



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **17TH DAY OF FEBRUARY, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

Commissioner Fish arrived at 9:40 a.m.
Commissioner Fritz left at 11:47 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and Jason King and Mike Cohen, Sergeants at Arms.

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

COMMUNICATIONS	Disposition:
143 Request of Anne McLaughlin to address Council regarding National Court Reporter and Captioning Week (Communication)	PLACED ON FILE
144 Request of Terri Mundt to address Council regarding National Court Reporter and Captioning Week (Communication)	PLACED ON FILE
145 Request of Tevin Green to address Council regarding working at LNS Captioning (Communication)	PLACED ON FILE
146 Request of Lightning Watchdog PDX to address Council regarding propose City of Portland purchase Wapato (Communication)	PLACED ON FILE
147 Request of Trena Sutton to address Council regarding sweeps and clean ups (Communication)	PLACED ON FILE
TIMES CERTAIN	
148 TIME CERTAIN: 9:45 AM – Amend Intergovernmental Agreement with Metro for development of a Preferred Alternative Package, Locally Preferred Alternative and Draft Environmental Impact Statement for the Southwest Corridor Plan (Ordinance introduced by Commissioner Novick; amend Contract No. 30004541) 45 minutes requested	RESCHEDULED TO MARCH 2, 2016 AT 2:00 PM TIME CERTAIN

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<p>*149 TIME CERTAIN: 10:30 AM – Ratify a Letter of Agreement between the City on behalf of Portland Parks & Recreation and Laborers’ Local 483, Laborers’ International Union of North America that places the City in full compliance with Arbitrator David Stiteler’s May 1, 2015 Opinion and Award concerning the April 2013 Grievance filed under the Recreation collective bargaining agreement (Ordinance introduced by Mayor Hales) 15 minutes requested (Y-5)</p>	<p>187587</p>
<p>150 TIME CERTAIN: 10:45 AM – Vacate a portion of N Lombard St between N Richmond Ave and N Charleston Ave subject to certain conditions and reservations (Previous Agenda 141; Ordinance introduced by Commissioner Novick; VAC-10109) 30 minutes requested Motion to amend to add directive condition b(4) requiring a non-exclusive perpetual Public Use Easement for the plaza area and to correct the Petitioner name in finding 1: Moved by Novick and seconded by Fish. (Y-5)</p>	<p>PASSED TO SECOND READING AS AMENDED FEBRUARY 24, 2016 AT 9:30 AM</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>	
<p>Commissioner Amanda Fritz Position No. 1 Office of Neighborhood Involvement</p>	
<p>*151 Amend agreement with Resolutions Northwest in the amount of \$28,000 for restorative justice services in the Parkrose School District (Ordinance; amend Contract No. 38117) (Y-5)</p>	<p>187584</p>
<p>City Auditor Mary Hull Caballero</p>	
<p>*152 Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0816, K0159, T0171, W0047, Z1199, K0160, T0172, Z0817, W0048, P0137, P0138) (Y-5)</p>	<p>187585</p>
<p>REGULAR AGENDA</p>	
<p>Mayor Charlie Hales Bureau of Police</p>	
<p>*153 Authorize a competitive solicitation for the provision of treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees (Previous Agenda 134) 10 minutes requested (Y-5)</p>	<p>187586</p>

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<p style="text-align: center;">Commissioner Amanda Fritz Position No. 1 Portland Parks & Recreation</p> <p>*154 Authorize a contract with Nevue Ngan Associates for design and construction administration services for the Ventura Park Play Area Improvements and Loo Installation for a total not-to-exceed amount of \$120,000 (Ordinance) Motion to amend directive b. to replace “draw and deliver checks” with “pay”: Moved by Fritz and seconded by Fish. (Y-5) (Y-5)</p>	<p style="text-align: center;">187589 AS AMENDED</p>
<p>*155 Authorize contract with PLACE Studio, LLC for master planning for the Washington Park Master Plan Update Project at a not to exceed amount of \$368,800 (Ordinance) 10 minutes requested Motion to amend directive b. to replace “draw and deliver checks” with “pay”: Moved by Fritz and seconded by Fish. (Y-5) (Y-5)</p>	<p style="text-align: center;">187588 AS AMENDED</p>
<p>156 Reallocate City's Local Share of the 2006 Metro Natural Areas Bond (Ordinance) 10 minutes requested</p>	<p style="text-align: center;">PASSED TO SECOND READING FEBRUARY 24, 2016 AT 9:30 AM</p>
<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3 Portland Housing Bureau</p> <p>157 Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity and Multiple-Unit Limited Tax Exemption Programs (Resolution) (Y-4; Fritz absent)</p>	<p style="text-align: center;">37188</p>
<p>158 Approve application to extend the property tax exemption under the Multiple-Unit Limited Tax Exemption Program for Sitka Apartments located at 1230 NW 12th Ave (Second Reading Agenda 137) (Y-4; Fritz absent)</p>	<p style="text-align: center;">187590</p>

At 11:51 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **17TH DAY OF FEBRUARY, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

Commissioner Novick left at 5:17 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lory Kraut, Senior Deputy City Attorney; and John Paolazzi and Mike Cohen, Sergeants at Arms.

<p>S-158-1 FOUR-FIFTHS AGENDA TIME CERTAIN: 2:00 PM – Amend Bond Ave roadway realignments in the South Waterfront District Street Plan, Criteria and Standards document (Previous Agenda 142; Resolution introduced by Commissioner Novick) 5 minutes requested Motion to add “phase 1” in the first Resolved paragraph for clarification: Moved by Novick and seconded by Hales. (Y-5) (Y-5)</p>	<p>Disposition:</p> <p>SUBSTITUTE 37189 AS AMENDED</p>
<p>159 TIME CERTAIN: 2:05 PM – Accept annual report from the Age-Friendly Portland Initiative (Report introduced by Commissioner Fish) 30 minutes requested Motion to accept report: Moved by Fish and seconded by Fritz. (Y-5)</p>	<p>ACCEPTED</p>
<p>160 TIME CERTAIN: 2:30 PM – Direct the Bureau of Planning and Sustainability to develop code language for Council consideration to require deconstruction for the city’s oldest and most historic houses and duplexes (Resolution introduced by Mayor Hales) 2 hours requested (Y-5)</p>	<p>37190</p>

At 5:20 p.m., Council recessed.

February 18, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **18TH DAY OF FEBRUARY, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Judy Prosper, Deputy City Attorney and Mike Cohen and Jason King, Sergeants at Arms.

<p>*161 TIME CERTAIN: 2:00 PM – Vacate a portion of SE Harrison St east of SE 3rd Ave subject to certain conditions and reservations (Previous Agenda 119; Hearing; Ordinance introduced by Commissioner Novick; VAC-10106) 4 hours requested for items 161-163</p> <p>Motion to accept amendment to directive c.2.ii regarding sewer and lateral line as stated in Mayor’s 2/16/16 memo: Moved by Hales and seconded by Fritz. (Y-5)</p> <p>Motion to add condition 8 “the city shall work in good faith towards a reasonable engineering design to accommodate the delivery of chemicals to East Side Plating”: Moved by Fish and seconded by Fritz. (Y-5)</p> <p>Motion to add emergency clause: Moved by Novick and seconded by Fritz. (Y-5) (Y-5)</p>	<p>Disposition:</p> <p>187591 AS AMENDED</p>
<p>162 Approve and adopt zoning confirmation letter responding to request for zoning confirmation on SE 3rd and Harrison, submitted by Right 2 Dream Too (Previous Agenda 120; Resolution introduced by Mayor Hales and Commissioner Fritz)</p> <p>Motion to accept substitute exhibit B: Moved by Fritz and seconded by Saltzman. (Y-5)</p>	<p>CONTINUED AS AMENDED TO FEBRUARY 24, 2016 AT 2:00 PM TIME CERTAIN</p>
<p>163 Affirm the City of Portland's intent to relocate Right 2 Dream Too onto City property located on SE 3rd and Harrison (Previous Agenda 121; Resolution introduced by Mayor Hales and Commissioner Fritz)</p> <p>Motion to accept substitute exhibit B: Moved by Fritz and seconded by Saltzman. (Y-5)</p>	<p>CONTINUED AS AMENDED TO FEBRUARY 24, 2016 AT 2:00 PM TIME CERTAIN</p>

At 6:08 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.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

FEBRUARY 17, 2016 9:30 AM

Hales: The meeting of the Portland city council, would you please call the roll. [roll taken]

Fritz: Here **Fish:** **Saltzman:** Here **Novick:** Here **Hales:** Here

Hales: Good morning, and welcome, everyone. Commissioner Fish is here, as well. We have some folks signed up for public communications. We'll take those first, and then some time certain items after that, followed by our regular council calendar. If you are here to speak on a council item, please let our clerk know, and she will make sure that you get called. We typically allow three minutes for public testimony on council decisions, and it doesn't look like we're going to have any trouble sticking to that standard today. If you are here and want to speak, you just need to give us your name. No need for an address or any other information, just your name. We always maintain the rules of decorum in this chamber so if you agree with someone, give them a thumbs up or a wave of the hand, and if you disagree, a polite has not gesture to the negative is ok, but we ask you do not make demonstrations against your fellow citizens so everyone can be heard. We make exceptions for visiting dignitaries and school children, and if you are one of those you will probably get a round of applause. Welcome, everyone, and let's please, before we do, let's take a look at the consent calendar and see if there are any items to be removed. There are only two on the consent agenda. Nothing to be removed -- ok. Let's take item 143, please.

Item 143.

Hales: Good morning.

Anne McLaughlin: Mayor Hales and commissioners, thank you for the opportunity to speak. My name is Anne McLaughlin. I am a Portland native and resident. I am here today in recognition of national court reporting and captioning week. I am also a person with hearing loss, and an active member of the local chapter of the hearing loss association of America, which is a self-help support and advocacy group. I am very aware of the importance of captioning as an accommodation that helps us participate more fully in our community. Having captions displayed, as you do here every week, is an excellent practice that I hope will soon become commonplace. I am thankful that captioning is provided on nearly all television programs and many movies, and that more movie theaters are offering their patrons ways to watch movies with captions. Thank you, all, for your unanimous approval of the ordinance requiring captioning on televisions in public places in Portland always be turned on, and that became effective two months ago. I particularly want to recognize Commissioner Fritz for her efforts in introducing the ordinance, working with the community, and with the other members of the council to ensure its passage. I encourage you to visit captions on now, to learn about that ordinance, and to help encourage local establishments to comply with the ordinance and turn on the captions. We appreciate all the local captioners for providing this great service to our community, and I want to thank you for the opportunity to speak today.

Hales: Thank you. Thanks for your advocacy.

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Fritz: I will just mention that one of my favorite family dinner places, the captions were not on, and it was a sporting event and I was not able to follow it without ignoring my companions, so I asked for them to be turned on. I experienced what people with hearing difficulties must experience because they could not find the remote. They couldn't figure out how to do it, and they said they would do it, and that was one of the reasons that we just said, turn the captions on and leave them on. Thank you.

McLaughlin: You are welcome.

Hales: Thanks very much. Ok. 144.

Item 144.

Hales: Good morning.

Terri Mundt: Good morning, mayor hales and commissioners. I am Terri mundt, and I have been a court reporter since 1975. I am here to celebrate national court reporting and captioning week, and I do want to thank you for being a leader in having your meetings captioned, as you can see up here, and encouraging the other cities in Oregon to do the same. We really appreciate that. Also, the court reporters in the course, as you probably know, we don't have reporters in our state courts any more, but we are encouraging attorneys to, who have important cases, especially aggravated murder cases, to hire -- they do hire reporters to go in and report those cases, so that's an issue that's important to us. Thank you again for your time.

Hales: Thank you. Good morning.

Item 145.

Tevin Green: Mayor hales and council. I am Tevin green. I am finishing my last couple of months at Sumner College for court reporting. I wanted to say a bit about my path and the excitement to go on. Within the next five years, we're expected to lose nearly 5,000 court reporters, in terms of losing, retire.

Hales: Right.

Green: I am excited to start my career in it and see the offers I have. It is a great -- it has been really cool because I enjoyed high school, it was fun by I didn't really have any plans to go outwards and see anything and do my four-year thing. It was not really my vibe so I was trying to figure out what I wanted to do, and court reporting has provided a, a really cool way for me to use my hands and really find a new craft. I like working with my hands, and this is a good way to make a good amount of money and be part of something bigger than myself, and find a way to work with other people, but not necessarily be a lawyer, an attorney or a judge. I love all of the legal world, but I was not trying to be an attorney, necessarily. Court reporting has given me the chance to be close to it, but not too close in a way that I can still enjoy it and get to know a lot of people and make a living for myself at the same time. It's really exciting to see the growth of it because it's very -- it's becoming more and more modern. A lot of my friends seem to think that it's, you know, a chisel and really, it's archaic, and really, it's modern now and we are learning new ways to do it, and it's progressing well. I am taking it upon myself to kind of help to push it, as well because it's something that I can see myself doing, and I would love to further it to the best of my ability because I am really enjoying it. Thank you for your time.

Hales: It's great to hear from you and to hear this advocacy for and people refreshing the idea of making the public process, whether it's the judicial or legislative process, accessible for everybody, so thank you.

Mundt: It's an exciting career, so if you know someone looking for a career change, look into court reporting and captioning because there are jobs.

Fritz: What kind of pay scale does it offer?

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Mundt: It's hard to say, captioners are paid by the hour and by the jobs, the shows that they caption. Court reporters out in the field doing depositions are paid by the hour, and then paid by their transcripts. It's pretty much, you know, as hard as you want to work, that's how much money you can make, but the work is out there.

Fritz: And what kind of education do you need in order to get it? What qualifications, high school diploma, how long?

Mundt: High school diploma, and in Oregon we have one school, Sumner college, which is where Tevin attends, and I am actually teaching there, teaching court reporting now. And it takes at least two years. It's an intensive course. A lot of it is computers because it does -- it is all computerized now, so you are learning to write, to 225 words a minute, plus legal and medical terminology and all the things that might come up and increasing your vocabulary.

Hales: That's great. Thank you very much.

Mundt: Thank you.

Novick: I want to say that as a former trial lawyer who was heavily dependent on the talent and dedication of court reporters, I appreciate your service and I appreciate your willingness to enter this field. It's great. Thank you.

Mundt: Thank you very much for your time.

Hales: Thank you. Thanks. All right. Item 145, please. Oh, he came up. 146. Good morning.

Item 146.

Lightning: Good morning. My name is lightning, I represent lightning watchdog pdx. As you know, Multnomah County hasn't been able to do anything with the wapato property for the last ten years. They have allowed it to sit empty. They have come up with various ideas. They failed on every idea. I am asking you, mayor hales, to look at purchasing wapato. You have proven you know how to open up shelters. You have proven that you know how to provide transportation to get them to and from various locations. You brought in very good management, tpi to manage these facilities. You have the ability to create a surplus budget. Make an offer on wapato to purchase wapato for the largest shelter, transitional shelter in the history of Multnomah County. Take it under your control and the city of Portland, do an iga, also with Multnomah county, and metro. Begin to operate this. Bring in Portland business alliance, neighborhood associations, various other people to figure out how to get this open and to begin running this on a pilot project to see how we can go. Again, Multnomah County has failed for the last ten years. They have very big projects out there. The new Multnomah county courthouse, they have to bring all the bridges up to the seismic standards. They also need to build the new Multnomah county health department. They have too much on the plate. Purchased the property. Have a sustainable, permanent shelter facility, wapato. Make an offer. It's up for sale. Transfer it to the city of Portland. Thank you. Now, pertaining to the legacy project, centennial mills, and the United States post office project. I understand you are trying to come up with 88 million to purchase the post office project. I understand the centennial mills has been put on the shelf. In my opinion, the reason why it has been put on the shelf is because you are looking at not necessarily you, personally, to purchase the post office project. My recommendation to you is this we have a great developer that tried to step up on centennial mills, and we have had speakers in here stating that it would be interesting to have a single developer step in on this project up front. In my opinion, Jordan schnitzer is the developer, to come in at 50 percent on the u.s. Post office. \$44 million to bring to the table. That will still allow additional money to be focused at

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centennial mills of \$38 million on public subsidies. Allow him the chance to step in, also, and take a controlled position alongside the city, which I think he's earned that right, and allow him to choose certain lots near pnca if he wants to develop those out in the future, to expand that whole campus there. I think that he's the perfect developer to bring in, and at least have the discussion with him. Let him say yes or no. Can you come to the table with \$44 million and work alongside the city to do both legacy projects. Thank you.

Hales: Thank you. Thanks very much. Ok. Item 147. Good morning.

Item 147.

Trena Sutton: Good morning, mayor. My name is Trena Sutton. I am not here to talk about my backyard today. I am here to talk about, on behalf of a group of homeless campers camped along the spring water trail, over in southeast Portland. I am having a bit of trouble. I just had a tooth pulled, and its swollen pretty bad. I am having trouble talking so please forgive me. But, we have an issue behind cartlandia. I've been able to move most of the people to another area that's been quazi-sanctioned by the city during this state of emergency. They have requested that the city be very active in removing the people that are causing the trouble, the ones that are making the garbage. They are also the ones that are making the trouble. That's kind of surprising coming from me, but my folks do not like them any more than anybody else does. We would not object at all to having them removed, if they cannot clean up and behave themselves. We would very much like to ask for a dumpster and at least a couple of port-a-potties so they can live like human beings for even temporary, a temporary site. This has been requested by police and by other people that know that these folks really do need a bit of help. Those who do not comply and clean up the mess, they need to go. We don't want them there. I would really appreciate if the council and you, Mr. Mayor, would address this, and help me and others help the people that really do need the help. I really want to go into a better life. I appreciate it very much, your time. Thank you.

Hales: Thanks for being here this morning. If you have not already done so, if you are here in the building, could you stop upstairs and talk to bob kita in my office.

Sutton: I can do that, Mr. Mayor. Thank you.

