I would argue that if you were to continue investing in fossil fuels, that in and of itself would also be a political act. The question is not whether to stop investing in fossil fuels but whether we are complicit in a global disaster that is ongoing.

We certainly recognize that those who manage the City's investments have a fiduciary duty to maximize returns, and yet there are significant questions about whether it is lucrative in the long run on a risk-adjusted basis to remain invested in fossil fuels with the risk that massive assets could become and remain stranded. So, of course, you as

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elected officials have a duty to serve the best interests of your constituents, and thank you for bringing me here today.

Hales: Thanks for your advocacy and help. Thank you all very much. [applause] Let's take the next three, please. We'll take the people who are here in person first, and then we'll see if the technology will support the conversation.

*****: I'm going ahead of Bill McKibben?

Hales: How does that feel? [laughter]

Mia Rebeck: Thank you, Portland City Council and thank you, Mayor Hales, for inviting me here today. My name is Mia Rebeck and I work with 350 PDX, the local chapter of 350.org.

I want to start my testimony by commending the City of Portland for adding the carbon tracker 200 to the do-not-buy list. This is a good first step to remove ourselves from the global fossil fuel economy.

Today's resolution has potential to do more than just stop the City from investing in coal, oil, and gas. We hope that today's actions at both the City and County will inspire colleges and universities in Portland like Portland State University, Lewis and Clark, and my alma mater Reed College -- all of which have student-led divest campaigns.

Climate change is one of the biggest threats of our times, and it's one of my priorities as a young woman to make sure we in Portland are not complicit in escalating the crisis. From unprecedented heat waves to wildfires and salmon die-offs, the effects of climate change are starting to be more noticeable in Oregon, and I'm terrified. We're lucky in Portland to have a grassroots community dedicated to addressing climate change, and elected officials who talk about taking immediate action to reduce our collective contribution to climate change while also increasing things we need more of, like public transit and renewable energy.

Today's resolution signifies that we must do more than just reduce our carbon emissions at home. In addition to our financial resources, we must look at our physical resources, like our industrial land and our port terminals, and start the process of removing those from fossil fuel uses. As a city, we must focus our resources and instead invest in local living-wage jobs and the renewable energy and clean technology sectors, as well as in sustainable agriculture.

We at 350 PDX look forward to continuing to work with the City of Portland on implementing actions in the Climate Action Plan while we build a strong and resilient grassroots climate movement. Thank you all.

Hales: Thank you. Christy, welcome.

Christy Splitt: Thank you very much. Mayor Hales, members of the Council, thank you for the opportunity to testify today. For the record, my name is Christy Splitt and I'm here representing the Oregon League of Conservation Voters and the thousands of OLCV members that live here in the city of Portland.

We support the resolution before you today for all the reasons that you've already heard, but we also think it makes it really clear: Portland will stop investing in the carbon tracker 200, some of the worst polluters in the world. Bottom line? That's a good thing.

We also want to thank you for your continued leadership on addressing climate change here in the city of Portland. I work in the state legislature for the most part, and you set an example for the rest of the state. I hope you'll continue to do that.

I also want to give a big thank you to 350 PDX and 350.org for their leadership on divestment and echo their call for a permanent resolution as well as investments -- not just divestment, but investments in the sort of future economy that Portland needs to be a center of.

Finally, we look forward to working with 350 and the Council on ongoing local and state action to address climate change.

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Hales: Thank you, thank you both. I think we can play the video, if Zach can make that magic happen. It takes a village to operate our video system, so give us a moment. Thanks very much.

Bill McKibben: I wish I was there in the most beautiful city in the country. I'm very grateful for this resolution around divestment. It plays an important part -- one part, but an important part -- in this ongoing fight against climate change. You all there in the rapidly-changing shadow of Mt. Hood with the smoke from this summer's horrendous fires still in the air -- you have a better sense than people in many places of just how fast this crisis is breaking upon us and the fact that therefore we need to do everything we can do to slow it down. One key part is what you're about with this resolution.

To begin the process of breaking the political power of this industry, of making it impossible for them to any longer stand in the way of sensible climate policy. We've known for a long time the kinds of things that we would need to do to deal with climate change -- a price on carbon, say -- but we haven't been able to do them because the power of this industry is too strong. This step is one powerful way to show solidarity with the victims of climate change, particularly the poorest and most vulnerable people around this country and around the world.

We're so grateful that you're engaging in it, and we look forward to welcoming you to the likes of Stanford and Oxford and Prince of Wales and the Norwegian Sovereign Wealth Fund and the Anglican Church and the United Church of Christ and the Unitarians and everybody else who has stepped up to the plate. Thank you very, very much.