Hales: Thank you. Ok. Thank you all very much. We'll move on to consent calendar. Unless there is anything to be removed, we'll take a roll call vote on the consent calendar, as printed.

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

Hales: Aye. [gavel pounded] 148, and you just have to read it because it's being rescheduled.

Item 148.

Hales: If there is no objection I will reschedule that to march 2, as requested, commissioner, is that right? Ok. [gavel pounded] and 149. No, we can't do it yet. We'll go to the regular calendar. Item 153.

Item 153.

Hales: Thank you very much. Come on up, commander, and Emily, and this is a good news story about stretching dollars a little farther to get more good results, so we appreciate that, and we hope that the stretching doesn't cause the injury, but welcome.

*******:** That's a better story than what I had. Good morning.

Sara Westbrook, Portland Police Bureau: Good morning. Thank you for having us here. The Portland police bureau is proud of our service coordination team, and all that it has accomplished since the program began in 2006. The service coordination team is going to focus on people living on the street, whose behavior is primarily driven by alcohol

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and-or drug addiction. And are persistently the cause of calls for service. Ppb contracts with central city concern to provide housing and access to mental health and addiction treatment. Just in 2015, we had 204 Individuals come through our program. Since its, its inception, we have successfully graduated 130 people. In 2014, Portland state university conducted a cap stone study is, and they found that our cost benefit is for every dollar we spend, we're saving \$10. And they also found that there is a 91 percent recidivism reduction amongst program graduates, and they followed them up to a year after they graduate from the program. In our annual cost, it is 1.7 million, and this year, our current contract expires at the end of the fiscal year, and it's time to ask for your approval to continue the good work of the service coordination team.

Hales: Thank you. Good morning.

Emily Rochon, Portland Police Bureau: Good morning. Thank you.

Hales: Anything you want to add this morning, Emily?

Rochon: No, I am just open to any questions that you guys may ask.

Fritz: Tell us your name and what you do.

Rochon: Emily, rochon, I'm the service coordination team manager.

Hales: So the basic situation here is that we're going out for competitive solicitation, but we also have this good news about taking some unused start-up funds in the program, and using it to add eight more beds in the system, and want to make sure that the council understood how that was accomplished because that's particularly good news.

Westbrook: I misunderstood that. Yes, how much money was that?

Rochon: 100,000.

Westbrook: That was unused, that -- Because we transferred over to central city, the whole program going to central city concern, it took a few months for them to get the program up and running, and so, instead of not using that money, they have come to us and asked if we could authorize \$100,000 to help upgrade the area in which the service coordination team houses people and gives the services. Part of that was being used for office space and some other things, and they are going to turn it into the whole floor, where it's able to give service, which will increase our capacity by, at least 8 beds.

Fritz: What does that mean for the ongoing contract? Does that presuppose it is going to stay with central city concern?

Westbrook: Well, either way they would want to continue giving that service to someone. As we know, beds are at a premium, in our county, in order to house people and to give services. So, of course, they will be moving forward and with their proposal when it comes time, but it's not presupposing. It is just part of the overall upgrade of their ability to serve the community.

Hales: It is still going to be a competitive solicitation even though we just awarded the, less than a year ago this contract to central city concern, and they are performing well, which is why we're able to deliver more beds for the same dollar. Want to make sure that people knew about that.

Fritz: What kind of outreach has been done to the previous provider to help them to be competitive in the new solicitation?

Westbrook: We have not contacted anybody about the new solicitation, excuse me, solicitation until we get approval from you all.

Fritz: I would hope that there would be truly an open solicitation and encouraging lots of different providers to see how much value that they can give to us and the program because obviously I am a big supporter of it.

Rochon: We think that's important as well.

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Westbrook: I agree. We want an open and fair and transparent process.

Fish: One of the concerns that I have, and thank you commissioner Fritz, for raising that. The way you structured this solicitation, the applicant must be able to offer all of the services that you are seeking, and that, actually, limits the number of people who could compete. Why have you chosen that path versus breaking up the various components and giving people whose expertise and skills are in service delivery, housing or some other part, a chance to compete on their home field.

Westbrook: Right. Great question. What we have discovered is that any barrier, any extra challenge that is put in front of someone who already is struggling, with their addictions and mental health, can create an impediment and have them no longer participate. The easier we can make, make it for folks to be in the same building, get up from where they are living, get services in that same area, Without having to take a bus ride back and forth, is more likely they are to stay in the program, and it keeps our recidivism rates at a better --

Fish: That presupposes, commander that a provider wouldn't be willing to co-locate. I think the problem is, that I see in this solicitation, is it is structured so that there is really only one party that is going to compete for it. And that, technically, complies with our public contracting laws, but it does not give us the ability to measure their performance and their proposal against other options. And whether we choose to require co-location or not for example, in the housing bureau, we have all kinds of different providers that provide services to homeless people throughout a continuum, and we don't have one provider that manages shelters or does transitional housing or other things, what we do is coordinate it. And so, it sounds like you have made an initial judgment that this has to be coordinated by one entity under one roof, but the net effect of that is, I don't think that you are going to have a competitive solicitation because you have, essentially, cleared the field, and anyone looking at this is going to say that the incumbent, that is providing all these services, has the inside track anyway, so why would someone, why would some other entity compete for this?

Rochon: I, actually, in the initial request for proposal, you know, we were looking at that, and we were, actually, asking that question, as well, and you can build into the request for a proposal either you know, at least having housing in one location, you know, that is part of it. Right now, we have low barrier housing in one location, and the alcohol and drug-free housing in one location instead of being spread out. That's a transitional housing piece. We see that is very important because it's really about their next door neighbor. It's, you know, not just the services that they are getting provided, but it's going along the path, with the same folks, throughout the process. So, that location piece, we think, is really important. But, we can build into the request for a proposal, the part where you can highlight that if you can't provide the access to treatment services, at least highlight that you have a history, and a relationship with another entity that you can kind of collaborate with in the request for proposal.

Hales: I am a little mystified by these questions and maybe I misunderstand the situation. It's normal in for profit entities, when responding to a public solicitation, to form teams in order to propose, right, having worked in that world for ten years and been on all kinds of different constellations of engineering and planning firms that teamed up to respond to a public solicitation. I don't believe that there is anything in this solicitation that would prevent a group of nonprofits from forming a team, and proposing, right? It does not have to be a single entity that responds. It could be nonprofit A with nonprofit b and c, as

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subcontractors. Right? So, I think that there are lots of ways that people could slice and dice the package of services that we are asking for proposals for. I think.

Fish: That's a fair point, mayor, so let me tell you the two questions I am going to ask when you come back with a contract. First question I am going to ask is, how many proposals did you get in response to this? That will help us understand whether the community of people bidding on this felt that this was structured in a way that invited them to put together those teams. The second thing is -- have -- this is a related question -- have you done a formal assessment and performance review of central city concern under the existing contract?

Rochon: I mean, with corollary reports and it's written into the current grant, the exact performance measures, outcomes and the report on a quarterly basis.

Fish: Have you done a performance evaluation? Have you evaluated -- I am a fan of central city concern -- but do we have an evaluation of their performance?

Rochon: Yes, yes, on a quarterly basis, we do that. They have been meeting the requirements outlined.

Hales: Would you like for Emily to share that with council? Please, folks.

Fish: There has been in the past, as you know, a question about what are the goalposts and what are the expectations. So, I am heartened to hear that there are clear expectations, quarterly reports, and monitoring of that because that's been an issue, as you know, in the past. My only concern here is we're saying a competitive solicitation, and our job is -- we're referees, not here to advocate for any particular outcome. If what you are saying, this is structured so that anyone in the community could put together a team, and they could propose even off-site services or on-site services, that would be response of to the application, I think what we should wait to see is who responds, and if no one responds, we can raise the question about whether the criteria that we established was a barrier to people competing fairly for this contract.

Hales: It sounds like from this discussion, that members of the council want to make sure that we do a good job of outreach to potential proposers, rather individuals of organizations or teams.

Fish: Mayor, there is a history of this project that predates you, so I am especially sensitive in making sure that we treat everyone fairly, and there is a level playing field, and --

Hales: Please, don't interrupt.

Fish: Taking nothing away from the deep respect that I have for central city concern and the provision of services, but there is coming as a competitive solicitation. So, I just want to make sure that this is designed to solicit the best ideas in the community or what we have done is just, essentially, rolling over the existing contract because they are the only ones that have the ability to respond to this.

Fritz: I would like some additional information about the \$100,000. When the contract was -- came to us to say that the central city concern was going to take over, there was a promise that said all the current clients were going to be taken care of and there would be a seamless transition. I am wondering where this \$100,000 came from, and concerned about putting it into a facility rather than into the services. Yes, I understand that will provide more beds, but the services coordination team works because they are providers and because of the relationship that they have, so if you can give me some, some solicitation, I would like more information about how did that transition go? Were people taken care of and have continuing care from providers? And why do we have this

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\$100,000 surplus? The question is, whether we should put that into facilities or use it for other services.

Hales: What's your response to that?

Rochon: would you like me to respond now or later?

Hales: If you can now, that would be great.

Rochon: When the new contract for the fiscal year -- there was, actually, a portion of the program that we went from 54 beds to, actually, 60 beds with the new beds, and so the development and implementation of that program, because it was truly kind of a whole separate program, so everything was, with the service coordination team, 54 beds, which is traditional service coordination team, everything was very similar. The -- again, the kinds of development of the new program, it just took a bit longer, so with 24-hour staffing, making sure that there were rooms, we wanted to make sure that they were in the same location at the golden west, so they had to do a lot of work to kind of get them open. That is where the \$100,000 came from. It's just that we—we thought.... I'm sorry that's a bit distracting.

Fritz: We should move to public testimony.

Hales: If you have something to say about this, you will be given a chance but don't interrupt who is up here speaking, and we will make sure that you are not interrupted, either, thank you.

Rochon: The services, with the 54 beds that was not interrupted. It was the money that was for -- slotted for the expense.

Fritz: I would like more information on that because it seems like shuffling the money around when what we approved before was an extension to provide services to the extra bed people.

Hales: What's the pleasure of the council? We'll take public testimony but would you like to hold this over or would you like to proceed with follow-up? I am open to either scenario.

Fish: I defer to my colleagues. We're authorizing a competitive solicitation. The question for me at this stage is -- does this -- is this structured so people can fairly compete for this contract? Commander Westbrook has said that it does and that people can respond to it either as a one-stop provider or as a consortium of services, and it's designed to be flexible, and we'll consider the most qualified, low-cost option. And Commissioner Fritz has asked that you do outreach to make sure that people know about it and have a chance to compete. At least at this point, largely that satisfies my concerns, although I will just tell you I will be disappointed if you come back and there is only one applicant. That will be the test of whether this is a competitive solicitation in my mind.

Fritz: I concur mayor you have heard our concerns. There is nothing in the ordinance about the redirection of the 100,000, so I think that that should be separate.

Hales: Yeah, that's not before us.

Fritz: No. It was authorized for a specific use, and there is a question about whether it should be used for facilities rather than services.

Westbrook: Can I ask a question?

Hales: Please.

Westbrook: a comment and question, and particularly for you, commissioner Fish. We have learned, and certainly, Emily, who has worked in the business for a number of years, that the -- having things in one location does help increase the effectiveness of the treatment and I am absolutely for people putting together a product that says you know, we can subcontract here and here and here is our goal, but our goal really is that we want to have a holistic approach to somebody where they don't have to get on a bus and go

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back and forth, and we can make this clear when we are letting people know what is the -- what we're looking for in the rfp is to have that holistic. It does not have to be an absolute. If you cannot do this, that you are out, but a preference. I would like to have the preference be that the holistic approach either through, you know, you take care of making sure that I will get you there, or -- you know, I will just put you on a bus and have it be up to you to get there kind of thing.

Fish: Commander I have great respect for you and I hear what you are saying. I don't disagree with the logic of what you are saying. I will point out that that's currently not the policy of the city's housing bureau. We don't require that everything be under one roof, and in fact, we have different providers that have uniquely strong skill sets that are not, necessarily -- we have people who do great work on service we have people with great work on transitional housing, and housing placement, and they are not necessarily the same entity, and if you are structuring this, and it says you get extra points if it's all one-stop shopping, you have to be clear to the -- in your solicitation. You can't have that as a guiding value and then not be clear in your solicitation that that's a preference. Then, as the mayor points out, if you are putting together a team, you know that there is a preference for having co-location of teams. And that seems to me is fair if you believe that that's an important value.

Westbrook: That was part of the question. I want to make sure that we're meeting your expectations, too. I just wanted to put it out there that that's our belief, is that the better services are offered when it's located. I understand how the housing bureau has different contracts with different provider and is they don't all have something under one roof. But, it depends on what the service is, that they are providing, and the intensity of the service you know, what we're doing here is providing a service to some of the most difficult people to provide services to in the city. Traditionally, which is why, as you know, this program was under the police bureau because we could not get people to give services to this group of folks without us contracting specifically with them to make sure that they did so that we could -- they are very hard to serve, so we're just trying to use our own experience here of knowing what works, but we also are committed to the transparency and being fair.

Fish: It's not my place to second-guess your judgment about what's the best treatment, the best way to configure the services but we're referees, so we want to make sure that we're doing a competitive solicitation saying that we're going to solicit the best and most competitive ideas out there, and if someone -- mayor.

Hales: Come on.

Hales: This is not ok. I have told you a couple times that you cannot interrupt. If you interrupt again I am going to ask you to be excluded from the council chambers. You will be given an opportunity to speak, but please don't interrupt again, do you understand? Thank you. I hope so.

Fish: You can do transparency but, if someone -- if a consortium of our distinguished nonprofits want to come together and say that they can compete for this, I think that they need to know that you want co-location of services but you are not going to be taking points off if they don't provide all of those services themselves. Directly.

Westbrook: Ok. Thank you.

Hales: Other questions for commander or Miss rochon? Ok. Thank you both. I want to ask if there is any public testimony, but to ask that you follow up along with Diana Mitchell from my office with the council members to make sure that they are briefed on how you are proceeding because, obviously, there is a strong interest here.

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Westbrook: Ok, absolutely.

Hales: Thank you very much.

Rochon: Thank you for your time.

Hales: Take testimony, please. Folks, we're not going to take interruptions here but we will take testimony. We're going to call on you or anyone else that signed up to speak. Folks, we're not going to do this, have heckling and people talking through other people. So, if you want to speak, let our clerk know and you will get a chance to come up and speak.

Moore-Love: The three are David Kif Davis, Charles Johnson and Malcolm Chaddock.

Hales: Come on up, please. Good morning.

Malcolm Chaddock: Good morning. Thanks.

Hales: Mr. Davis, you've been warned, you do not get to interrupt other speakers, whether they are the folks you are sitting with or staff or members of the city council, if you interrupt these proceedings, you will be asked to leave, and if you don't leave you will be removed from the council chambers. You get to speak, and everyone else does, too, but you don't get to take over. That's the deal. Sir, go ahead, please. Whoever would like to start?

Chaddock: Sorry. A little distracted at the moment.

Hales: It is distracting, sorry.

Chaddock: Yes. I am Malcolm Chaddock, and I am appearing for myself, no other organization. I appreciate the efforts that the city is making to attempt to expand the facilities for people who are in need. I came in this morning to try and learn on a very steep curve because this was the first that I had heard about it. One of the things that I have heard this morning, that really raise my eyebrow, though, was the -- that commissioner Fritz was asking about, with 100,000 extra dollars that appeared, it implies to me that whatever process you engage in, may require some kind of closer monitoring because the sudden appearance of money that should have already been spent for services is a little disturbing. Why did that not happen? Delivering these kinds of services is, as the commander said, to this population is probably the hardest work that there is. I've been on the receiving end of it years ago, and I know what that environment is like. Please bear in mind while looking for the lowest dollar, commissioner Fish that cheap is often what you get when you pay cheap. People need to have the proper services. It's not really so much about who does the best job at bidding the job down. It has to be quality. It was kind of the holes in the treatment can, actually, if there are holes left in the treatment, it can, actually, damage the individual, when they get there. Broken promises, kill people. All the time. So, please make sure that whatever structure you do institute is designed and geared towards the successful treatment of the individual and not the bottom line.

Hales: Thank you. Do you believe from your experience that the service coordination team model is a sound model?

Chaddock: I think that the more organizations that you have working together, as you well know, the more complex things get. If you are going to do that, you need to have really, really strong coordination. The teams working together at all times, rather than in separate little enclaves and then coming together. Treatment models for success must be holistic, indeed. And many problems arise when a group or an agency has, is influenced too much by the need to dispense drugs to take care of problems, rather than work on talk therapies and other modes, and other organizations are too concentrated on the religious angle, and not really reaching into the people that are there, but rather, trying to change

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them from without, and the kind of change that you are talking about, is a process that you can only facilitate for somebody. It's not something that you can impose upon them.

Fish: Let me be clear, if I could. One of the things that I hope to see here is different non-partners, partnering to offer the services. The cost would become an issue if someone bid on this and said, we're going to create a housing wing. We're going to staff up and spend money and build a government. I don't want to cheat on quality, and frankly, Amanda and I and Dan have supported this program from the inception, particularly when it was unpopular. So, we have a track record, and we're mostly interested in quality services. When there is a solicitation, it is our opportunity to find out how innovative the community is in responding. If you structure a solicitation, it's only one person that bids, we are denied the chance to see if there is something innovative, not just cost but innovative, and please understand that that's my only concern, not getting the low cost, I'm not looking for the McDonald's of providers here, and the kinds of organizations we're talking about are all organizations with superb track records of dealing with the vulnerable communities. I would like to make sure that we go innovation, and that's what our solicitations are often successful at.

Chaddock: Thank you for that.

Hales: Thanks very much. Mr. Davis, go ahead.

David Kif Davis: So, I had a few issues here. One of the first things that I would like to bring up is this holistic approach to treatment. I totally agree with the holistic treatment approach. One way you guys could really benefit drug addicts in this town is to send them to Mexico or Canada for Ibogaine treatment. Have you ever looked into that? It almost cures every addiction from cocaine to heroin to methamphetamine to all kinds of stuff, so you could, actually, ship people to Canada where they could have the treatment, and they might, actually, break the cycle of addiction instead of continuing to be on methadone or other programs or continually relapse. What it does is, actually, chemically resets your brain to the preaddictive state, and it's legal all over Europe, and it's legal in Mexico, almost everywhere, where big pharma don't control everything. And that's the -- one of the big problems in this country, is big business and big pharma and everything else that's controlling it, including all of this central city concern, while they do, do some good work, they do a lot of bad stuff, too, and we're talking about barricades amongst the homeless. They have people sweeping people every day, and the most vulnerable people, moving them from one spot to the next, and that's a huge barrier when the service provider and is outreach workers are trying to go out and talk to these people. And they have to go and chase them around all over town, and another thing, you know, and Commander Westbrook, she's also on the board of directors, at join, and they are one of the only city agencies that get notified of homeless sweeps, that are going on, and they are supposed to go out and do outreach, which they rarely do. One thing about join, too, is you cannot just go to join. They need to come and see you on the streets. You cannot just walk in to join and access their services. They have to contact you on the streets, and they don't do very much outreach at all. So, I am wondering, you know, why are they not doing a very good job at outreach and why are they the only city agency and, you know, and then central city concern are the big agencies actively involved in sweeping people. So, there is a lot of contradictory policies going on that are shooting one -- one policy shooting the other in the foot, and these agencies are actually, you talk about collaboration, I agree that they need to collaborate because you know, I was, actually, homeless and I fell back to the streets through going through join, but then I got suggested to go to Cascadia by not my caseworker, but someone else.

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Hales: I will ask you to wrap up.

Davis: Yep, and basically, what happened was I went to Cascadia, and I was instantly, basically, approved for housing, where if I would have tried to go through join again, it would have taken me another two years or more to get off the streets.

Hales: Thanks very much. I appreciate that.

Davis: So there is a lot of barricades here. Go ahead.

Charles Johnson: Good morning, council members. For the record, I am Charles Johnson, and you know, obviously, this is a complex situation. I think that there should be some clarification, also, for the general community. We have a situation where it appears that the police use their discretionary powers to say hey, I could throw you into the criminal justice system. Unless you take this service coordination team contract. Or, are we dealing with a situation where people have been convicted of this, this complements the source. I know a bit about the situation where people have been evacuated because your police spend a lot of time arresting Teresa Rayford, Jonah majored protesters who then go, and we sit in the courtroom, and we see people told, oh, back in the days when weed was illegal, your joint is going to cost you eight hours of community service, or oh, if you go through diversion program, no community service. So, while we're sitting right here, close to 100 people are working out their anxiety in the day service room at tpi, how many more at join. How many more at the cascade walk-in center. If these people really need shelter, what should I do? Print out some flyers, five pages of free flyers and tell them, the only way you are going to get help in less than two years is if you start carrying around open containers, and pissing on the sidewalk and puking and leaving beer cans around? So that's Miss Westbrook will send her service coordination team to accelerate you are becoming a sheltered person. If the service coordination team works, why are so many people suffering on the spring water corridor? It's not part of the Portland business alliance coordination team partnership. So, two, you know, to echo Mr. Fish's concern, there is not too much concern about the quality of service they are receiving, although it's hard to judge, there is only a three-page, pdf, and we learned 90 percent success, 10 percent recidivism. But, we have a lot of buildings marked with used. And we don't really report on the amount of space that is available. Central city concern, is a huge landlord in this city. They are empowered to be given a preference, what's easier for them, to remain the only service provider, and I think, as you mentioned, in your remarks, Mr. Mayor, we want to make sure that we're fostering innovation, and when we find people who can build teams, that we work with partners that have stepped up like the Menashi family and find some inside space where we can do these housing first models, which are the only thing that works. So, the Portland business alliance may not care that we rescued 50 people if there is a high number of disturbing kind of out of control people making things uncomfortable for Citizens as we go around our business, so I hope that, in addition to the 100,000, this will be done in a way that shakes some things up, and we cannot just add but find a way to double the capacity. It's a good investment. Thank you.

Hales: Thank you very much. Ok. Others? I think that she left. Come on up.

Lightning: I am lightning and I represent lightning watchdog pdx. One of the concerns that I always have throughout this city is that when we have people that have serious drug addictions currently out on the sidewalks and the doorways, in my opinion, the outreach needs to be taken to the highest level for these individuals, and the reason being is that if somebody has a serious drug addiction, and then they are thrown out on the sidewalks, and they are not put into transitional housing, this is a safety issue at the highest level. And when we look through the records of how many homeless people have died, when

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we are averaging a number of say 50 to 100 a year, and we start looking at the data that it trickles down to, people with addictions, we have to understand the trauma that they are facing when they are out on the streets and society has pushed them away out of their homes, their apartments, friends have stepped at a distance because law enforcement might say hey, that's guilt by association. If you are near that person, if you are a friend with that person, we are looking at you, also, we want to know what you are doing. And if it comes down to it, if they are still in your neighborhood, we'll come in and remove you. And I've been facing that position where law enforcement is has looked at me and said, if you don't work with us, we'll bring every government agency down upon you, and we'll shut the business down, and we'll run you off your property, and we'll go to every relative around you, and have the IRS audit them, and we will run you out of your neighborhood. Normally what they do is they come in and they label your property a nuisance. So, you have an oni or something coming in there with an authority to tell you to get out of the neighborhood, and you say look, if they have a drug addiction, they are still my friend and I want to take care of them. I want them to still live here. Can't they still live here? No. You go them out of your proper, or we'll shut you down. There has to be an understanding that between law enforcement and property owners, that if a property owner says hey, they are going through treatment, I still want to rent to them and I want them in my neighborhood, and they should have a right to stay in that neighborhood, and that's where the landlords need to step up is a bit more because we are talking about limited amount of space and beds, and to try to help these people and assist them and not taking them, push them to the side, and think that they are not your responsibility in the community to try to do the best that you can for them with their drug addiction and get the proper treatment. So, again, I question a lot of law enforcement, what their intend is, and I want to see more community involvement to understand they are part of the community, take care of them, and get them off the sidewalks, and reduce the suicides to people with serious drug addictions.

Hales: Thank you very much. Do you want to speak on this item? Let me repeat what I said earlier, before you start. Excuse me --

Hales: Go ahead.

Crystal Elinski: It cost \$855 a night -- it cost \$85 a night to house people, these contractors that have been working with the city since forever. Who is responsible for that? It is a cycle that keeps going. They are making money off of homelessness. It's part of the capital system of Portland. It's not working. 85 a night, I need 50 a month to pay section 8, that's supposed to be charging us 30 percent of the income. Now, they are charging us 50 percent, as well as CCC, TPI, 50 percent of our income. You cannot live off of that. Once you have -- once you paid 50 percent of the income to rent, you cannot live off of that. That's all I need. \$50 a month but there is no -- There is no support for people who are already housed, it's great to put people in shelters. We need to put them in housing that will be better for the city, in the long run, and better for community involvement. And that's all that I want to say on this regard is I've been watching you, and I've been interested in the emergency involvement of housing by the city, but cat, now when you open the street roots, they have this rose city resource for everybody who wants to find help in the city. You only have four agencies now, four, after many years, I used to work with street roots. Four agencies that pretend to help you, but they don't answer their phones. They are not interested in helping you individually. They are trying to work on state legislation, which is a great thing in and of itself. Meanwhile, the rest of us can't pay our electricity bills. I have 150 a month in my electricity bill. I have a slum

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lord I have mold throughout my building. Been homeless for a year now. This is when I first came here in 2006, and I was calling Amanda Fritz, Amanda Fish because I thought that she was the bureau of housing. After all this, I finally found a place to live, but it takes me two hours to get here to testify on behalf of many people who would like to have \$50 a month to pay for a roof over their housing. And while I applaud you for finally, in your lame duck session, for getting emergency housing, for the people on the streets, we're talking 20,000 children that have been identified as homeless, in our communities, and I teach at one of those schools.

Hales: Thank you.

Elinski: There are many more people on the streets, and we need to house them. The people that are already housed need only a bit per month, and that will be cheaper for the city to keep the housing and put in rent control. When I told the head of the home forward, that we need rent control, I said, you may be out of a job, but at least you would be out of a job in a city with rent control.

Hales: Thanks very much.

Elinski: Thank you for calling upon me again, mayor hales.

Hales: Anyone else? Council go ahead and want to go ahead and take action? Ok. Let's take a vote please on the ordinance.

Fritz: This is a very good discussion, obviously, we care very much about the program. I think that Mr. Chaddock made an excellent point about its not just low beds its the effectiveness of treatment services so I hope that's included in the evaluation of solicitations, and I concur with commissioner Fish that we hope that there are several and they are all competing to see how good of a job that they can do, and I will then follow up with you Mayor about the additional money and how that should be used. Aye.

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

Novick: I do hope that whoever wins will demonstrate that they were able to get Medicaid reimbursement for services for which Medicaid reimbursement is legally feasible. Aye.

Hales: Thank you for this discussion. I will make sure that the police bureau and Miss rochon and Diana Mitchell follows up with you. Aye. [gavel pounded]

Hales: Let's move, please, to item 149.

Item 149.

Fritz: I have a lot of comments. I'd just like to frame with cause this is a very satisfying important moment in the city of Portland. This agreement is the result of an arbitative decision that requires the city to cease and desist from assigning bargaining unit work to non-members. I just recently learned that the practice of using part-time workers in parks to staff our beloved programs started after measure 5, when Portland parks employees worked together to continue to provide wonderful services in our community, and that was at the cost of workers being paid less and less and becoming more part-time. In last year's budget process we considered and required city contract workers such as custodians, security and parking attendants, to receive \$15 an hour, and I raised the question of our so-called casual parks and employees, who worked for the city of Portland, and yet get barely more than minimum wage with few benefits except for paid sick time. I said I would come back in this budget cycle with a proposal to increase wages for all of the low wage employees in parks, and meanwhile the arbitrators decision came out on May 1 of 2015, and we had an urgent requirement under law to bring workers who are doing bargaining unit work into the union. So, in July, the council adopted phase one of compliance knowing that there was much more work to be done with the original deadline of December 1 to complete phase 2, park staff, and labor and the city attorney's

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office and the human relations worked long and hard to try to reach an agreement when it was clear that progress was being made, but the deadline could not be achieved, all parties agreed to extend the deadline. Now we have an agreement all parties agree, comply with the arbitration award. Phase one and two add approximately 130 members to the union, laborers 483, doubling the membership of the bargaining unit. We have also agreed on a path that could expand the numbers significantly with a new classification. The key to the agreement is a complex task matrix which will dictate what work can be done by union members and what work can be done by casual or seasonal employees. This is all good news. The elephant in the room is to maintain the current levels of service to Portlanders, parks will need an additional 4.2 million in ongoing resources, and this is included in the parks budget request. Coincidentally that's almost exactly the amount of ongoing resources in the latest economic forecast of 4.4 million of additional ongoing resources. And we know that we have other priorities, urgent needs within the city it will be challenging budget session. Funding these positions is a huge priority in our city budget for me this year, and any reduction in the request will have significant impacts on the level of service because parks does not have a choice about complying with the agreement. I consider this agreement one of the most significant achievements on my service on the city council and thank you for your support and for your partnership.

Hales: Thank you very much. Good morning. Who would like to start, john?

Johnathan Uto, Bureau of Human Resources: Good morning, Jonathan uto, from human resources. The commissioner did such a good job introducing the ordinance, that I will just be available for questions.

Hales: Ok.

Erica Askin: I am Erica Askin from local 483. I am happy to be before you today in support of this historic agreement that will curb contingent employment and improve the lives of city workers by fairly paying them. We should be proud of this accomplishment. There is so many people who made this day happen on the side of labor, it's impossible to name them all, but they know who they are, and they should feel rightly proud in their struggle for justice for workers. Deserving a special recognition today is our member and staff bargaining team, tom collet, will zigler, jenny burt, leane griffin and, tim haverman, marina morrow, mary mobility, and ted Brian. There are times when we weren't sure if we were going to make it through, but we kept on pushing forward, and now our countless hours and commitment have made an impact. We would not be here without our community allies who teamed with us, teamed up with us at the table. Diana paywoo, the executive director of Portland jobs with justice, and Justin curtsin, director of Oregon 15 now. Because of you all, hundreds more people are going to be added to your list of people that you supported in earning a living wage in Oregon, and set the standard for wages and local employment. On management side, arline argentina, josh green, nancy roth, Brenda carpenter, Margaret evans, craig vanderbout, and terry Davis. Those meetings, sketching out hundreds and hundreds of duties in the community centers, sun schools and rec areas, they got kind of tough at times. It was a long and drawn out in terms of going through all of the duties in the matrix. They put in a ton of work, and they did this because they were committed to cooperating with labor. We appreciate all that management did to understand our perspectives and to share theirs with us. A special thanks goes out to jeff schaffer, who did a great job explaining a complex situation for parks and rec in a way that made sense. Last but not least the attorneys who litigated this case and worked jointly to support meaningful and cooperative negotiations, built on a foundation of mutual respect and understanding. Barbara diamond, our labor attorney,

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and heidi brown, city of Portland attorney, thanks goes out to them for truly being proactive in our labor relations in order to get us to a real solution. The greatest hope that I have is that it stays that way in the city of Portland. City council has worked alongside local 483 on the issue of contingent labor for my ten years as business manager. And mayor hales and Commissioner Fritz, josh alpert and tim crail and all of your staff in your offices, you put forward amazing work, and you deserve special recognition. Your tireless advocacy on both sides. And it's because of you that we're achieving today's agreement. Without the advice of your staff, without your personal advice, your time, your constant effort, we would not be here today. Local 483's executive board. Wesley, ferrell richards, will tucker, cassie diaz and ellen, who set the direction for local 483 to make this happen. By ensures city of Portland rec staff received living wages, we're not only making the city a fair place to work, we're setting an example for all of the employers within the city and state. Our collective work and creating this agreement, work that was at times challenging, and at times arduous and at times even contentious, lights the way for fellow workers in the private and public sector as they strive for fair pay, benefits, and recognition in the workplace. Thank you.

Hales: Thank you. Good morning. We'll suspend the rules. [applause]

Wesley Buchholtz: I am Wesley buchholtz, I work work with Local 483 and I am an employee of Portland parks and recreation. For years staff working in the recreation centers soon doing the same work as their counterparts for half the pay. These casual staff many have worked for the city for nine, ten, and 24 years, year after year after year. They have had to make due with poverty wages in a city that has the fastest rents in the nation, this has meant workers had to forego doctor's visit says, apply for food stamps to put food on the table, and it has meant that the rec staff have left the communities they serve in order to find housing for their families. It has meant empty cupboards and bank accounts and a number of disturbing cases, bankruptcy and homelessness. This practice not only hurt the rec staff it hurt our communities. When high quality staff have to choose between serving communities that they love and health insurance, between taking care of senior and is impoverished youth and making rent payments, we all lose. Today, because of the efforts spearheaded by recreation staff and 483, this practice is about to end. The city council will have the opportunity to vote for a historic agreement that will provide fair wages, benefits, and a voice in the work workplace for city of Portland rec staff. And this plan is an important step forward. Under the leadership of mayor hales and Commissioner Fritz, working collaboratively with the Portland parks and recreation, we have collectively negotiated a fair agreement. An agreement to create 130 living wage positions by this fall. 130. We can clap for that. [applause] an agreement that respects the rights of the workers to come together and work collectively, an agreement for the first time ever draws clear lines between any future workers from being paid less to do the same work of their permanent counterparts while keeping wage standards clear for current members. I want to comment the council for this work and looking inward to ensure the city is treating the workers fairly. Thank you.

Hales: Thank you. Well said.

Buchholtz: I wanted to say this agreement is not enough. If we truly want to stand behind workers to stand for fairness, to step away from decades of poverty and wages, that the city employees endured, council needs to fund the budget request in this agreement. We all know a problem the size of recreation staff faced for years, can't be solved in a few lines in an ordinance and words can't erase poverty. It takes action, and takes paying our workers fairly. I want to be clear on this point, when the city council says

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we need to take action, to look at rising rents, it begins in the city's own house with its own employees, when the employees can't afford the rent, that's a problem, when the employees are forced to live at home with their parents, find themselves commuting far away from the jobs that they have, a housing problem. The city employees, like any type of worker, deserve a wage that allows them to live in the city they serve. We are excited to see the passage of the agreement and look forward to the city council making the right decision to fund this package in the coming months. Thank you.

Hales: Thank you very much. Well said. Thank you all. [applause]

Hales: Are there others that would like to speak on this item?

Moore-Love: Four people signed up.

Hales: Good morning.

Jennie Birt: Good morning, my name is Jennie Birt, a recreation coordinator at Mt. Scott community center, and on March 1 I will enter into my 17th year as a represented employee for parks and recreation. I am excited to be here today to support the recreation agreement. With each budget year, from a majority of my tenure with parks, we have endured significant cuts to our budget resulting in the loss of full-time benefited positions. At the same time, annual revenue expectations have notably increased. Resulting in substantial growth in staff workloads, and with fewer represented staff to maintain these expectations, it was inevitable that bargaining unit work trickled down to low wage so-called casual staff. In order to maintain the programs and the services that Portlanders value and deserve. This practice hurt represented staff by devaluing our work. It also took advantage of unrepresented staff who continue to face poverty wages. Today's agreement sets clear lineups for all recreation employees preventing a slide into low wage work like the one that we just experienced. It ensures all recreation staff will be paid properly and fairly for their work. It creates new full-time benefited positions returning many of the jobs lost to budget cuts over the years. This important step forward ensures respect, fair wages, and helps alleviate the staff facing staggering workloads. It's also good for the community that we serve. When staff are fairly paid, parks can retain great talent and ensure the quality recreation opportunities Portlanders have come to count on and expect. From our award-winning bureau. I want to end by giving credit to all the represented and unrepresented staff who over the years have continued to speak up and advocate for a better park system, and workplace. I also want to thank pp&r management for working with us to create this better system with today's agreement. To Commissioner Fritz, thank you for your encouragement and support for -- of all recreation staff, and for making today's agreement possible. I also want to thank you, mayor, and commissioners for your time and consideration. I am truly honored and blessed to be able to serve this community, the dedicated staff I work with every day, this great bureau, and the city in which I was lucky enough to be born and raised.