Hales: Great thank you. Let's take public testimony from any who have signed up, please.

Moore-Love: We have 10 people signed up. The first three, please come on up.

Hales: Mr. Parker, I think you're first.

Terry Parker: Thank you. My name is Terry Parker, I'm a fourth-generation Portlander. I forgot my hat today but consider I'm wearing it.

Is this no-buy policy more social engineering that's going to short change and cost Portland taxpayers? The question has relevancy because due to social engineering, Portland has become a city of shortages, double standards, and inequitable taxation. A shortage of parking has proliferated because the City does not require developers to provide adequate off-street parking. This pits neighbors against neighbors. Drivers looking for scarce parking places are forced to consume more of the fuel the City wants to divest from. Now, the City wants to charge drivers for parking on the streets for which they already pay for with gas tax revenues, ironically for a problem City policy helped create. This price tag for social engineering unacceptable.

Likewise, the City is creating a shortage of road capacity that is increasing congestion. The road diet plan for Foster Road will escalate engine running and idling time by a whopping 1180 hours daily. Add in other examples, such as the road diet on Glisan and the mess PBOT made of Division Street, and once again, through social engineering, the City is significantly increasing public consumption of the divestment product.

Then, there's the Robin Hood approach to funding bicycle and transit infrastructure, which is why there's a shortage of funds for maintaining streets and roads. In contrast, taxpayer equity would require all transport modes -- the users of all modes to proportionally pay for the petroleum-laden asphalt they utilize and specifically reserve. This includes bus riders paying for roadways and bicyclists exclusively paying for the \$800 million to accommodate bicycling in the Portland TSP.

Any disinvestment in fossil fuel companies must also be coupled with a disinvestment in city government flaunting the use of those same fuels. This must include eliminating the entire City fleet of automobiles and replacing travel for public servants with the three Bs: backpacks, bicycles, and bus passes. By the same token, individual airline

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miles travelled have a similar carbon footprint driving a modern fuel-efficient car the same distance. Two round trips to Washington, D.C. or one-round trip to Europe have about the same carbon footprint as an average motorist who drives 10,000 to 12,000 miles per year. Since airline travel is fossil fuel-intensive, any no-buy policy must be accompanied with a no-fly policy for public officials. It's called walking the talk.

Finally, the numbers of two-legged feet have a direct impact on any human-related carbon footprint. If making a statement is so vital that you adopt this fossil fuel disinvestment policy, you also need to end your silence and confront the elephant, that elephant being population growth and the negative impact overpopulation has on our environment. Thank you.

Hales: Thank you. Mr. Walsh, I think you're next.

Joe Walsh: My name is Joe Walsh and for the record, I represent individual justice. We fully support this concept. You're about to join 20 other cities, hold your head high and say, "you know? We gotta do something." But then I read along a bit more. It's something I don't understand. All these whereases -- I agree with every one of them, they're really powerful statements. You get to the bottom and realize you're going let these contracts run out. As has just been brought up -- 2017, 2018 -- you may not be here, Charlie. Possibility.

Hales: Right.

Walsh: Another Council could come in here and just wipe this out. So, our suggestion is there's got to be two things that happen today. I know you're not voting on this today, you vote on it next week. But I want you to consider setting up the charter committee and put this in the charter because then another Council coming in here in '16, '17, '20, '25 cannot overturn your good work.

I'm going to trust you on this -- which I don't ever do with politicians -- but I'm going trust you because somebody sent me a message and said, OK, Joe, why don't you trust but just don't be naive about it. That sounded better. Do the charter, and also have this conversation. Why is this City making money off the investors? Why do we have investments? You collect taxes. You distribute services. That's your job. You are not bankers. I know we've got a treasury and we have to deal with that, we have to deal with that office, that bureau, but when you make money, doesn't that cause problems like what you're saying -- this is a disaster, this carbon investment. But we're not going to do it for two more years because we're going to let the contracts run out. And the funny thing is, when I brought them up -- you're losing money on them. So why did you hold on to them? Thank you.

Hales: Thank you, good questions. We'll get Ms. Cooperman back up and address them at the end. Good points. Lightning?

Lightning: My name is Lightning, I represent Lightning Watchdog PDX. I do agree with the resolution.

One of the issues I do have though is that what I don't want to do with these fossil fuel companies is to divest too fast. And the reason why I say that, if I might explain, is that even if you wanted to move over to electric cars -- which I'm a Tesla fan -- we produce 100 million cars a year. We have two billion cars out there currently. You can do the math. We don't have the current infrastructure to move along fast enough each if we tried. And you have to take that into consideration. The fossil fuel companies, whether we like it or not, have been in business for a lot of years and they are considered to a lot of people of the experts. They have an understanding -- they are looking at making other choices -- but what I don't want to see here is moving too fast and jeopardizing the whole market itself. You're going tell me that a lot of you who leave this room tonight aren't going to go to certain gas stations and put in fossil fuels in your vehicles. I think there's a large percentage in here that will. They will continue to do that for many years. We don't have

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the infrastructure to move fast enough to go all electric at this time, and we need to take that in consideration. I don't want to see a lot of jobs lost. I don't want to see a real disruption if we don't have to create that disruption, if we phase it in over time. So that's one of my biggest concerns.

Now, on this list that we were provided -- as you know, the majority of the names on that list aren't double-A bond rating anyway. So you put them on that list for a reason, that's fine, but you're not going to be able to invest by state statute in those companies, anyway. Again, like I've stated before, I listen more to what Elon Musk has to say about what we're going to do in the future pertaining to climate change. I don't really listen to what the Pope has to say. I'll listen to Elon Musk any day of the week for what he says, what he projects out in the marketplace. It's going to take a long time before we go to the electric all solar power. We don't have the infrastructure or the funding, so let's work with the fossil fuel companies in a reasonable manner and phase them out over time. Thank you.

Hales: Thank you. Let take the next three folks, please. Good afternoon and welcome.

Laurie King: Thank you. Good afternoon, Mayor Hales and Councilmembers. I'm Laurie King and I'm representing Climate Jobs PDX.

We know that Mayor Hales went to the Vatican, heard the Pope, and was inspired by him and his call to mayors to take initiative in dealing with climate change. We're very proud that our Mayor was part of this special group. What an auspicious time for this divestment vote to come up in City Council and Multnomah County, just when the Pope is in the United States. Thank you, Mayor Hales, County Commissioner Kafoury, and the County Commission for your initiative. We agree with 350.org and what Sandy Polishuk said about the need to push this forward with due speed to be a complete divestment.

Today, I would like to talk about the other side of the divestment coin, reinvestment. We propose that the City invest seriously and soon in solar and other alternative energy, weatherization, and energy efficiency companies, ones that pay living wages and have union rights and which employ local people, especially people of color and low-income people. We would like to work with the City Council on helping make this happen. We further propose that our Mayor and City Council work with other city governments in Oregon and around the state to put serious pressure on state legislators to pass legislation that will encourage owners of businesses, faith institutions, and individual residences to produce solar and wind power on their rooftops or properties.

Unfortunately, many of the state legislators are not following the Pope's call to massive leadership on this issue, and I think we need our city governments and leaders such as yourselves to work with other City governments around the state to put some heat in the legislature. The best legislation we know of that would help encourage people to produce their own electricity that they would sell back is called feed-in tariffs. This legislation would allow individuals and institutions to sell excess power back to the utilities. This program will dramatically increase the use of alternative energy, as happens in Germany, and in turn will make the companies that the City invests in do well.

In order to really take the historic leadership on climate change that is urgently needed, we believe the City will need to invest in more green spaces, parks, community gardens, sustainable transportation options and more, especially on Portland's eastside where equity calls for such action. Much of this is highlighted in Portland's own climate plan.

The revenue for these projects should in part come from new taxes on Portland's upper crust and businesses -- most likely formula businesses -- that do business in the city of Portland. I've heard the idea of taxing homes, a special property tax on homes valued at more than half a million dollars. Actually, Commissioner Novick was considering that, and

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he tells me that might need a change in state law. Well, let's have city governments push for that. We need a fair taxation system that pays for climate jobs.

Climate Jobs PDX call on the City Council to commit to work with the many people who want to see them both invest divested funds in alternative energy, weatherization, and efficiency companies, and to invest in City projects, public projects done by local union labor that mitigates the climate's effect on our beleaguered planet. Thank you.

Hales: Thank you. Mr. Johnson, you're next. Go ahead.

Charles Johnson: Thank you, Commissioners. And this isn't exactly what we want, it's a step we think we can get. What we wanted were responsible fully-informed elected leaders who didn't need to be badgered for two years, and in the week that we're here celebrating this partial victory, we wouldn't be struggling to keep carbon sinking trees alive. We wouldn't have to agitate and put people up in trees. You can't separate the climate and trees. When we're going around almost allowing the slaughter of 150-year-old sequoias and then fortunately a deep pockets person saved us from that insanity, and then we have a climate resolution a month after we sent an icebreaker up to pillage and commit climate crimes. We need to have more than this resolution. We need to have you or the future people elected responsibly act about the climate crisis, preventing taking steps to reduce carbon emissions, to sink more carbon where it belongs and where it shouldn't have been disturbed.