Hales: Good morning. Who would like to be next?

William Zeigler: I will go next. Hello, wonderful see -- wonderful to see you again, My name is William Zeigler I am a casual employee at Mt. Scott community center in southeast Portland. A wonderful center with some of the best employees and patrons in the city. On December 2, 2015, I spoke to you on behalf of unrepresented recreation workers. On that day, I asked you to voluntarily recognize the wishes of the rec staff who wanted to join together in a union. Today, I am happy to be here in support of an agreement that contains voluntary recognition. Voluntary recognition means my co-workers and I will have access to a fair and democratic process that allows us to join the union and bargain for living wages and benefits. When I look at my co-workers, I see

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wonderful, talented and intellectual people, people who care and who care for the city and who care for the people in it and people who care about the work that they do. People like Aaron hunt. Aaron hunt is a crucial part of our community center. He helped to keep our gymnastics and sports classes running, and he has a real knack for coaching children. He's worked for the community center for around ten years, but still struggles to make just above minimum wage. Another one of our staples is Jake silberman, who works many jobs, such as gym attendant, sports instructor and team room attendant. Jake makes several trips to the center in a day to be able to pick up enough hours to afford his rent. People have stretched themselves paper thin to make sure that our patrons get the best that they can, even if it means these employees run out. Hours early in the year or they have to work multiple jobs to get by. Today, is a milestone, for myself and other casual workers. Through this agreement, we see a way forward to living wages and opportunities for full-time work. So, I want to respectfully make one more request because it will take more than an ordinance to provide the living wages the rec staff deserves, so mayor hales, commissioners, can I count on you to fully fund this agreement in the upcoming budget? Thank you for your time.

Hales: Thank you. Thank you. Good morning.

Farrell Richartz: Good morning. I am Farrell richartz. Mayor hales and commissioners, I am on the executive board of laborers 483 and worked for the city of Portland for 12 years, started off as a seasonal with Parks and recreation, and went on to work for ten years for the maintenance operations. Having worked as a seasonal, I know first-hand what that's like having no benefits, they did not have healthcare at the time and low wages. I remember, in fact, we would return can asks bottles to have walking around money, and I remember sharply being shamed for bringing in more bottles than the daily allowance, so moments like that, I know that our casual workers have endured our painful moments. I know that when I went into a union representative full-time job with better wages and benefits and job protections, my life was greatly improved, and I know that the actions taken by the council have the potential to positively impact the lives of the recreation workers for the better. You have heard from will and the others, whether it's a like, and it's a real struggle. They do important work for our communities, and they are members of the communities, so when recreation workers get a fair wage, and their jobs are held in higher esteemed and represented, then the city of Portland becomes more of an example to others as an employer. And I know it's difficult. Erica talked about the struggles, but I do appreciate the city working with labor 483 to get to this point, and I think it's important that we go through the struggles together, and I hope that we continue forward and in a more positive manner to make the lives of working people better so I appreciate your efforts in that.

Hales: Thank you. Thank you all. [applause]

Diana Pei Wu: I am Diana Pei Wu, the executive director of Portland jobs with justice. I also just want to extend my thanks to the council and to all of the hard work at labor 483 for making this happen. I am a user at east Portland center, and so, it's really nice to know, as a resident of Portland, but also, as part, representing the organization, the 110 organizations that are part of the Portland jobs with justice that this is a huge step for workers in the city, and also, important for the rest of the metropolitan area, so thank you very much.

Hales: Thank you.

Crystal Elinski: Hello, I am crystal elinski, and I would like to second that motion. I am really impressed with the, with these union groups, basically, we have the unions that

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continue to fight, and it's been three years since I first came to the parks and recreation bureau, with Amanda Fritz, and I was concerned that they were hiring park rangers part-time at low wages. I experienced -- I was surprised to experience the defensiveness and backlash that things were going well but all along, these groups have stood their ground on wages, and unite here was one of the first, and even though I questioned their work with the Lloyd center, at the time it was the Lloyd center, neighborhood association, they were advocating that everybody should get paid a living wage. I remember lightning pdx arguing the commissioners should be paid \$50 an hour, well, at the time, I was arguing that everyone should be paid at \$50 an hour. I had come back from Eastern Europe, where people were, you know, in Portland, I argued that we should earn \$15 an hour, and that was in 2001. A living wage here in Portland, according to the psu study, a few years ago, was \$17 an hour, and in order for us to support our city workers and to make a stance against the lukewarm work at the state legislation, and I will point out the governor and michael dembrow, I talked to him directly. I think we're too slow on the state level. Here in Portland, we can make a stance like we have with mayor hales, with the environmental issues, and with the doj investigating our police, and as well as the bureau of parks and recreation. We are making a stance that there is a way to get past this, and we don't have to stand for waiting until 2022 to get people a wage that will not even be a living wage. Let's stand here together today and, in solidarity with the city workers and make this the norm.

Charles Johnson: Good morning, I am Charles Johnson, and it's great to have jobs with justice up here and some of the issues that she has raised. We're talking about a strong success here for parks and recreation workers. There is more than just pay involved in why they need a union. Parks and recreation department has made good strides on using less toxic chemicals in parks to benefit the employees and all the citizens that go there. When we talk about a living wage, and quality of work done by city employees, what we really need to do is to have the Portland bureau of environmental quality -- we need a new funded division because we know that in our parks, people are being poisoned by toxins from bull's eye glass. We cannot look for safety for government, from governments whether they are in Salem or Washington D.C. Local communities need to build strong, trustworthy governments that provide results for local 483, for all city employees, and protect our communities, so when we talk about unions, doing well here, we also need to talk about the fact that the workers at bull's eye glass needed a union that would look out for poisons in the air that they were breathing and pumping out to others in the city. So, I hope that the whole union movement together with the general human rights and the environmental movement will work together to remember that living wage means quality, safe, working conditions, with adequate wage. The fact that these people have got a wage that does not take them up to the level of precision cast parts, isn't so bad because they are not poisoning the earth. So, this great -- it should not have had to be a hard won victory but jobs with justice is used to that, and so, so are the labor unions, but we need to look at this in the larger context of right now, other workers need to see this as an example, and organize, protect their health, and get a balanced package of fair wages, and safe working conditions, and I am glad to live in the city, where we're moving forward, to do that for the employees. Thank you.

Hales: Thank you all. Are there others?

Moore-Love: That's all.

Hales: Let's take a vote, please.

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Fritz: This is a great day. Thank you very much, everybody, for both being here and for all your work over the past many months. Particularly, proud of our parks staff. Eileen Argentina the manager of recreation who attended most of the sessions, and will be responsible for implementing the agreement and knows so much about all the park systems. It's almost scary, so thank you, Eileen, and Terry Davis spent hours developing the task matrix working closely with Josh Green, who provided great expertise on what happens on the grounding recreation centers and Nancy Roth brought the aquatics expertise to the table, and Margaret even and is Craig Vanderbelt, who attended the negotiations regularly, and added expertise to the discussion, and city-wide programs manager Doug Brenner who provided council with feedback throughout the process behind the scenes, and he's greatly missed today at this celebration. Thank you to city attorney Heidi Brown, and the H.R. Director, Anna Kanwit. This is an amazing achievement for all of us. Human resources staff, John Uto and Cheyenne Scott and Brenda Carpenter. Erica Askin mentioned Tom Collet and other members of the bargaining team, and I want to add Sarah Coaleski, who is a casual worker, so-called, at the Multnomah art center and who is not here today because she's working and she did speak at the jobs for justice faith labor breakfast yesterday, and I was so proud that she was representing parks and labor 483 at that event, Tim Crail, my chief of staff attended most of the negotiation sessions and helped to keep the process on track, when difficulties arose, and the mayor and Josh Alpert played strategic roles in getting to an agreement that works to labor and the city, I am sure that there are others who played a role that I have not mentioned. And thank you so much to everybody who has participated, particularly, thanks to Erica Askin, who has done an amazing job in her years as labor 483 and moving to Seiu Employment International. She will be missed and appreciated in her new role. And thanks to Dr. Pei Wu for being here today and for your partnership and support of all workers, this is a great example of the government working together, and I am very grateful to be part of it, aye.

Fish: I didn't know that news about Erica but congratulations. I want to begin with what Erica Askin said when she came forward, and she talked about collaborations. In my seven years, we have had plenty of contract ratification votes where there were no labor partners in the room. And I think that it really speaks to the work that the mayor and commissioner Fritz have done that we have the leadership and the members, and frankly, the comments that Erica Askin made, I don't remember a speech like that before at a moment like this. I appreciate the fact that our labor partner came forward and said that this was done in a spirit of collaboration, and then acknowledged all of the people who participated, including the management people. And frankly there's so little collaboration in politics that if the labor and management family in the public sector can't find middle ground then we're really in trouble. So Erica I really appreciate your comments they were extremely gracious and you laid out the case and I want to thank you for that.

Commissioner Fritz in 20 years when we get together for a celebration of your life's work I know what you're going to identify as the stuff your most proud of, earned sick leave for workers that set the stage for a state wide change, building parks on the east side so that eastside families had access to safe places to play, launching an office of equity so that the city was actually serious about putting equity in everything we do. I'm not going to go through the whole list cause I don't want your head to get too big, but I know as your friend that working to raise the standards of parks employees is as close to the core reason of why you have this job as anything. And so I deeply appreciate your leadership on this. The mayor often likes to say there are four former and current parks commissioners on

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this dias but there's one parks commissioner who made the biggest stride in addressing this practice and making a big down payment. Commissioner Fritz, thank you. Finally, we are not a committee of the budget today. There was an ask. It deserves a response. We can't make promises today but here's the commitment I will make. During this budget process, I will work in good faith with the parks commissioner in charge to find the resources to honor the agreement she has struck. And so to the cynics who say easy for you to say because you have two nongeneral fund appearances, I used to have two general fund bureaus and I know the challenge. It's not about my bureau, it's what's best for the city. Commissioner Fritz I pledge to work with you in good faith to find as much of the resources to fund this historic agreement which would not have really happened without your leadership and the mayor's full support. To the employees that are here just one last comment you won the gold medal as the best managed park system in the country. Meaning the work the line workers do, the work of the line workers of this bureau during the teeth of the recession, which meant you were recognized at a time we were cutting budgets, we had inadequate staffing and everyone was asked to do more, I hope you realize that that made that award twice as special. It was a reflection of the hard work and dead case of people doing great work under difficult circumstances. Best of wishes to you as you head to sei. To our labor family, thank you for your work in making this day possible, to Commissioner Fritz and the mayor, I think you've done something important today and I'm pleased to support your work. Aye.

Saltzman: I want to thank commissioner Fritz, mayor Hales and their staffs. We know how important staffs are to making deals happen. This is a great deal. Special thanks to local 483 for their willingness to be persistent which they don't have to be prodded to do that. They are persistent and I think it's evidenced by the agreement in front of us today. I also want to recognize although they were all mentioned particularly our h.r. Representatives Jonathan Uto and Anna Kanwit and everyone in her shop who plays an important role in getting everybody to yes, which is where we are today. Pleased to support this agreement. Aye.

Novick: I am pleased to support this agreement and I'm not going to repeat everything my colleagues have said. I want to thank Erica in particular for thanking Barbara Diamond and Heidi Brown. The lawyers never get enough credit. Really appreciate that. [laughter] I do want to just toss out a word of fiscal caution. This does not in any way reduce my enthusiasm for this agreement because I would frankly rather be a city that treats its workers well and have fewer services than in a city that doesn't treat its workers well but this is virtually identical to the budget forecast. We are looking at other budget issues that affect our employees right now. We have 13 firefighters there's are funded with one-time revenue. That's not right. We need to make sure their jobs are permanent. In one of my own bureaus, bureau of emergency communications, we have people being way overworked. We're under-staffed. People are forced to do overtime time and time again so I'm going to be asking for additional resources for Boec. We don't have the resources to do all these things. Just to be clear that absent any improvement in the revenue forecast we probably are -- we are going to have to cut services somewhere unless we can come up with additional revenues somehow. I invite everybody who cares about providing adequate services and treating workers well to join us to figure out if there's a reasonable way to get additional revenue. Aye.

Hales: I want to second all the comments, both from my colleagues and from Sei, and -- we already reassigned you. Erica and the rest of local 483. This is a great accomplishment. It's also a great accomplishment not just that we have done it but in how

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it was done. I think that was well articulated here. Erica, you and your team not only negotiated honorably, but you understand the big picture. You understand the pressures that this council is under to do the right thing in lots of different ways with resources that are not infinite, whether it's housing people living on the street, keeping people from losing their homes by eviction, whether it's dealing with affected kids. There are lots of legitimate calls on us as community leaders and as budgeters to spend appropriately to make this a better place for people. That's the bottom line. You understand that. It's obvious in what you stated today and in how you've conducted yourselves through this negotiation that you understand the context of this work. That's very helpful. Because having just spent yesterday along with my colleague commissioner Saltzman in Salem seeing the warring special interests at work in that building, I think it's important to note that when an interest group, and a union is an interest group, conducts itself in this kind of honorable big picture way, that that is something to be recognized. So I want to recognize that. Work well done. Then the work that's being done by your members is work well done as well. What happens in our community centers and in our parks system is one of the best parts of Portland. It's a way we take care of our people every day. You do it. We know. Any of us who ever has the chance as I do occasionally to walk into a community center, spend time in our parks and see the magic of the work that you do, it's priceless. We want you to know that we feel that and that we believe that. This is a good day doing more of the right thing for more people. More to do. And with your help and with this kind of collaborative effort I have great confidence that we'll do it well. Thank you. Aye.

Hales: It's done. Thank you very much. [applause]

Hales: Okay, not going to get any better than that this morning but we'll move on. Let's move to item 150, please.

Item 150.

Hales: Commission novick, do you have comments before we return to this item?

Novick: Actually, we have an amendment consistent with council's direction at our last meeting to add which we are informed by the city attorney's office doesn't require additional testimony because we agreed to the concept. I would like to put that on the table.

Fish: I'll second the amendment. One question. When we had the hearing last week in the mayor's absence there were three parties to that amendment. The commissioner in charge, you, the applicant, and commissioner Fritz have all three parties concurred in this amendment?

Novick: That is my understanding.

Fish: I second the amendment.

Hales: The amendment is before us why don't you describe it commissioner Novick.

Novick: The amendment before would add a condition to directive b4. Prior to recording the street vacation the applicant would execute a nonexclusive perpetual public use easement for the plaza areas in a format satisfactory to the director of the bureau of transportation. It will contain language to require city council approval prior to modification of or release of the public easement.

Hales: Thank you.

Fritz: I have a friendly amendment to that to add for the plazas areas identified in land use review 15-213895 DZM. Cause the specific plaza areas that were approved in the design review and the concern I wanted withdraw that and come back with a smaller plaza.

Novick: That sounds okay to me. Does that sound okay to you?

Lance Lindahl, Portland Bureau of Transportation: That should be okay.

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Fritz: Thank you. I had a second concern about the st. John's sign. I'm not seeing that as a condition of approval in that design review that I specified nor particularly in the findings for that. So I'm wondering for we need a second amendment not as a condition of approval but as a now therefore. To add after a, let's see – I was told it B, it was not B, sorry I don't know where it goes. It would be a condition that says after the street vacation is complete the welcome to st. John's sign will be replaced as part of the development in plaza 2 with input from the community regarding the precise location.

Novick: Commissioner in page 1 finding 4 currently recites the welcome to historic st. John's will be removed from the proposed vacation area and will be relocated at the time of petitioners development to a new public plaza immediate northeast of its current location, relocation plan was included as part of the land use review. Does that not address your concern?

Fritz: It does. I did not see that. Thank you.

Hales: I think that's captured it. We can make sure council direction is clear on that.

Fritz: The challenge to the immediate northeast. The concern that I heard from the community in public testimony was the specific location. Since it will be in the right of way my understanding is pbot has the sole jurisdiction to say where it would go and that wasn't necessarily specified in the land review. Is that correct?

Kurt Krueger, Portland bureau of Transportation: The sign's specific location was identified in a site plan that went through the design review process because we took the right of way with the design review application.

Fritz: The legislative intent which I can state on the record is it will be in the location even though not specified as a condition it for approval, it will be in that location. I didn't necessarily hear any concern from community members that that was the wrong location. Was there any testimony to that effect at the design review?

Krueger: I don't recall any testimony.

Lindah! I haven't heard any either.

Fritz: My final concern last week was about the colony sign which is currently in the right of way. It's not permitted to be in the right of way. My understanding is you're going to work with the property owner of the colony to move the sign on to her property and if necessary that you would come back to council with some kind of a variance if it turns out that the sign is nonconforming so that property owner is made whole. Is that correct?

Krueger: That's correct.

Fritz: With that it's fine.

Novick: At the suggestion of St. John's, I wanted council to join me in giving this directive to pbot. As part of the permanent process please require developer to keep the st. John's sign visible during construction and provide detour signage's letting people know businesses are still open.

Hales: That doesn't have to be in the ordinance. Okay. Other comments, questions, amendments? Anything further from our staff? Okay, then let's take a vote, please.