Going back to the earlier remarks, though, we do want to thank you for your efforts to undo partially many years of really crappy social engineering biased towards cars. Thanks particularly to the president of this Council for showing his restraint when we had our first citizen speaker still speak about the cult of cars. We do appreciate the work of this Council to encourage people to use modes of transportation with lower carbon footprints. But let's not -- after we get through these few people who will be expressing their thanks and encouraging us to do better -- let's immediately begin to do the work we need to do of shifting our economy and our world view to reduce carbon emissions, to sink more carbon, and to put people to work in environmentally friendly jobs. Thank you.

Hales: Thank you. Good afternoon.

Steven Entwisle: Good afternoon. I'm Steven Entwisle. I'm also an Oregon healing man sanctuary founder and advocate, a whistle-blower for the less fortunate. And right now, I'm a polar bear.

Hales: And you have company.

Entwisle: I wear the hat and I have my polar bear friends out here, so let's give a hand for the polar bears.

Hales: Welcome.

Entwisle: Now, what we faced over the last hundred years is -- like you coined the term earlier this morning -- it was irresponsible capitalism. That's why we're in the trouble that we're in today. And we've lost a lot of species of animals. We've lost a lot of fish, we've lost a lot of our environment, and we're getting fewer and fewer and fewer.

Now, this is a small -- in my opinion here based on the capitalism and such irresponsible -- it's like saying you're turning the corner and making it responsible, well, 560 years they've never done it, so I don't know if it's going to happen this time. But anyway, we're making a step in the right direction -- at least we're thinking bit, talking about it, the testimony today has been incredibly great for the people and for the planet. But we need to do a lot more.

The people and the most vulnerable are the animals -- the people and the water systems are all going to be destroyed. It's just a matter of time. Nobody knows when. That's the big question, when is too much, when it's like beyond the point. I think we may have already gone that point, we may be already too late, it's a big mystery, question

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marks all over the place. But we've got to save -- we've got to start doing the right thing and stop chasing after bucks. Too many people are competing for money. The problem is it's destroying the planet and destroying our human and humanity that bonds us, our social fabric is being destroyed. This is way bigger than just oil. This has to do with greed, with nasty, dirty, rotten crony capitalism. As long as that stays alive, I'm going to fight it until it's dead. Thank you.

Hales: Thank you, thanks very much, thank you all. Good afternoon.

Rod Such: Good afternoon, my name is Rod Such, and I'm reading the statement on behalf of the Occupation-Free Portland Coalition. This is a coalition of human rights, social justice, peace, and religious organizations, including Jewish Voice for Peace, Americans United for Palestinian Human Rights, Lutherans for Justice in the Holy Land, Veterans for Peace and numerous other organizations, and we are in support of this resolution for the City of Portland to place the carbon tracker 200 on its do-not-buy list. By all reports this will be a historic day for Portland and for all those concerned with climate change.

We offer our congratulations to you, Mayor Hales, and all the Councilmembers who support this resolution and are providing leadership in bringing about its passage. We also applaud the 350 organization and the numerous other environmental groups who were instrumental in inspiring passage of this resolution.

The Occupation-Free Portland Coalition approaches this issue from a unique perspective. The world's largest oil reserves are found in the Middle East, and more than 25% of the world's oil passes through the Strait of Hormuz in the Persian Gulf. This strategic resource is more than just a contributor to global warming. It is also a key factor in great power rivalries and ambitions that have led to war and instability in that region. It is a terrible irony that wars, the threat of wars, and even the danger of nuclear war has centered around the control of a resource that is literally destroying our planet.

These rivalries and ambitions have also played a significant role in denying the Palestinian people their right to self-determination. The denial of fundamental human rights to the Palestinian people is in turn the central source of the political and economic instability that plagues the Middle East.

As we celebrate this day, we should not forget that the freedom of an entire people is still unfinished business.

Hales: Thank you. Good afternoon. [applause] -- sorry folks, we gotta go back to the rules. Go ahead, please.

Maxine Fookson: Thank you very much for having me. My name is Maxine, Fookson, and I'm here speaking on behalf of Jewish Voice for Peace Portland. Jewish Voice for Peace is a national human rights group whose mission is equality, justice, and freedom for all. We are here to stand in support of today's divestment vote, may this be the first step towards investing in climate justice for our city.

The effects of climate change fall unequally on poor people and communities of color. That must be a concern for all of us. Divestment is a moral, nonviolent action that says we want our dollars to reflect our values. There's a Hebrew phrase, "tikkun olam," "heal the earth." That must be our shared commitment in standing for justice for all people and for the earth. Thank you so much for this fossil fuel corporate divestment vote.

Hales: Thank-you. Good afternoon.

Eric Means: Good afternoon, thank you very much for the chance to be here. My name is Eric Means. I'm a computer engineer for a company on the westside. I'm also a member of the Portland chapter of Citizens Climate Lobby. We are an ally of groups like 350.org. We focus on the federal level to enact to focus entirely -- first of all, we heartily support this resolution, but we believe it's largely symbolic. We're looking for something with teeth, and so we want more from you than just this resolution.

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What we focus on is enacting at the federal level a revenue-neutral carbon tax. Putting a price on carbon as an initially small but escalating level for 10 years -- small, steady and very predictable. Only when carbon is priced, only when there's a real dollar value can all the nice things we all hear about have any teeth in it. But a very important criteria here is that we sit in the middle of a world where both houses of the U.S. Congress are controlled by parties hostile to almost every word spoken here today. A key part of our plan is that it's revenue-neutral. Every dime that gets collected by this tax should be returned to households on a per capita basis. Every dime short of the one-half percent required for collection. We're asking for whatever leverage you have at the federal level to support a revenue-neutral carbon tax.

It's easy for us to divest -- forgive me, it's not terribly easy for your level. But for an isolated city, it's largely easy to do. But as I said before, we believe it's largely symbolic. When those assets in the ground that form the bulwark of carbon and oil companies values right now -- when those are priced appropriately, thanks to a carbon tax, no one -- the symbolic, the political leaders who disinvest will be joined at the excess by people with prudent financial interest. Those companies will not have the financial basis to go on. It takes a carbon tax. It takes -- we believe -- the practicality -- it takes a revenue-neutral carbon tax where the money comes back to individuals' pockets, and that's what we ask for your support in addition to this resolution. Thank you.

Hales: Thank you, thank you all very much. Welcome.

Jenna Garmon: Good afternoon, Mayor Hales and Commissioners. My name is Jenna Garmon, and I'm here representing Climate Solutions. We are a clean energy nonprofit that works to accelerate practical and profitable solutions to global warming. For more than 15 years, we have been working to implement policies that demonstrate the clean energy and broadly shared economic prosperity go hand-in-hand. To that end, I'm very pleased to be here today to voice Climate Solutions' strong support of this resolution to end City investments in the 200 oil, gas, and coal companies with the largest reserves worldwide.

The City of Portland has long reflected bold leadership and thoughtful attention to fair and effective climate solutions we support. We're excited the City is taking this important step to align its investments with its values and its commitment to climate action. In passing this resolution, Portland will join over 400 local governments and other institutions and 2000 individuals -- including Leo -- across the country in standing up to corporate polluters who would threaten the viability of our planet and the well-being of our children with the message that polluting does not pay. A divestment movement that began just a few years ago has now successfully redirected more than \$2 trillion out of fossil fuel interests.

The refusal to invest in fossil fuel companies is more than just a political statement, it is sound investment policy. With the health of the planet hanging in the balance, it's hard to imagine a future that allows these companies unfettered access to their oil, coal, and gas reserves. We need to place our investments in the companies that will carry us forward the 21st century, not stand in the way of our progress. Companies that embrace the clean energy transition and who invest in the health and welfare of their workers and their communities will thrive in the future.

We thank 350.org and all of the other organizations that have been working on this issue. We thank you for your climate leadership and we urge you to adopt this resolution. Thank you very much.

Hales: Thank you, welcome.

Diana Rempe: Hi, my name is Diana Rempe. I'm a community psychologist, I'm a parent, and I'm a resident of North Portland. I also work with people living outside as a street librarian with a very small local nonprofit.

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I care deeply about climate change, and I see how climate change is already affecting houseless people. And simultaneously, I worry about the kind of world my children are going to live in.

To tackle a problem of the magnitude and severity of climate destabilization, we need an all-hands-on-deck approach. This includes every level of the government, which means the City of Portland, Multnomah County and the state of Oregon should be doing all that they can to prevent climate change. This includes major investments in efficiency like weatherization and insulating buildings and homes, as well as divesting the City's investments from fossil fuels.