Fritz: it was a very good public hearing last week with a lot of robust public testimony clearly this is an issue on which reasonable people can and do disagree. On balance as I mentioned last week wished that the street vacation happened first because then we could give direct as to the orientation and the size, and the location of the building. Since the applicant has the right to do it either way I would prefer the corner that juts into the existing right of way not of the building that had not been there, but that's not one of the choices before me today. And it's certainly not reasonable to send the applicant back through the design review process with an amendment. I want to acknowledge both Kurt

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Krueger and lance Lindahl for your work on this project and for working with the community and the applicant and the adjacent property owners. Another good example of city staff working with the community and with your commissioner and the council to come up with something that although it doesn't make everybody happy, I on balance think it's the right thing to do. Aye.

Fish: I want to echo what commissioner fritz said I thought we had a really terrific hearing last week. There was a lot of passion in the room but there was a lot of respect. It was a very civil proceeding. What I heard was really from a lot of people, longtime residents, a concern about the character of their community. At a time when the city is going through big growing pains that's a frequent conversation. How do we maintain the character? I think we have to be sensitive to that while also fulfilling our obligation to prepare the city for the growth that we see coming. So for me there were two issues that tip the balance in favor of supporting. One was the safety issues that were carefully placed on the record. I found very compelling some of the parents who talked about the challenges they had taking their children across that street, past ivy island to get to their school a block away. There actually was a lot of testimony about that intersection being unsafe. I think that while it's appropriate for us to think about east Portland safety issues where we have not invested enough I don't think we should disregard places like st. John's where they have a right to safe streets, safe walks to school. The other thing that was compelling was the work pulled out of the lombard plan, the idea that we envision doing development but in a rational way. Here we have a chance to actually create a more rational street scape and an intersection which then can be controlled for the benefit of pedestrians and drivers. I think Commissioner Fritz and commissioner novick for working out the issues they had in a collaborative way. We set this over so they could do it and I think they have done it in an exemplary way. I wanted to acknowledge the applicant. The applicant was testifying last time and had council here and my recollection is on almost every issue that came up the applicant indicated a willingness to go the extra mile to work with the community. So if we project forward, I would say the best indicator of someone's behavior in the future is how they treated folks in the past. Over the last year I think we have to acknowledge he's gone the extra mile and engaged people in good faith and I want to thank him and everyone will have a different opinion about the building but to me it's a very attractive building and I hope it sets the standard for redevelopment to follow. Finally I want to acknowledge staff. These two gentlemen routinely come before us on stuff that's mind bogglingly complicated. Kurt always has an immediate answer to some technical question. Commissioner Fritz I think looking to test whether you have really read the fine print of the code but you always have --

Fritz: He has.

Fish: You always have an answer and are very clear about guiding us. You make our job easier, both of you, through your professionalism that you exhibit every time you come before us. I'm pleased to vote aye.

Novick: I need to interrupt I need to discuss a clarification as to what we're voting on. I was under the impression since we approved it in concept last week we could proceed to a vote on the whole thing. But the city attorney seems to have other ideas.

Linly Rees, City Attorney's Office: You didn't as far as I know have the language. You moved and seconded --

Hales: That was my error. Yes.

Rees: I was going to clarify once you did this that this will need to be carried over until next week for a vote. You don't need to take any testimony next week.

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Novick: We won't have a full house next week so it's appropriate to make our comments with the amendment if we choose.

Hales: We're voting on the amendment.

Fish: My comments are both in support of the amendment and the off chance we don't have a full house of people next week for this event I just want to put my comments on the record in advance and again thank everybody and vote aye.

Saltzman: We're voting on the amendment. Okay. I'll also make my comments on the whole package. While I appreciate the hearing we had last week and I thought a lot of good issues were raised I guess I'm drawn to what I feel is happening at St. John's and there's a lot of things happening. One is that due to a lot of issues, housing affordability, being a great neighborhood it's become one of the most desirable places in the city to live. When people are moving to your neighborhood there's going to be associated changes that come with it. More businesses, more prosperous businesses, to serve people who live in St. John's. I think the other thing going for st. John's is it still maintains its quirkiness. Notions of independence. I think we all see that every may when we all participate in the parade, what a great sense of camaraderie and neighborhood pride people who live in st. John's feel. But we do have a lot of converging forces coming to work here and I think that this proposal which will in my opinion make the lombard intersection more safer and with James john elementary there it's not a small issue to make that intersection more safe. I do think it's been a tree mitigation plan that the planning and sustainability commission has required be submitted to offset some of the loss of what sounds like great trees. I go by Ivy Island every year in the parade but I can't quite picture the trees, but I take home the testimony that they are there. I think that this is a change that needs to occur and a change that is a positive change for the neighborhood. I think that with safer intersections it looks like an attractive development this will help contribute to the sense of place that st. John's already has and will continue to aspire to be. Aye.

Novick: I really appreciate the hard work of Kurt and Lance pbot staff and the participation of the applicant. Thank you, Commissioner Fritz for your input. I appreciate commissioner Saltzman mentioning safety because that's the reason that pbot is excited about this proposal because it will improve safety for pedestrians. Aye.

Fritz: Mayor may I just interrupt and clarify I'm also voting aye on the amendments and I love it when we have two votes especially when I'm first up to vote. Then I remember something else I was planning to say. In hillsdale where there was a big development just at the gateway to hillsdale, the developer very graciously agreed to put up the big welcome to hillsdale sign rather than welcome to whatever the development was called. That might be something to request from the applicant when making their sign for them to consider making it welcome to st. John's with a minor feature because I think that will buy them a lot of good will and be greatly appreciated by the community. With that I vote aye on the amendment and I'm going to vote aye next week.

Hales: Well, again my apologies for the procedural confusion but I think we got through that. I wasn't here for the hearing. I had a chance to review the record and tape, and I think it was a very good discussion. I want to second the comments that have been made. There's an art to this both what we do here in making public decisions and what people do in the private sector when they plan projects. There's an architect's term that one of our local editorial writers like to jeer at as if we made it up, place-making. Architects know that, planners and some lawyers. We try to make change fit the place in a thoughtful way. There's going to be change. We love the place, st. John's and others

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that have their own character. I think that's been well accomplished here and that the combination of what's happening in the public realm with the street vacation and the orientation of this project and what's happening on the private property is good placing and it really is important that we keep figuring out how to do that because there's going to be a lot of change in Portland. There's a lot of change right now. This is an excellent example of how it gets done well. So thank you. Well done. Aye. We'll take action next week with probably much less discussion on the amended proposal.

Fish: Let's move on, please, to the remaining regular agenda items starting with 154.

Item 154.

Hales: Commissioner Fritz.

Fritz: Could we do the next one, please, mayor?

Hales: Sure. 155. Let's take 1 a 55.

Item 155.

Hales: Commissioner Fritz.

Fritz: Thank you. Introducing Emily Roth who will present on behalf of Portland parks and recreation.

Emily Roth, Portland Parks and Recreation: Hi. Thank you for welcoming me to council. Washington Park is one of our oldest parks in our system. It was originally called City Park. We have a plan that was completed in 1988 for the park and since then many things have changed. For instance when we did the plan, omsi was at Washington Park and now the children's museum has moved in. Max has gone in. Many, many changes have happened to the park. We want to take this opportunity to update the park, rebrand it, take into consideration all those changes that have happened. So to do this, ppr went through a competitive rfp process to select the consult and team for the update of the master plan. We received five proposals and interviewed three teams. Every team that proposed would have done an excellent job. The interview committee selected place studios, llc, as the winning proposer to update the plan. 78 percent of the place team are minority women and or emerging small businesses. They are located in downtown Portland and have experienced working in Washington Park and throughout the world. We have budgeted for a robust public involvement process that will enable us to interface with the communities of the parks and outside the local neighborhoods. Ppr is looking forward to working with place and their team to create a new master plan for one of our oldest and most visited parks in our system. Questions? Comments?

Saltzman: It says this is to be paid out of Washington Park parking revenues.

Roth: That's correct.

Saltzman: Are they from the park's other general fund?

Roth: These are all revenues generated from the parking now put into Washington Park. We're getting revenue of about \$2 million a year now and that money is being used to do park improvements and as part of the tma, which is now called explore Washington Park, one of our commitments was to update the management plan for that park. So over the last two years \$400,000 has been set aside for this planning effort.

Saltzman: When we created the whole transportation management plan and area, we consciously dedicated parking revenues to go towards park improvements and other things.

Roth: That's correct. All of it is spent in Washington Park.

Saltzman: Okay.

Fish: I remember us actually making a pretty clear commitment that the money would stay in Washington Park and would be used for activities that benefited the whole system.

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So the transportation, the planning, et cetera. I have a question about the master plan. In light of the schedule that we have been reading about for capital construction at Lincoln high school at some point, have we had discussions?

Roth: Not that I know of but I'll make a note and get back to you.

Fritz: I think we have at an Executive level. There are some challenges with that. I'll be happy to follow up with you, commissioner Fish.

Fish: The biggest challenge is we might have a high school that doesn't have a place to play. That's an issue I care a lot about, and if there are options for interim field I would like to know about them and how we can facilitate that or if there's an alternative parks facility that could be made available to the high school during construction. It's an issue we have heard from a number of people on. I know the parks bureau cares deeply about fields but I would like a follow-up on that to know what our options are.

Fritz: Be happy to follow up with you.

Hales: Other questions? Thank you very much. Anyone want to speak on this item?

Moore-Love: No one signed up.

Hales: Let's take a vote, please.

Roth: I have to add one little thing to that ordinance. I got a little note from the treasury office just before I came down here that we have to add that they can also receive their check through ach, so just a little technical difficulty that wasn't caught, which means we automatically pay them. We don't have to issue them a check. Payment can be done by ach.

Hales: That has to be added to the ordinance?

Fritz: Where would it go?

Roth: On the very last part on number 2, it says reimbursement through check on the city --

Fritz: So their hereby authorized to draw and deliver checks. So we could just say pay delete hereby authorized to pay place studio, deleting draw and deliver checks.

Roth: That's correct.

Fritz: I move that amendment.

Fish: Second.

Fish: Ill second it for purposes of the future if there's a clause that says they get payment I think we would delegate to the bureau the decision about how the payment is affected. With changing technology at some point if you want to pay them through an iphone that's your privilege. I don't think the council is intending to limit the manner in which you pay.

Fritz: We'll change our standard language.

Hales: We need to change our standard language at purchasing so that that's the case.

Fish: It says we'll make payment at our discretion, blah blah blah.

Hales: Okay.

Roth: Thank you.

Hales: Roll call on the amendment.

Fish: Second.

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

Hales: Anyone want to speak? Roll call on the amended emergency ordinance.

Fritz: Good catch Emily in the treasury department. Thank you Emily Roth, brett horner and kia selley and to the volunteers and staff on the new explore Washington park, which formerly known as the Washington park transportation management association. Aye.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye.

Hales: Aye. Thank you. Let's go back to 154 then, please.

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Item 154.

Fritz: Thanks for being here earlier, Mary Ann Cassin. We introduced this on December 9 2015, city council unanimously accepted the park supplement report the city wide American with disabilities act transition plan. The parks supplement to the transition plan includes an assessment of 260 facilities owned, managed or programmed by Portland parks and recreation and identifies 20,325 barriers in these facilities, so quite a long list which I seem to remember is costing over \$17 million but we're going to plug away at it I bet. The design and construction work identified in this contract will further the city's equity goals by mitigating access barriers and improving safety at Ventura park and the east Portland neighborhood of Hazelwood. The improvements will include making the parking area, main path of travel and play area more accessible for all visitors.

Additionally the proposed Portland loo will achieve goals presented in the parks in 2014 parks replacement bond to provide safe, clean and accessible rest rooms in parks that are currently served only by temporary facilities. Those being particularly in east Portland. Bond program manager Mary Ann Cassin is here for another delightful presentation.

Mary Ann Cassin, Portland Parks and Recreation: Good morning. Just a quick reminder for the viewing audience I know you know this but the framing guidelines for this contract is that it's part of our replacement bond program. That consistently over the centuries the voters have responded to our request for funding for these capital improvements, this one being particularly focused on replacement of critical needs. There were seven focus areas in that measure. This one is concentrated in the playground category which we're promising to do 20 places that need playground replacements. Ventura Park as commissioner Fritz mentioned has really outdated play equipment. You can see our wonderful restroom facility there that will be much updated. We will also address accessibility and last but not least the bond program like any other capital program in the city has a commitment to art, and just like the bond measure 20 years ago rather than doing a scattershot of teeny art projects throughout, we have concentrated our efforts and this is one of the chosen locations for a significant art piece. The artist is part of the team. For those not familiar with the location, this is a really important park. It's along southeast Stark Street, highway visible, immediately adjacent to an elementary school. Hundreds of households that are not adequately served now, good public transportation access. Again, we are happy to say our outreach efforts have resulted in good minority women and esb utilization at 70 percent for this team and significantly the minority part is 64 percent. The list of items I'm going to be coming forward with you is getting shorter. This is on the horizon next month. But it doesn't mean we're not doing anything. We are seven months into the program and there's 27 projects under way. Fortunately, this procurement getting this technical design services in place we're coming to an end of that. Now we're really rolling and our first construction contracts come to you next week. Are there any questions?

Hales: Questions for Mary Ann?

*****: I have one question, which is I'm noticing the same language in the draw and deliver checks payable. Do we need to make a change to that as well?

*****: Thank you. I had not --

Fritz: I move that we replace draw and deliver checks with pay.

Fish: Second. Roll call.

Fritz: This is just on the amendment. Aye.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye.

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Hales: Aye. We'll ask that that language become standard in the contracts. At least in the parks bureau going forward. Any other questions or suggestions? Let's then take anyone want to speak on this item? Come on up.

Hales: Good morning.

Veronica Bernier: Good morning. Mayor Hales, always good to see you in the morning. Good morning, Commissioner Saltzman, Commissioner Fritz, Commissioner Fish and Commissioner Novick. Just for the record my name is Veronica Bernier, I'm a graduate from Portland State in public health but also school and park health. I claim to have worked in that area and I have actually. We're always looking at the parks. I do have some comments about that park and in terms of availability and also workability as a solid park. It's beautiful. The vastly pairan green is lovely. The entrance to it could use a little help. I always wanted to -- I love to say or quote Dr. Seamore Albert. Good neighbors build good fences. He said that in 2003 at Portland State. I wanted to carry forth I would like to see some fences and parameters and borders brought in there along that street that goes into the park to kind of wall off the property there so that it's safe for the children. Also safe off-leash dog walking areas. So important to maintain children and dogs and parents. The little matrix there that I wanted to bring forward is that I did watch about 50 kids going in there one day because I think it's fun to watch parents and people and dogs. Part of public health work is to look at the parks and people and schools. I did see that in the race the dogs come in first. They are best so they deserve more off-leash dog walking a little to the side. I just want to bring that point forward. Also a few parameters and boundaries of -- short fence is okay, six foot or whatever, might firm up that border, make it easier ingress into the lovely parks. Thank you.

Hales: Thank you.

Crystal Elinski: Hello. I'm Crystal Elinski. Thank you, commissioners. I'm going to represent 10,000 maniacs again. Since I come here today I have heard a lot of input on the parks, and I would like to say that I'm concerned with the budget cuts on the parks. I think they are integral to our city. We have the second largest municipal park in the nation. The first in the nation is where I came from originally in 1990, Phoenix, Arizona, which is completely surrounded by development since the last time I visited. It's very sad. It's called South Mountain. We have Forest Park and I would really like to see the city concentrate on parks. I have heard a lot of input from people in my neighborhood about especially this neighborhood. This is my new neighborhood, that it's not very accessible. And -- huh. I'm going to have to submit some written statements because I'm not really -- I haven't been granted the authority to speak on their behalf. But we need to concentrate on housing for people. I have talked about this since 2006 and some of you know that. But considering houses built before 1918 is a bit of a misnomer. There are a lot of housing and parks built around the history of houses built at that time. For example 72nd Avenue and the bicycle transit. Those houses were built in the 1940s tract era and they are very historical. I would like us to start expanding the concept of parks and accessibility to the city to the historical buildings of our city as well. As far as construction if we're going to consider expanding the influx of our city, and I would like to really concentrate on that. So as long as the parks bureau is under Commissioner Fritz to please consider the livability of our communities in hand with the parks. 1918 seems to me to be very arbitrary number as far as the way we built our city. I don't know if you get around as much as I do, as a homeless person, as a person who has been moved around a lot because of the housing crisis in our city over the last ten -- ten years: I have been very, very discouraged by the way we protect the historical value of our city. That goes

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hand in hand with the parks. If I could place it in the hands of Amanda Fritz and help out with that I would be privileged.

Hales: Thanks very much.

Novick: Do you have authorization from natalie merchant to represent 10,000 maniacs? [laughter]

Hales: He's joking.

Fritz: Try to ignore him. Don't encourage him. Please.

Elinski: Next time. Thank you for giving me the time that you did. I know all of you offered me ten minutes since the day I was kidnapped and tortured underneath the federal building. Mayor hales, I believe you're still holding true to your ability to meet with me despite your staff turning me off on many occasions. You said that you would look into the fire hazards of the underground bunker of the federal building. That was in 2013 and I understand this is your last year and you're not running again, so hopefully we can address that this year.

Hales: Thanks very much.

Elinski: Thank you.

Hales: Let's take a vote on this contract.

Fritz: Thank you to mary ann cassin the bond program manager and Gary Datka, the project manager. Aye.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye.

Hales: Great Park. Great project. Thank you. Aye.

Hales: 156.

Item 156.

Fritz: In 2006 the voters approved a metro natural areas bond that allocated over \$15 million to Portland parks and recreation to purchase natural areas, trails and neighborhood parks and to improve trails. With that money parks often partnering with the bureau of environmental service has purchased about 400 acres of new park land. Parks has about \$1 million of the money left to spend on natural areas and trails over the next year. While there are great opportunity to purchase natural area properties likely insufficient opportunities to spend the remaining funds allocated to trail acquisitions so parks would like to reallocate the trail money to be used for natural area acquisitions. Zalane nunn the assistant property and contracts manger in Portland parks and recreation will make a short presentation.