While some people will focus on whether divestment as a tactic will be effective in speeding our transition toward clean energy, it's important to remember two things. First, as so many of the people here have articulated so well, the money divested from fossil fuel companies will definitely go somewhere else, whether directly into energy efficiency programs, renewables, and other green infrastructure like parks and transit programs or indirectly via investment to green funds. But second -- and as a psychologist, what I want to highlight primarily is the importance of this symbolic significance of divestment as an important first step.

Divestment sends a clear message to society that the business model of fossil fuel companies is simply unacceptable. This is a business model which involves extracting and selling a product which leads to climate destabilization and the undermining of societal fabric and infrastructure through a resulting climate chaos, such as super storms, droughts, floods, and water and food shortages -- the effects which people, particularly those marginalized, are feeling right now. Divestment sends a clear message that fossil fuel companies do not have the social license to destroy our life-sustaining atmosphere and climate.

I'm grateful to the City Council for taking this resolution on. I believe, as others have said, it's a really important first step. I hope we will do this and thoughtfully and carefully leverage our reinvestment strategy with a focus on marginalized communities who up until now have seen far less benefit from Portland's existing climate-focused programs. Thank you all very much.

Hales: Thank you, thanks for coming. Anyone else that didn't sign up that would like to speak? If not, then I'd like to call on Ms. Cooperman and Mr. Klonoski back up because I've got a couple questions and there may be others as well. So, Jennifer, if you could walk us through how the old policy worked, and what would prevent us from selling the remaining securities that we have before they run out the term of those bonds, because people raised that issue. If we're going change the policy. Does that mean we run out the clock on the bonds we hold or do we sell them now, and why would you not do that?

Cooperman: There's nothing in the existing investment policy of the City that says that we cannot sell them. But we adopt a buy-and-hold approach with the investments in the City's portfolio. We cash manage the investments so that they mature at specific times, whether it's a payroll date or a debt service payment on outstanding bonds that the City has. We go through a very intricate process to do the cash management for the City, and to take an approach that directs our office to sell those securities is disruptive. And when we were crafting with Commissioner Novick's office the original approach to this issue, we talked about making this as actionable as possible a policy. And it's important to my office that we pay attention to the cash management operations for the City, and that was why we took the approach that we did.

Hales: My second question is related to that. We've now impaneled our socially responsible investment committee.

Cooperman: The permanent committee, yes.

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Hales: The permanent version of that committee. So, how will that work both in portfolio review of the portfolio we have now, and in terms of looking at some of these issues like investing in companies that are specifically beneficial, as opposed to just not exacerbating the problem?

Cooperman: So, the permanent committee had its first meeting a couple of weeks ago and they will meet monthly to get started and then quarterly after that. Their charge is to take the principles that were adopted by the City Council and, using some social and value-investing research, take the principles and the research and map that to the allowable investments, the eligible corporate investments that the City can look at and make a determination and some recommendations back to you about which firms in that eligible list -- how they fall on those criteria. The eligible list is relatively small. I think that will be surprising to most people. There are only about 40 or 50 names that fit the criterion that are either in ORS, in state law, or in the investment policy that you adopt. So, the committee will be reconciling the principles with the behaviors of the firms that are on the eligible list. And I've forgotten the second part of your question.

Hales: So they will -- they can both do portfolio review now and perhaps open some new doors in terms of other types of investment vehicles?

Cooperman: We're very restricted by state law as to what we can and cannot do with the City's excess cash. So, I would suggest to you that the portfolio is not the best place or right place to make active investments in firms that are touching on the issues that we heard from all these folks right before I came back to the table. There are other opportunities and other bureaus whose missions are suited to that. The City's cash that is managed in the investment portfolio -- these are debt service reserves, they're proceeds of bond issues for the utility bureaus, etc. -- and the ORS and investment policy -- the overarching goal in managing those policies is to preserve the principal to ensure the safety and the liquidity of those funds. And then only thirdly is to look for a return. So, it's really to preserve those funds, those tax revenues that we're collecting, etc., for the purposes of running the city. We are limited to firms that are double-A minus or higher rated. A lot of those firms that do the things people were talking about before may be new firms, young firms, they don't have debt outstanding -- if they do, it's not rated high enough. So the portfolio, I would suggest, is just not the right place to achieve those ends.

Hales: That's a helpful explanation. Other questions for our staff before we proceed?

Novick: Actually, Mayor, I wanted to take a moment to explain what the advisory committee is doing, and this seems like as good a time as any. Would that be OK?

Hales: Yes.

Novick: So, we appointed an advisory committee to look at a variety of different criteria to examine different companies that meet the criteria that we might potentially buy their bonds. They're supposed to look at companies' impact on the environment, but also human health, their sort of general ethical practices, whether they engage in extreme forms of tax evasion, what their human rights record is. So, we've asked the committee to look at all of those factors and give us a recommendation of companies to put on the do-not-buy list. After a long process of appointing them, the committee was only recently convened. I don't expect to get a final recommendation from that committee until 2016. The do-not-buy list that we have expires annually. The current list will expire at the end of this calendar year.

My colleagues should expect to see a resolution from my by the end of the year extending the list for an additional year. The committee's charge is to come up with one set of recommendations per year. It could be that they have a recommendation earlier next year rather than towards the end, so it may be that we'll have an update earlier than a year from now. But I just wanted to clarify that what we're doing here today is sort of different

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from what we asked committee to do. We asked the committee to look at a variety of criteria, and what we expect is that the companies they suggest putting on the do-not-buy list will be companies that run afoul of more than one -- probably several -- of the criteria. So, we'd be putting fossil fuels on the same list but through a different process.

Hales: Thank you very much, helpful explanation. OK, let's take a roll call vote. Karla, please call Commissioner Fish first and out of order because he is on a very tight schedule and will have to leave without listening to the rest of us. I know he's all broken up about that, but he's got to go. If you would please call the roll.

Fish: I'll watch channel 30 tonight.

Item 987 Roll.

Fish: Mayor Hales, thank you for bringing this resolution forward and for the leadership you've shown all week on climate action issues. Steve, thank you for getting the ball rolling in bringing socially responsible investing to the Council and the do-not-buy list. 350.org and 350 PDX, thank you for your stellar advocacy for keeping this issue in the forefront. Zach, congratulations on your debut appearance, I would say the reviews are very strong. Not surprised, given your family history. This is another important step forward in this Council's leadership around climate, and I'm pleased to cast my vote aye.

Saltzman: I'd also like to thank Mayor Hales for his leadership in bringing this resolution before us. I do believe this is appropriate, and I want to thank 350 PDX and 350.org for their tireless advocacy. These issues that do demand the attention of those in highest elected office and I guess in our little kingdom, that's us right now for this minute. But as we've seen on the national forum today, many illustrious world leaders are calling for decisive actions on behalf of our climate, and this is an important step in the right direction. It may not satisfy -- may not be total divestment, but it's certainly the recognition that fossil fuel companies should not be recipients of our future investments. That's important, given cities tend to last for hundreds of years, that's a pretty important signal to be sending at this point.

I hope many will join us. I was very impressed to hear some two trillion dollars of portfolios have divested themselves from the 200 or so companies on this list. That's very impressive. As somebody who was active as a graduate student, I served on the -- I was the graduate student representative on the advisory committee for institutional responsibility where I went to graduate school, and that was in like 1980, and very much at that time we were talking about issues of divesting of stocks in South Africa or stocks and companies that did business with South Africa. It often seems -- you can feel like, well, what's one college's decision going to do to make a difference? Well, if you look at South Africa today, we have a democracy. It still faces huge economic problems, but nevertheless it is a democracy. And so, it was a mission accomplished and I think it had a lot to do with little voices here and there that started speaking up. This is one more step in that right direction, a concerted effort of many voices speaking up. Pleased to vote aye.

Novick: I doubt any of them are listening, but I'd like to start by addressing the climate skeptics and the people I'm sure there would be that would call us hypocrites. There are people who say that climate disruption just isn't happening, it's a left wing myth that was designed to give cover for social engineering. I wish it were a myth. I wish we were not watching the destruction of the world as we know it. Unfortunately, that's a scientific fact.

There's going to be people who say, you're hypocrites. Don't members of the City Council drive? Don't members of the City Council buy power from PGE that still has fossil fuels as their mix? And yes, we do. But that doesn't mean we have to invest our money in fossil fuels. It doesn't mean the City has to be in the business of making money off fossil fuel companies.

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This obviously is just one of the steps that we need to take. We need to do -- and we're trying to do -- a heck of a lot more. We are trying to make this a city where it's easier for people to bike and walk and take transit, and that requires significant investments and it means asking taxpayers for money and also means doing projects that cause significant inconvenience quite often. But it needs to be done.

One of the roiling issues we have in this city now is people who are upset about new construction, particularly of apartment buildings. People are saying, "the new apartment building is ruining our neighborhood." And we should take what steps we can to mitigate the impact of new construction on existing residents. But it's a counterintuitive fact that denser development is good for the environment because if you've got 7000 people within a quarter mile of each other, a grocery store will spring up to serve those 7000 people so people can walk to the grocery store instead of drive. And transit only becomes viable when there's a sufficient number of people at each stop for it to make sense. I mean, in New York, everybody hates the subway. That's because there's enough people at each subway stop in New York to maintain a subway.