Hales: Good morning.

Zalane Nunn, Portland Parks and Recreation: Thank you. I'm Zalane nunn with Portland parks. As the commissioner said for the last nine years or so parks along with Bes and metro have been buying property with our local share funds. The money has been used to purchase things like riverview, wilkes headwaters and numerous properties in forest park and east buttes. The program is coming to an ends. We have about \$1 million left and one year to spend it. We have had to look at what opportunities could we really get done in the next year. Like she said, the iga we have with metro further allocated 15 million into four categories which she mentioned. Two of those, trail improvements and neighborhood parks, we spent all that money. But we do still have about \$1 million between trail acquisition and natural area acquisitions. We don't think we'll be able to spend all that, about 400 left for trails and just looking at the opportunities some are too complex, we don't have willing sellers, so we would like to reallocate the money that was intended for trails to natural area acquisitions. We still have a number of those that we could accomplish in the next year. I would also note that part of why we

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have so much money left in trails is because we worked closely with metro so were often able to use regional share money for acquisitions. We still made significant improvements. The other thing is natural areas often contain a trail component too. Some of this money still may be used for trails but in a different allocation. I'm happy to answer any questions.

Hales: Questions.

Fish: I'm not clear, to the extent we're talking -- what's been the coordination between parks and bes?

Nunn: We have often partnered so bes is putting in green funds and parks local share so we jointly own properties. This is one to say they have partnered with us, not that this money is actually used by bes directly. For instance Riverview bes put money in, parks put in money. Two different funding sources.

Fish: So I know how we collaborate. The challenge is typically parks acquires or one of us acquires then we have to find a way to do the o&m going forward. If we approve this ordinance what happens to the \$420,000?

Nunn: It would be reallocated toward natural area acquisition. Rather than buying trails we would buy natural areas it just gives us more flexibility.

Fish: This would be pursuant to the iga between parks and bes on how we manage.

Fritz: We'll still be subject to that in terms of how we then manage it thereafter. It doesn't make any changes to that.

Nunn: This is just about the iga with metro.

Hales: Further questions? Thank you. Anyone want to speak on this item? If not, it moves to second reading next week. Thank you.

Hales: Item 157.

Item 157.

Hales: Commissioner Saltzman.

Saltzman: Thank you, mayor. This is an annual exercise where we remove homeownership limited tax exemptions for those properties that are no longer owner occupied or their owners exceed income requirements and we're adding in new homeownership limited tax exemptions for new homes affordable to buyers. I would urge approval.

Hales: Let's see. Anyone want to speak on this item? Let's take a vote, please.

Fish: I'm pleased to support this. I believe concurrent with the creation of the new Portland housing bureau the function of oversight of our limited tax exemption program migrated from pdc over to the housing bureau and we now have regular council hearings on this issue and the properties we're terminating are properties that are no longer eligible under terms of the agreement that we had. I'm very pleased with the work the housing bureau has done in terms of oversight of this program. I'm pleased to vote aye.

Saltzman: Aye. **Novick:** Aye.

Hales: Aye. 158.

Item 158.

Hales: Second reading. Roll call.

Fish: I'm going to support this because it's an extension of an existing abatement and because the units are currently occupied and they are primarily units at 60 percent of mfi, with some at 50 percent. But I'm going to just state for the record as these things come forward in the future I'll be looking for investments either through direct investment or to abatements in-housing that is affordable to disabled veterans and full-time minimum wage workers, another way of saying zero to 30. Dan, I appreciated the presentation that

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director Creager gave yesterday because he laid out where we are and where we intend to go through the home for everyone framework. I'll be discussing with both you and the mayor how the impact statement that can become a regular feature of these matters so we can test where we are against the goals that we have established as a bureau and a council. This has been a successful development. I have long believed we should have the option of extending the abatement beyond ten years because the commensurate public benefit is affordable housing in our community. I'm pleased to support this. Aye.

Saltzman: If Commissioner Fritz want to do this, it maintains 203 out of 209 units affordable with 131 affordable between zero and 60 percent of median family income, so very worthwhile abatement worth continuing. Aye.

Novick: Aye.

Hales: Aye. And we are recessed until 2:00.

At 11:51 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.

FEBRUARY 17, 2016 2:00 PM

Hales: Would you please call the roll. [roll call taken]

Hales: Welcome, everybody, we have three items on the afternoon calendar. You're welcome to speak on any of them. Let our council clerk know if you'd like to do that. And we will -- I don't think have any difficulty sticking to our normal three-minute time] line for testimony if you're here to speak on the item. With that I will ask item 158-1 be read.

Item 158-1.

Moore: Amend bond avenue roadway realignments in the south waterfront district street plan, criteria and standards document.

Hales: Mr. Novick.

Novick: Last week council considered changes brought to us in December. Changes included shifting the final design for southwest bond and north of southwest porter language about the Ohsu commons and a conceptual adjustments 3 car alignment. Potential changes to the alignment south of southwest porter will be considered at a later time. Commissioner Fritz also asked me to make changes to certain references to the greenway those amendments were circulated to the council offices via the Tuesday memo. I have one additional clarifying amendment for that resolution. In the first be it resolved: I would move to insert the words phase 1 of, before the words exhibits a and b.

Hales: Thank you. I'll second that amendment. So the purpose of that amendment, which I had a chance to discuss with your staff, commissioner, is to make it clear that we're resolving the question of what the shape of the street alignment is in the northerly portion where ohsu is getting ready to begin development, and it's still awaiting further discussions and refinement in the southerly portion, that is phases, 2, 3 and 4.

Fritz: I apologize. I don't have this in my binder, I'll be right back. Does anybody else need a copy?

Hales: Staff, geraldine is here, there she is. Folks from pbob are here. There we go. Okay, the resolution itself, sorry.

Fritz: I was confused because the date is still November 24th. And so it's not--I think what I have in fact is amended. But then putting phase 1 in --

Hales: Phase 1 is this portion.

Fritz: Okay, got it. Thank you.

Hales: Everything north of porter. All right? Have I got that right?

Fritz: Thank you.

Hales: Any further discussions about the amendment?

Fish: Can I just get a procedural check, mayor? I have some questions about the underlying matter. Do we have a presentation?

Hales: Yes. We certainly have staff available to answer questions. If you've got some, let's have the appropriate folks come forward from pdc and pbob.

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Fritz: This is just to clarify. This is going back to the original proposal rather than the substitute that was put in on Tuesday of last week? Is that correct?

****: That's not correct.

Hales: No. So we're amending the substitute.

****: Correct.

Hales: So that's the version I have, substitute as amended 2-11-16.

Fritz: Okay.

Hales: In a box on the front page of that resolution.

Fritz: Yeah.

Hales: So the difference between the substitute and the original, differences are.

Geraldynne Moline: The original-original or from last week?

Hales: From the last hearing original.

Moline: We struck the language as proposed by Commissioner Fritz and commissioner Fish in regards to identification of greenway in the whereases and the resolveds.

Fish: In the substitute you've taken out language we've struck in the last hearing?

Fritz: Thank you very much.

Fish: That's helpful. I want to make sure I understand three pieces here. The first is with the realignment what is the impact on the width east to west of the greenway?

Moline: The greenway per code is 100 feet from top.

Fish: Right.

Moline: The language in the resolution, that's the road back a minimum of five feet from that 100-foot setback. So at a minimum, north of porter, that greenway would be 105 feet wide.

Fish: Okay. And is there -- go ahead.

Moline: No, go ahead.

Fish: You, please.

Moline: There are areas where it's more than 105, at a minimum it's 105.

Fish: And will it remain 100 feet as development progresses?

****: So on the east side of bond avenue there's no development parcel. So one of the issues originally with the alignment is there were two small development parcels on the east side of bond, between bond and the greenway. Shifting the road over, eliminates those parcels. So one of the concerns we heard from ohsu and brian newman is here to speak to it if need be, is that they did not intend -- did not think they would develop those parcels. They would basically remain vacant property because they are very small this. Alignment actually provides a little more space for the greenway and there's not -- there are no parcels of that size.

Fish: We preserved a minimum of 100 feet.

****: Absolutely, yes.

Fish: No intrusions into the 109 feet based on the action we're taking.

****: Correct.

Fish: We've taken out the language about any references to the greenway so we are not deciding the question of sequencing and funding?

****: Correct.

Moline: Correct.

Hales: We're deciding the location of the street now. A portion of the street now so that ohsu can proceed with a couple of their projects?

****: Right.

Fish: You've answered my three questions, thank you.

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Fritz: I have a question for the mayor, as to whether the wiggles have been straightened out to your satisfaction.

Hales: No, they have not thus the amendment. The section of Porter to me makes sense as street for the long run. The sections south of porter requires further discussion with zeidell who is changing some of their plans and the city in my opinion, as I said last time, certainly needs to work with the zeidell company as a development partner but we need to decide the location and configuration of that street for the long run in a way that passes the straight face test and doesn't necessarily suit the short-term interests of any property owners including the zeidells. That's why we made this amendment that says phase 1, because phase 1 is between porter and the existing river parkway.

Fritz: Do we define phase 1 somewhere?

Hales: It is defined in the exhibit, exhibit a. If it's in black and white it's really hard to see which phase is which.

Fritz: Ok, but you're comfortable with that language?

Hales: It is shown in the color version of exhibit A that phase 1 is the portion between porter and river parkway.

Fritz: The other concern I had stemming from the hearing back in November or December, was the issue was whether we could encourage in that special design of the street, encourage handicapped parking along the greenway so that really does increase accessibility for people who need to have -- have mobility concerns. I'll put that back on the table going forward. Thank you for working with all of our staffs over this past week.

Hales: Any other questions? Thank you both. Okay. This is a previous agenda item, unless there's any public testimony on this item I think we can now take a vote on it.

Moore-Love: The amendment?

Hales: On the amendment first and then on the resolution. [roll call vote]

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

Hales: And now on the resolution itself?

Fritz: Thank you commissioner Novick mayor hales and staff, for the revised resolution wording it does help clarify the questions I had with the earlier versions. The developments in this area, it's a very complex sequence of projects and involves several sources of funding. The realignment will benefit the greenway in terms of improving public access and visibility to the waterfront and keeping development further away. I hope there will be consideration of step-down on the other side of the street with the development of the ohsu parcels to make sure the greenway and the step-down is respected. It's my understanding that the special design area improvements in the bond avenue right of way will not be constructed until either the greenway or ohsu commons is built, and the interim bond avenue construction will not require greenway development nor any of the funds marked for greenway development. The development agreement for the zeidell property envisions that the greenway construction in approximately 2020 to 2021 at the earliest. It's dependent on tax increment financing revenue to be built. The price tag of a little over \$11 million was stated as adequate for this section of the greenway. This is less than the section that parks and environmental services recently completed in part because the stretch here has already been done with a cap by zeidell, it didn't accrue any in-river work or any bank restoration which our project did. So it'll be an interest walk, or cycle, or stroll or roll for folks going along the greenway to see the version that the government did that really does respect the wildlife habitat, and the version that was done privately which certainly takes care of the capping and we appreciate zeidell working with environmental services on it. Perhaps it's not as spectacular as our piece. The greenway

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master plan and update that gets underway this calendar year is being led by Portland parks & recreation and will coordinate closely with transportation, ohsu, zeidell, local residents and the public at large to ensure coming from a design perspective, which is what the design commission is recommending. Thanks to all. Aye.

Fish: Commissioner Fritz previewed her comments before this hearing and I seconded them. The questions are a concern. But I'm going to channel Steve for a second. When Commissioner Fritz looked at the mayor and said have we worked out your wiggles, I had a Steve novick moment. I took out my phone and it brought back a flood of memories. My son's favorite band was called the wiggles. He was born about 12 years ago, his favorite song is the classic "yummy, yummy." Mayor Do you still have a problem with the wiggles?

Hales: Even less now.

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

Novick: First of all, I really appreciate everybody's work. I'd like to join commissioner Fish in demolishing the mayor about wiggles, particularly when it relates to roadways. In the most famous discussion of a crooked roadway of all time, there was a crooked man who walked a crooked mile -- [poem completed]. So crooked roadways often lead to positive results. I'll ask you to keep in mind in the future.

Hales: Thank you for indulging my concern about this and I'll take all that in a good-humored way. I just want to reiterate it is important to get this right, I think we are and thank you. I appreciate everybody again taking a little extra time to measure and then cut. I had a chance to visit Rome for the first time and it reminded me of something that in planning is important to remember. Every now and then we get to decide where streets go, and how to pave and repair the ones we have. Every now and then we get to decide where new ones go. We got to do that in the pearl district and we might get to do that here. We might get to do that a time or two as we adopt future street plans for parts of the city not developed particularly well first time around. The hotel I stayed in was across the street from the pantheon. It was located in 128 a.d., and the building is still in use. Cities decide lots of things. When we decide where a street goes I have no idea when that decision ever gets changed. If you look around, again, we'll get a rare second chance with places like 82nd avenue where there wasn't a good grid put in place the first time. But as a very long term process, when we decide where a street goes. Buildings last a long time, they last longer than people do. Streets last longer than that with the rare exception of like the pantheon. Aye. Thank you.

Hales: Okay, 159.

Item 159.

Moore: Accept the annual report from the age-friendly Portland initiative.

Hales: Commissioner Fish.

Fish: Thank you, mayor. I'm very pleased to kick off a progress report from our friend at age-friendly Portland. Just by way of background, in 2013 the city council accepted an action plan for an age-friendly city that. Action plan contained 10 different areas of focus. And we have officially designated age-friendly Portland at our partner in implementing a number of those recommendations. This of course all flows from a very proud decision a number of years ago, of the world health organization, to give us a very special designation as an age-friendly city. This is the second-year progress report coming to council. I was going to introduce alan de la torre. He's talking to our clerk. Allen is going to introduce the panel. We've set aside 30 minutes for a brief overview and also let me say at the beginning, deeply appreciate commissioner Fritz and mayor hales for their

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support and my council colleagues for the funding in our last budget. This is not just any group. This is our officially designated age-friendly partner. We're very proud of that relationship and we made an investment in housing for older adults and accessibility. We look forward to the fruits of that work. Allen, welcome.

Alan De La Torre: Thank you, commissioner Fish. As of yesterday afternoon we finally executed the contract. It took only a month and a half. Sometimes there's red tape between governmental organizations but it's on the books now, both at Portland state. I'd like to introduce presenters today to my right. Barbara Bernstein, executive director of elders in action. Margaret Neal The director of the institute in aging at Portland state university. And a jack of all trades with aarp Oregon. She does a lot of different things with the group. We'll turn it over to Margaret to get started. We're waiting for the presentation to be populated. I don't know if it's toward go just ready.

Margaret Neal: We'll go forward without it.

Moore-Love: It'll be a minute.

Neal: We are very pleased to be here at this time to report on our last year's work with the age friendly Portland advisory council and the age-friendly Portland initiative. It began back in 2006 as a part of a research project with the world health organization. We've been working since that time on making our community more age friendly with the variety of partners. And the effort is organized through an age-friendly advisory council with our key partners, elders in action, aarp Oregon, and a number of other partners who make this all work together. The institute on aging is serving the role as a backbone organization, striving for collective impact. But that requires one organization at least to pull all the pieces together. That really has been our role. As commissioner Fish mentioned we approved -- the council approved the action plan for an age-friendly Portland back in 2013. And there are 10 domains of action in that action plan. They include housing, transportation, outdoor spaces and buildings, those comprise the -- they are sort of the built environment piece of making a community age-friendly. Then we have social participation, respect of social inclusion, civic participation and employment, communication and information, and community support and health services. Now, if you were counting that was only eight. In our effort here in Portland we pulled apart civic participation and employment so we could focus on economic development and have a special focus on that in our community, and also pulled apart health services and community services because they were such big domains and we wanted to focus on those independently. So our council decided we couldn't act on all of those domains at the same time. In 2014 we identified three priority areas. Civic engagement, employment and the economy, and housing. Then in 2015 we added two more, health services, prevention and equity. It used to be called health services. And transportation. Thank you. And so the key accomplishment that was had in the last year fall into three general areas. One is governance. One is providing education and raising awareness. And another is in the area of policy development. Each of those areas touch the different domains that we have identified as a council to work on. Highlighting -- some of the highlights with respect to governance in October of 2014. Multnomah County decided to join the age-friendly movement. And its board of county commissioners made a resolution to adopt the same areas of action as Portland had adopted. And then to work on developing its own action plan. They also agreed to have our age-friendly Portland advisory council serve as the advisory council to the Multnomah county effort. One of the things we did as a council is changed the name of the advisory council to the age-friendly advisory council of Portland and Multnomah County. Another thing we did that was very

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important, and I believe it was your suggestion we do this as an advisor council member, we adopted a charter. We spent time working through the various elements of how we wanted to govern this initiative and set that forth in writing. That's an appendix in the report that you have. And the next example of an accomplishment within the education and raising awareness area is the aging well conference that we had at Oregon Health Science University with all of our partners on October 3rd. There were about 140 people there, it was targeted to consumers and community members. We had sessions on housing, brain health, volunteering, physical activity, news, end of life care and county-based resources for adults. It was a pretty broad-reaching effort. At the end of it we took a walk across the Tilikum Bridge which was lovely. We had another event in October called what are old people for this was our follow-up event to the first annual event. This time it was held at Warner-Pacific College and Commissioner Fish served as the master of ceremonies for that event. It was keynoted by a woman named Dr. Janet Taylor, a community psychiatrist in New York City, a very well-known individual. Talked a lot about equity and the value of older adults and the contributions they make to our community. We have planning underway for a 2016 event in the fall to be focused on intergenerational opportunities to engage younger and older adults together. Another awareness-raising effort we engaged in was with -- was actually conducted with funding from grant makers in aging. What we did is we developed a case for age-friendly communities. This case statement will be released I believe next week. We have the proofs for it right now. And this was really prepared as a document that would pull together the existing research that pertains to why we should bother creating age-friendly communities. It looked across all the domains we mentioned. We presented that research evidence it has something like 300 footnotes. It focuses on the following areas: The economic benefits of age-friendly communities. The social capital benefits in terms of older adults who volunteer and as well as who make charitable contributions. The opportunities related to housing, opportunities related to physical infrastructure, the health benefits, not just for older adults but for people of all ages and abilities, for having a community that works. And a variety of other benefits. And then another area in which our council made contributions was with respect to the city's comprehensive plan. The advisory council members reviewed the plan, submitted verbal and written testimony, worked with community partners to provide additional input. Dr. De la Torre was selected to work in the policy expert group on neighborhood centers. He's also a member of the residential infill project to assist in addressing aging and accessibility issues in housing. I'll turn it over to you, Barbara, now.