So, we are going to be asking our fellow citizens to tolerate all sorts of things in order to address the threat of climate disruption, but that's necessary because it is the greatest threat that human beings have ever faced. There's nothing else like this. I was reading last year Elizabeth Kolbert's book, *The Sixth Extinction*. Jeff Merkley, our senator, is such a great nerd. He said, "you know, there was another book with that title about the same issue -- Elizabeth Kolbert is robbing the name." But still, it's a great book and it is so said, because Elizabeth Kolbert outlines the fact that it is likely that 20% to 50% of all species on earth will go extinct in the next few decades. The sad thing is that's likely what's going to happen.

We are fighting against the odds. If you look at the makeup of Congress right now, it's obvious we're fighting against the odds. But to quote Antonio Gramsci, the Italian Communist political philosopher, "pessimism of the intellect, optimism of the will." That's a phrase to live by, and the action we're taking today is an expression of optimism of the will that we can take this one small step to help stave off the end of life as we know it. Aye.

Hales: I want to thank my thoughtful Council colleagues and excellent City staff and wonderful advocates from the community for getting us to this day.

A couple of people referred to my visit to the Vatican and the amazing honor of having Portland be invited to have me on behalf of our community and 60 our Mayors meet with Pope Francis about his encyclical about climate change and human suffering. And I was inspired there, and I was encouraged there, and I was alarmed by what I heard.

First, I was inspired by the encyclical and what Pope Francis said then and again this morning about this being a moral issue. It's a moral issue not only because of care for the earth, but because of climate change's effects on the erosion of culture and the vulnerability of individual people that that disruption precipitates, and he was so clear in weaving those ideas together. I was inspired by that.

I was encouraged because among the experts that spoke there -- among the climate experts that spoke there, there was a very strong message which is, as Steve just indicated, it is reasonable to hope. It is not too late. It is very bad, it is very dire, but it is not too late. And I think that's important. In fact, the fact that cities were invited there is a wonderful thing, because national governments talk and cities act. And the Pope and the Vatican actually recognized that -- that most of the innovation and forward motion on these issues is happening at the city level. In fact, my wife Nancy recounts this -- when the Pope was speaking to us, he kept talking about world leaders in his comments. And she said she was literally looking around as he spoke and was like, "oh, he's talking about the Mayors! Oh, he believes that we're world leaders!" And actually, that's true when you look

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at what's going on on this issue because so much innovation and forward motion is taking place on the City level.

We're a C40 City. Now there are 73 C40 cities. If those cities do what is in their carbon action plan, like ours -- if we do what we say we will do in our plans, we will avoid eight billion tons of atmospheric carbon generation by those cities alone. If another 73 say, "we're going that way," and if 73 more after that follow them, that's going to have a global impact. And that's the whole point. So, it's not too late.

But then, I was also alarmed, because those climate scientists in addition to saying, "there's time to act and bend that curve to two degrees instead of five, we can do this" -- they also said in order to do that, we must strand a great deal of the carbon that's been identified in the ground where it lies now. That's a radical statement to many people. But it is a radical truth that I think we have to learn and deal with.

So, I'm proud of where we are. We are an environmentally responsible city and a financially responsible city, so I appreciate your good work, Treasurer Cooperman. You know, we have this solid reputation as a city. I was reflecting on hearing you speak, because we always hire very prudent professionals as our treasurer, as we should -- it's our money after all. I actually was across the street with your predecessor a couple of treasurers ago, a man named David Smith when we passed the first parks bond measure in Portland. And we passed it at a strange time, because Orange County had just gone bankrupt. So Moody's raters came into town to rate our credit and said -- you know, they had a lot of hard questions. Of course they asked questions about where we doing those imprudent things that Orange County had done. And this very mild mannered person, David Smith, literally got red in the face and started pounding on the table, we don't buy derivatives, here are all these prudent things we do. And that's good. I'm proud of Portland for being a thoughtfully managed enterprise.

We also have a call to action on a moral and human level that this reflects. So, hold us accountable. Tell us to do more. Tell to us put that carbon action plan, that Climate Action Plan into action in lots of ways big and small -- jobs, change, investment, policy -- and make us reflect those values in all that we do. This is a good step and I'm very proud of us for taking it. Aye. Thank you all. We're adjourned.

At 4:16 p.m., Council adjourned.