Barbara Bernstein: Elders in action comes to the age-friendly Portland collaboration through the commitment of the city of Portland to civic engagement. We really appreciate your support and the office of neighborhood involvement. In addition to being an active member of age friendly advisory council and assisting in joint projects -- I'll keep that, sorry -- the age friendly projects that you talked about, our programs also fit in within the domains of age-friendly cities. We prioritize our programs based on the issues of most concerned older adults we hear from every day. We hear from about 3,000 older adults in our community. And the four areas of major concern right now are housing, not a surprise, I suppose, affordable housing. Identity theft scams and fraud, transportation and isolation and neglect. The first flag you see here is one of our responses to the identity theft scams and fraud issue. We are collaborating with the Oregon Department of Justice, APS and local law enforcement to create fraud panels that you see there. And Commissioner Fish participated in one, thank you very much. The audience is about 40 to 50 people and they are there and they get to talk to their service providers directly, hear

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about resources of support and to learn about prevention to those issues. The next slide shows a group of older adults headed down to Salem to advocate for affordable housing in response to the number of calls we're getting from older adults being priced out of their homes and can't afford the large rent increases and are experiencing no-cause evictions, we're educating ourselves on how to be better advocates for this. Those who had experienced housing insecurity and then we created a partnership with reach, home forward, urban league for housing council, Oregon opportunity network, northwest pilot project to, put together a series in which we could be better housing advocates. This included that trip you see there, and also participating in the fair housing council's discrimination tour, which gave us a little bit of a historical perspective on the issues facing us today. The next slide shows -- oh, that was one of the activities, one of our volunteers. This one is the opening of the orange line. We participate in those community events also. But that represents our commitment to transportation issues. And as an example we work with ride connection to recruit volunteers for the ride share program that. Teaches older adults to navigate and use the public transportation system when their own individual transportation system or when they can't drive anymore, essentially. The next slide is again housing project, that's the bus tour there. We have about 50 people participate in that event. And then finally I think, this is the age-friendly certification program which most of you probably know about. This started as a program by elders in action volunteers who felt themselves becoming invisible to their own communities. They educated themselves on how to serve and create friendly environments for older adults so they can continue to participate in their communities. This reduces the impact of social isolation on the individual and the community. It's a great way to engage older adults in creating the kinds of communities they want to live in. In 2013 we started to do this program a little bit differently and we're engaging the business districts. We have engaged the Hillsdale business district, Lloyd business center, the mall. We train volunteers and go out to a group businesses. Together they are talking about best practices, how to serve the older adults. We're also using this system to do the 19 libraries in the Multnomah county library system. So instead of us going in, our volunteers going in and doing the certification process, they are recruiting their own volunteers and they have champions within their system to continue to promote age-friendly activities. The library is already great but it's been a really important and engaging conversation to have.

Fritz: What were some of the most common things that people could improve?

Bernstein: Each library is a little bit different. For instance in sellwood they moved their - little things like this. They have moved their hold shelves to the back of the library. You have to go down a very narrow kind of hallway they have created. It used to be at the front of the library so that has challenges for people with disability and those kinds of things. That sort of thing. The library already has a great program, they are reaching out to older adults, delivering books, their service is really very good. But individual libraries may have had things like that.

Fritz: What were some of the things in the businesses that people should be thinking about but don't?

Bernstein: Thank you for asking. Well, benches in places of business. That's a way for anybody to rest, you know, to be there, to not have to stand while they are waiting. So that might be one thing. Signage was a big thing. We did a providence hospital and the signage was really very confusing. The facilities management people had already identified these problems but it wasn't until the volunteers came in to advocate for that,

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that the administration took notice. I think having advocates of people in the community saying the things that maybe we already know but haven't the will to make change, helps those things change.

Fritz: It's terrific to have you volunteer. Both of those examples are things that everybody can use, a bench to sit down when they are tired of waiting or shopping. Everybody can use better signage. The fact that your volunteers are out there and are respected and doing this certification is a great example of how making everything more accessible makes it more accessibility for everybody.

Bernstein: It's now called the age-friendly program instead of the elder friendly program because of that very thing. We also did the evaluation of the new water customer flyer. And I think in 2016 we have a really great opportunity to continue to do the work that is a collaboration between theory, policy and practice.

Fish: Could I put a plug in on that, mayor? I hope each year we can bring all the bureaus into this conversation. We had a brochure at the water bureau that outlined discount programs. It was small print, a small document. And it was very hard to read. We showed it to our friends at elders in action saying could you help us recast this so it's more accessible to older adults. The font is wrong, the layout is wrong, it's unfriendly, it's --
*****: [speaking at once]

Fish: We have a whole list of things so we redid it. We submitted it and got back another two pages of single-spaced. One of the comments they made was there's like six or seven phone numbers on the brochure. If you're an older adult and maybe not -- you don't read as well and you're confuse bad how to interact with government, six or seven numbers just makes it harder. Where's the one person that's accountable? And also we had some disclaimers about dos and don'ts. It was deemed to be off-putting because the disclaimers were positioned in such a way that it looked like we were making accusations rather than saying, you know, fair warning. So we redid it. Increased the size by 50 percent a modest cost factor. Blew up the font and we've gotten a great response from it. And frankly, without their input it wasn't clear to me all the ways in which it fell short. I hope it's a resource that we can all use because a lot of our most -- a lot of the customers that we're serving are older adults and many of them have the same issues including vision. We have to have -- we have to be responsive to them. So I can't thank you enough. It changed my thinking about a lot of things. Thank you.

Bernstein: Thank you.

Bernstein: There is one more picture. [laughter] That's it, i'm done.

*****: I have just a few slides. It's just a great pleasure to be here and I want to start by saying thank you so much for having us come back and do this report. It's great to have leadership and commitment from the city council, from the mayor and commissioner nick Fish. Commissioner Fish, your leadership has been a great support to the work we're trying to do collectively. I think there was a slide Margaret had which talked about collective impact. We together as a community, partners, stakeholders, advocate groups, we're working together to really work towards making our city age friendly. I think you said it right. It's not just about one specific group, it really is about age friendly for all ages even though we start with older adults. Maybe because we are aarp for instance or elders in action or institute on aging, I think the work we're trying to do is really about creating sustainable communities. I don't think I need to say that much. But I think what we have seen is that the shared interests between what we are advocating for, because we think it's going to be good for people 50-plus, and what we share interests with lots of other groups also thinking about their constituents, for aarp our interests are very similar to what

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elders in action is. I'll tell you a little bit about our connection to the work that's going on also around the state because we are aarp. We're championing age-friendly communities and the network of age-friendly communities around the country. Margaret mentioned the WWHO and obviously Oregon and especially Portland has been doing this work since 2006. And we as aarp have been very proud to be a partner in support of that work. About four or five years ago, aarp national became an affiliate with wwho and the age-friendly global network and is now really championing the age-friendly national network. When it began there were only seven communities and Portland was of course one of them. Now it's grown to 75 communities around the states. They represent cities, mid-size like ours to large metros from New York to L.A. To really small towns. A variety of Oregon communities around the state. I think that just speaks to the good work that has begun in Portland and how others are learning from it. I think we have a lot to be proud about. I know for aarp we've been very pleased to be a part of a corridor of organizations and advocates. For instance, we launched our neighbor walks program which we're really thrilled about. The folks at pbot active transportation have been great supporters of that. We have volunteers running this walk program. We have had over 500 people participate. We are also doing other things related to advocacy around housing for instance, speaking both at the local levels as well as statewide, you know, for instance with the inclusionary zoning. We continue to also just like Barbara said, I think Margaret also mentioned there are different ways of trying to do this work. And for us it means advocacy. We are making sure our volunteers and our 65,000-member strength is heard at city hall as well as at the state level when we try to advocate for the age friendly policies like safe streets and good sound funding on resources to make sure people are able to age successfully. We appreciate your support and thank you. I think I have a couple more pictures. Let's see. This is a good one, of various activities. The first one there is with commissioner Fish at our vital aging conference, doing a really great keynote for our attendees. There were about 220 people. And the bottom one is a walk, the neighbor walks, it was our first walk in Irvington. I think we had about 100 people show up which was a shock. It's been a great success and shows that older adults really want to engage in their community.

Fish: There are 65,000 members here in Portland?

*****: Yes.

Fish: How old do you have to be, or young, to be eligible?

*****: You can be a member at any age. But the full-fledged members, you can be 50 to get lots of benefits and stuff. Which we as a nonprofit aren't responsible for.

Fish: 50 and above.

*****: Yes. But our members are really of all ages. What we do is driven by our mission to make sure people can age with dignity. And you know, aging begins when you're born. If we go by that and not just the benefits and discounts you can be a member at any age. I think that's about it. The last one is, we were really pleased to do the first -- we partners with elders in action and with support from the council to do one of the first Portland mural in 2012. And mayor Hales was part of that along with two other candidates. This is a save the dates, mark your calendars and we look forward to seeing you there.

Fritz: Are you going to invite all the candidates?

*****: Right now we have a policy which says we look at certain polling numbers.

Fritz: If I might make a request that you consider inviting all the candidates. Something the Columbia corridor association found was that by sending a questionnaire to the candidates and asking everybody who sent the questionnaire back that meant some people were not willing to put in the time to send the questionnaire back. I would suggest

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it's hard for candidates who are not well-known to be -- to get their message out. As somebody who has a group that's very inclusive and aware of abilities and disabilities, something other than polling numbers might be helpful to the democratic process if you just consider that. Thank you.

Fish: I remember once being on a stage with Josh Alpert and 14 candidates. I'm not sure it was the most informative forum. But I did get I think one question for the evening. I wanted to ask you, Charlie, was that effective?

Hale: It was very effective, I'm glad you're doing it again. I want to second Commissioner Fritz's point. January of 1992, an "Oregonian" poll showed me at six percent. I hope the threshold would be lower than that. [laughter]

Fritz: A fun fact I didn't know, Charlie.

Hales: Just shows how reliable early polls are.

*****: ours is not until April 2nd so we have some time.

Neal: We are internationally known for that candidate forum because it's featured on the World Health Organization Age-Friendly Globe website.

*****: I know the all the AARP cities we are working with like Texas has done that, lots of their communities have done the same.

Fish: You've mentioned inclusionary zoning and we have a big fight on our hands down in Salem. It's not going quite as we would like right now. I think it's worth remembering, people 0-30, median income, which sounds very wonky, let's put a human face on that. That's an older adult on SSI, a full-time minimum wage entry level worker. If you want a community for people of all ages we have to have housing for both. Entry level worker, full-time minimum wage, older adult on SSI. They both need housing at 0 to 30 percent of median family income. That's one of the reasons everyone up here believes this fight in Salem is very important.

Neal: Thank you.

Bernstein: Yes, thank you.

De la Torre: Just a couple slides left to talk about where we're heading in 2016 and beyond. I want to know after I did my math I think I've been volunteering with AARP since I was 26. All ages are welcome over at AARP. Our efforts are we're continuing to implement our action plan from 2013. I'd like to call out very briefly our SVP Encore fellows with us in the audience. If you could raise your hands, they have come to us after careers in Portland public schools and Intel to continue to further the efforts of age-friendly communities in Multnomah County. They are incredible benefits to the institute in general. As Margaret talked about earlier, Multnomah County is ramping up to do their baseline assessment and action plan. In the next year to year and a half we'll see those unveiled. The city of Portland funding is key for us in moving forward. You could think about it as seed money. As I move forward in my efforts as a researcher at the Institute on Aging, I have the ability to look for additional opportunities in funding, say nonprofits and other organizations interested in helping us to implement the action plan. And to also look at exciting ways to further research and even start to teaching an intergenerational classroom in community studies. I'll talk a little bit about the capstone at Portland State that we're looking to develop. A little bit about the deliverables and the actions we're taking a part of 2016 age-friendly efforts funded from the city. We'll now produce quarterly reports on what's happening at the council and the housing committee, which is being revamped at the moment. The second action is to revise our housing action area. We know some of the actions there in 2013 were good but they could be improved upon in light of the current crisis and homelessness issues we're facing in our community. We

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also want to identify priorities to increase age friendliness in Portland's housing. This is actually not as easy of a list as I originally thought. There both regulatory barriers of difficulties in finding regulation to improve age-friendly housing. Very intricate incentive-based approaches we may be able to take. As mayor Hales knows, on the advisory committee there are a number of different players and actors at the table. Finding solutions and bargains is much less easy than some of us anticipated early on. The final piece, the revision of this action plan and moving age friendly housing forward is going to need to be vetted further on. These updates need to be passed through you again. We need your commitment to look at these and give us advice as we move forward. With respect to the residential infill project, I've been a member of that since its inception. I will write a briefing in June of this year to describe where accessible housing opportunities are emerging. These are examples of what are known as stacked flat housing. It's on the table as an alternative housing type. They represent a townhome-type development that allows for one single level to be accessible. They are not audacious or hideous. They would fit well in the fabric of our community. These are examples of ways in which we are able to changing through small modifications the way we are improving Portland's housing stock. And the support from the stakeholder advisory committee and others to look at these types of solutions. Just to mention very briefly the age-friendly service learning project that is part of the grant that is essentially underway was a yesterday afternoon, we're working with university studies which coordinate Portland state capstone program to, develop an age-friendly capstone project where we take 10 to 12 undergraduates to do specific projects in the community. We're looking for some input. I had a chance to talk to a person from commissioner Fish's office and ask, should we do this as a one or two-term project? How much do we integrate students into the research project? Do we train them to be junior researchers in some way? And who are we engaging in the process? Are neighborhoods or business associations a priority? How do our age friendly advisory council play an important role in the work we're doing? And finally, what's the final product that we're creating and how that is useful to policymakers in this city? We want your input and we're looking forward to engaging with you and trying to create the best outcomes.

Fish: The mayor a number of months ago had a group students come in from a high school that were doing a project around designing the city or something. I think at a minimum we're going to want to talk to you about a time certain in the future where we could have a council presentation. Students are going to be working on developing this project, we're going want to hear them I think in this room.

De la Torre: That'll make some excited and some very nervous but I'm sure that's a possibility. We're asked by the university to winnow down who or core partners are. I think we may end up having them be the age-friendly advisory council with the deliverables coming from the city specifically. Thank you for the recommendation. I'd be very excited to bring the students here. I want to leave with a quote from this publication that Margaret talked about earlier, the case for age friendly communities. What we do now to make our communities good places to grow old he and yield returns, today, also tomorrow and all of us. This is for all ages and all abilities. We very much appreciate the support from the city, from you and council and from the partners in the community. We hope you have a little time for either comments or questions.

Hales: Questions for this great panel. Thank you very much, great presentation. So keep it up, because between the comp plan and the rest of the work you're doing he and the infill project there's a lot that will make a difference in people's lives in the way you

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described at the end. Get it right the first time and it lasts a long time. Thank you. Other questions or comments for this group?

Hales: Thank you so much.

Hales: Thank you all.

Hales: Anyone else like to speak about this report?

Moore-Love: Two people signed up. [names being read.]

Hales: Mr. Walsh, come on up. Come on up, please.

Joe Walsh: You'll have to wait, no, i'm busy. Okay.

*******:** Hello, sir.

Joe Walsh: My name is Joe Walsh and I represent individuals for justice. I'm a little dizzy so that's why the hesitation. One of the things I thought of during the presentation was that because of my dizzy spells I don't drive anymore. So I ride the trimet -- trimet and the max a lot. And one of the things you'll notice on trimet, they do a great job with wheelchairs. The bus drivers are very sensitive. They stop to bus to get out and they help, but that's it. When people get on with walkers in their 70s and 80s the bus driver doesn't even get out of his seat. I've often wondered why. They don't load a ramp. The person is struggling to get a walker up, even when you're low you still have an area of maybe 12 inches I had my little oxygen I lift up. So the question is, do they have a policy in trimet that says, load a ramp for wheelchairs but what about the walkers? I'm not interested in shopping carts all the people bring on because I think that's not necessary. The walkers are, they are medically necessary. So it seems to me that elders in action and aarp, very powerful organizations, send a note to trimet and say what's your policy on this? If you don't have a policy object walkers get one. Because they should lower the ramps, let those people on with their walkers so they don't struggle. And if you watch them, they struggle. And I'm saying to myself, why do we do that? Trimet has not responded to me personally but I think they with aarp if they wrote them a note. And I'm a member of aarp. So that's -- the other thing is, I am a true believer, if you want to fight a fire, you ask a fireman. If you want to know about what older people need, you find people in their 80s, 70s and 60s, and say what is it you need. I'd like to see older people sitting at this desk. Now, I'm not going get into the ages of the people sitting here. But they really look good if they are 80. I've been a member since I was 50 or 55 I think it was when I joined. Go older because 70 is totally -- I rode my bike when I was 60, and I'm going to be 74. It's very, very different than the 70s.

Fritz: Mr. Walsh, what number buses do you usually ride?

Walsh: I ride the 4 bus and the 14. The 4 bus switched to 14. Those are the two main buses. But I notice when I go to meetings and I ride the 70 or 72 bus, other buses, it's the same thing. The bus drivers are very sensitive to wheelchairs and I praise them for that. For whatever reason they don't ignore the way, but they don't have the same response. I know you ride trimet and you can watch them.

Fritz: Oh no that's my point on the bus lines that is ride they tend to put the ramp down for the walkers. They don't get up to help the way they might with the wheelchair, but we will find out the policy. I was just wondering if there's different cultures on different lines. Thank you.

Hales: Welcome, good afternoon.

Gabriel Vaught: My name is Gabriel Vaught, I'm speaking here not only on behalf of myself but also on behalf of Sean Davis. I just had a couple of quick questions or comments based off of the elders in action advocacy group presentation here. The first that I was thinking about was a comment that was made regarding the elders being price

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out of their homes, no cause evictions and that sort of thing. I just really want to hope that these sorts of evictions and actions are something that are being undertaken or at least considered by city council if not currently, in the recent past. I don't know of any specific actions happening in this regard. The second, is there is an incentive plan for developers to create age-friendly housing in the city? I see our city is an age-friendly city, and I'm kind of curious about that.

Hales: Good questions both. When it comes to policy commissioner Saltzman has led the council in actions of giving renters longer notice periods. Good question about whether we've employed incentives so far. We're talking about our incentives right now so your timing is good.

Saltzman: We have many requirements that affordable units be suitable for people with disabilities. Or can be retrofitted at some point in the future to be suitable for people with disabilities.

Vaught: Thank you, sir. You may or may not know, are these well-known to the aged community?

Hales: Some people develop that market of housing, yes, to some.

Fish: I think one of the things you're probably getting at sir is there are some threshold levels of accessibility that ought to be embedded in our building code regardless of who is served in the house. I think that's where you're getting and I think there's agreement that our code should reflect a minimum level of accessibility. And that's something that perhaps our friends through age-friendly can help us out with.

Hales: Thank you.

Vaught: Thank you.

Hales: Thanks very much. Anyone else want to speak on this item?

Fish: I move to accept the report.

Fritz: Second.

Hales: Let's take a vote to accept the record.

Fritz: Thank you very much the report and for your work on behalf of all of us. All of us are becoming older on a daily basis. I learned several things today, the most interesting to me being the reason for the change from elder friendly to age-friendly. I have been using the words age-friendly for some time and hadn't really understood the significance of that. Thank you for your work on behalf of everybody. I appreciate commissioner Fish's ongoing advocacy on behalf of elders in action and our age-friendly community and this report as well. Aye.

Fish: Thank you for your excellent report and the work you do in our community. We're going to be more effective when we all link arms. You mentioned the work the attorney general is doing combating elder fraud. We know the county is involved and has a range of services they provide to older adults. We've got a housing piece. We can go on and on he and on. But we want this to be a city that is welcoming to people of all ages. That means we want children to go play at playgrounds that are universally accessible and we want older adults to be able to age with dignity in homes they can afford that are accessible. I am so proud of the work you're doing and grateful for the service you're giving to our city. Thank you. Aye.

Saltzman: Thank you for the report and keep up the good record. Aye.

Novick: Thank you for the report, thank you for the work and I wanted to extend my thanks to aarp and elders in action for your engagement in transportation activities in the past year. Aye.

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Hales: We have a lot of mentors and we appreciate the good council of elders in action and aarp. One of my role models is Bud Clarke who I get to go on a 30 mile bike ride with every year. I'm impressed by that. I think the greatest sage on this subject, take a roll from commissioner novick who's usually quoting music lyrics jimmy buffet, who said I'm growing older but not up. My metabolic rate is pleasantly stuck. Let the winds of change blow over my head, I'd rather die while I'm living than live while I'm dead. So I think that spirit of how to grow older gracefully should be with all of us and with your good advice more people in Portland will manage that. Thank you. Aye. Thanks very much, good work.

Hales: Let's move on to our third item this afternoon, which is -- I'm sorry, 160.

Item 160.

Moore-Love: Direct the bureau of planning and sustainability to develop code language for council consideration to require deconstruction for the city's oldest and most historic houses and duplexes.

Hales: I'll welcome this panel to begin this discussion this afternoon. We have a lot of work to do in this city to preserve the great old buildings that we have. There's been too much demolition and demolition done too carelessly. There's some pretty salient concerns in our community right now about health and that's one reason we need to do this more carefully to remove asbestos and other hazardous materials when houses are demolished more carefully than we have in the past. I think if we pay any attention to what's going on in our city right now, issues like elevated levels of cadmium, asbestos or arsenic are serious threats to the public health. Secondly, job creation is something we ought to keep thinking about and deconstruction of homes creates more jobs than tearing them down with a track hoe. There's opportunities to give opportunities for folks that haven't had opportunities in the construction industry before. Reducing waste and meeting our carbon goals are something this whole council is committed to and this bureau is committed to, and this is one more way to do that. Because homes sent to the landfill is a huge loss in terms of material, and a huge load on the environment. So I appreciate the thought behind this work and the folks in the bureau of planning and sustainability. I'll hand it over to Susan and her team.

Susan Anderson, Director, Bureau of Planning and Sustainability: Susan Anderson, director of the bureau of planning and sustainability. With me are Alisa Kane and Shawn wood. We are here to talk about deconstruction as an alternative to demolition. Portland has been recognized as a sustainability leader for years. We've shown our leadership on everything from recycling to storm water management to green building. We've recycled about 70 percent of our trash. We have 350 leeds certified buildings. Since 1990 we've cut our carbon emissions 35 percent per person. There's still a lot of work to be done. One area in particular we want to talk about today is construction waste and demolition. Currently about 20 percent of the garbage, the stuff that still goes to the landfill is construction waste and demolition waste. While we build very efficient buildings and more sustainable buildings all the time in Portland, the standard practice when we tear them down is to just demolish them, sending most of the waste to the landfill. Deconstruction helps to salvage quality materials for reuse. The benefits are twofold. First we keep materials out of the landfill. Second, we also avoid the energy and the energy waste and other waste from creating new materials to put into our homes. So one reason we're focusing on deconstruction now, you asked us to come back with this report, is the uptick in demos throughout the city. We all know they are happening in the city and some are happening because structures are old and dilapidated. Many others are happening

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because of market demand. Now, we may not want those homes to be torn down and demolished. But if they are we want to make sure we do it right. And that whatever we can do to reduce waste to, salvage great materials and to improve and protect human health things we want to put into code. So what we're proposing today is a first step, a resolution. Then we will come back with an ordinance by May. We're moving quickly on this. The resolution has been vetted through a couple dozen meetings at least and has the support of both of the landmarks commission and the planning and sustainability commission so. I'll pass this on to Alisa and Shawn and we'll go through the specifics of the resolution.

Hales: Thank you.

Alisa Kane, Bureau of Planning and Sustainability: Good afternoon, mayor and commissioners, Alisa Kane I'm the green building manager with the bureau of planning and sustainability. With your approval we will be the first city in the nation to address some of the impacts of demolition in a way that benefits our whole community. When we talk about demolition, I think we've been by a site like this whether on your way to work or in your neighborhood. It's jarring to see a home that maybe had residents in it a month ago come down. And through conventional demolition, it will come down in about a day's time. There's usually a back how onsite and a couple of dumpsters and it's gone. The materials have no chance to be reused and most of them end up in the landfill. There's no actual benefit to anything that comes out of those houses. They are made up of our old forests and craftspeople who poured over those sites 100 years ago and were an important part of our development as Portland. We're not here to argue if a building should come down. If it should have to come down, we think there's a better way, through deconstruction. It's a more systematic disassembly of a structure with the intent to maximize of salvage of those materials. It can be done by hand, it can also include some mechanic equipment. It can take a couple of weeks whereas a demolition could happen in a day. We're talking about one to two weeks of time. There are additional considerations around time and labor costs for deconstruction. But we think there are a lot of benefits to be had there. When we talk about demolition, and I've seen it at council here, there's a universe of concerns that come up around waste, we've already established that. Hazardous materials, very importantly. The loss of historic resources. We've had conversations around affordability as it relates to demolitions and compatibility. And then who gets to know what's going to happen. Residents have called me and said there was a house next door to me yesterday and I came home from work and it's gone. That can be quite destructive to the community. Some of these issues are being addressed in other avenues deconstruction doesn't mitigate for all of these things but it does for some. Particularly compatibility issues are addressed in the residential infill project. We've had conversations at council about the delay in notification. But deconstruction starts to mitigate around the things like waste, carbon emission, hazardous materials importantly and the preservation. It has one additional benefit about job training. I'll run through the benefits very briefly here. One of the biggest ones around waste is the carbon benefit. Those materials not going to the landfill, we're talking about 20 metric tons of co2 saved per house. Every house that's saved is four cars off the road. And in deconstruction we're looking at a low reuse rate of 50 percent all the way up to 98 percent of a house. A lot depends on the condition it's in when it's turned over, what's in it. In terms of hazardous materials there's a lot of benefits around deconstruction. It produced significantly less dust. It's a more deliberate process and there are more people on the site you discover unabated materials like asbestos. If you pull out an old cabinet set,

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oftentimes the flooring underneath had asbestos during the original walk through with those companies they couldn't find it. Work stops at that point, abatement companies are called, it's handled and disposed of properly. It doesn't get pulverized and emitted as dust into the neighbors' yards and others. It affects the people who work on the site so the demolition contractors, it affects the people who are sorting and affects up to many hundreds of feet away. It's not just the contained site. So one of the questions around affordability comes up often around deconstruction. It can cost more. There are labor costs associated. It doesn't always cost more. The affordability of the homes being demolished, we took an average of the sale price of the homes demolished over the last couple of years. The sale price for that was \$175,000. We found average replacement costs, not specifically on that site but average market values, you can see there's a pretty big chasm between the home that gets lost and the homes that get replaced. I'm not going say every house deserves to have another hundred years with us. There are some homes that need to come down because of condition or because we're trying to meet our density goals. But the salvage benefits start to take an impact on affordability. Affordable materials come out of these things. People who are renting or want to fix their homes up can have access to those materials. Temporary housing opportunities such as dignity village. Specifically we'll hear are from habitat for humanity the deconstruction of homes leads to affordable homes because it's supports their affordable housing efforts. One of the questions we've gotten is if this resolution passes is there an industry out there that can support this. The industry already exists. There are people doing the training today. You would have someone from Oregon trades that is training people who are pre-apprenticed with a good career pathway into the construction industry are being trained on deconstruction right now. Those programs will need to be expanded and it'll provide excellent opportunities for people of color, women and/or historically underrepresented groups in construction. With that I'll turn it over to Shawn to talk about the process of how we got here.

Shawn Wood, Bureau of Planning and Sustainability: Good afternoon, I'm Shawn wood. I just want to give you a little background and we've been here a couple of times. Some of this may sound familiar. But back in February of 2015, the conclusion of a hearing on demolition delay and notification, the mayor asked bps to develop an advisory group on deconstruction so we could look at ways of advancing deconstruction as an alternative to demolition in the city of Portland. We established that advisory group back in April, and have met a total of 14 times. That group is a really robust cross-section of stakeholders in all of this. We have the development community, neighborhoods, and the salvage industry all present at those meetings. And one of the first things we came up with and this was back in June was we approached council with a recommendation to start off with a phased approach for deconstruction. As a first phase we would look at a grant program. Voluntary incentive-based first step. We kicked that program off in September. Meanwhile, the advisory group kept meeting knowing we wanted to come back in January of 2016 with additional recommendations on those next steps. We're pretty close January, it's February now. I apologize for not quite meeting that deadline. We developed recommendations for that next step which is why we're here today. The resolution would direct the bureau of planning and sustainability to create code for one or two-family structures, a house or a duplex, to fully did he construct that structure if the house was built in 1916 or earlier or is a designated historic resources. By historic resource I mean landmarks, contributing structure and conservation as well as historic districts and projects that are listed on the historic resource inventory. One of the things

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we learned from our advisory group is that not all houses need to be deconstructed. In developing code language we would make sure there are exemptions for hazardous structures that potentially pose an immediate public hazard or are unsuitable due to rot or fire or mold. You're probably wondering why 1916 seems relatively arbitrary date. What I'm going to try to do with the next series of slides is distill nine months of advisory group meetings down to 60 seconds. Here goes. When we look at the universe of buildings we've got single family structures, multifamily structures and commercial structures. All of these buildings have great materials in them, some more than others. We know from our advisory group that any kind of requirement we want to keep simple. We don't want to flood market with too many materials because the value of those materials offsets the costs of deconstruction. We want to make sure there's sufficient labor in place to accomplish this additional work. And we want to make sure it's done in a safe and effective manner and these requirements are successful. That requires a measured approach. I'm going to narrow this down to 1916 commercial buildings. There's a lot of great materials but they are not very homogeneous in terms of how they are constructed. Brick, masonry, concrete, steel, wood, there are all different types of framing and sizes. Multifamily, similar challenges with commercial structures. Various materials, different sizes, and also only a handful of these taken down in any given year. That leads to us houses and duplexes. There are about 300 a year come it comes to single-family structures. While it would be great to deconstruct all of those, getting back to our guarded approach coming out of advisory group, we need to narrow this down. If we've got a universe of homes let's split those into thirds, prewar, post war and houses over 100 years old. 1965 to the present, that's when adhesives were introduced so it makes the buildings harder to deconstruct. And also the material quality starts to go down. Similarly post war new, no adhesives but materials, second growth lumber, hollow core doors, not as good a candidate for our first step. When we look at prewar, they are the cream of the crop. These are the best materials, old growth lumber, hard wood flooring, solid core doors. If we were to draw the line just in material value which is where we'd end up. That's 66 percent or two thirds of all the house demolitions. That's too big of a first step to take. We started looking at what are our oldest and most historic homes those are the ones that are over 100 years old, they represent a third of all the demolitions, roughly 100 a year. Historic, we want to put in that there for obvious reasons. Anything the city or the nation in fact has designated as a historic resource, if that building has to come down we want to see it deconstructed and those materials live on. That's how we ended up with 1916 or older. This is a more finer grained breakdown of the age of structure and the number of demolitions. You can see the proposed kind of first phase would be 33 percent of all demolitions which is that 100 years old or older. Historic demolitions represent less than one percent. It's not a huge, huge number. Moving 1917 to 1930 it goes up to 27 percent. That would be a big step and something we could consider in later phases. There are geographic components to this. If we're talking about pre 1917 homes, we're talking about streetcar era homes, areas close in, northeast and southeast. When sellwood, along foster, even some in St. Johns, we don't see a whole lot of hundred year old older homes east of 82nd avenue or even large parts of southwest. If the resolution were passed today looking at next steps as Susan mentioned, we would work with both our advisory group and the bureau of development services and the city attorney to craft code language that would work towards meeting this resolution. Those code -- the code requirement would say go into effect in late October of 2016. As a way to check in and make sure we got that right we would come back to council a year after the effective date

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of the requirements. And just check in and see how things are going and report on the status of the program. And then finally come back to council two years after the effective date and look at raising that bar. So bringing in additional houses, up to the 1930s, or starting to look at major renovations or commercial structures or multifamily structures. So that concludes staff's presentation. I want to end on this particular slide, a building on northwest marshal back in 1943 this structure came down. Demolitions isn't a new thing, nor is deconstruction in our city. I like to think of this slide as what's old is new again, in terms of both the salvage of these materials living on, and also deconstruction as an industry, something that we used to do as a city. We've sort of lost touch with that and now we see that resurrection. So thank you and we're happy to answer any questions you might have.

Hales: Questions?

Fish: A couple I'd like you to just give us -- either address for a moment the question of the capacity of the market to meet the demand that we will likely be creating by passing this. One of the things I imagine will happen is we'll be creating lots of new businesses by creating this incentive. In the short term how would you assess our capacity in terms of the firms that do the work and the facilities that receive the materials?

Wood: So you know, a big part of our advisory group was taking a first step that was manageable. We knew we didn't want to take such a large first step that we end up flooding the industry with extra work and extra materials. There's currently a large demand for actual materials. I think that's less of a concern than the boots on the ground responsible for deconstructing these buildings. All of the major deconstruction firms in the area have been part of our advisory group. And they feel strongly they can, with training, which we'll hear a little about here later, is a critical component to meeting that additional demand. So between now and that effective date of late October, we'll be working with a bunch of different industry partners to establish training to meet that demand.

Fish: And the other question I had has to do with the public health dimension of this. The mayor and his team has been very focused on the environmental impacts and how we might through this effort limit asbestos and other airborne pollutants. We've had an interesting -- we're having an interesting conversation about this question over the past couple weeks and whether we have adequate federal and state laws and oversight. As part of this effort do you contemplate looking at whether there are some local regulations we can adopt so, in addition to the deconstruction we can fill some gaps in the regulatory patchwork to make sure the asbestos abatement is done and done professionally?

Wood: Sure. The department of environmental quality is currently in their rule making process for final rules on requiring asbestos surveys for any house demolition. I know that bds had asked them, the bureau of development services, to consider as a requirement submitting that asbestos survey at time of demolition permit. I don't know if deq is going to take them up on that suggestion but that would certainly help to fill the gap. If bds is the entity taking in the permits deq can only request that survey, if there's a complaint.

Fish: Can I make a suggestion? We keep learning to our great frustration there are either holes in the regulatory system that's set up over here that we rely on. Or any time we have a good idea it gets preempted. Maybe there is a third option here, which is at some point just to regulate. And if someone thinks we're out of line, let them take to us court and we can defend what we're trying to do in terms of public health. But I think between those two, I think there's a growing frustration with the idea that we are -- that that somehow this responsibility has been delegated over here and there are holes. And when we try to act we are preempted. If you give us risk assessment and the council says, let's

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go. If it turns out we've overreached, that's fine. In the interim we've stood up for peoples' health rights in the interim.

Anderson: I do believe years ago Margaret Mahoney, when she headed up the combine planning and bureau of development services, we looked at, were there options for local codes related to health, energy efficiency, and ada requirements that we could do an addition to and we found very limited but it was exactly what you were saying. We could have done it and had someone push back and decide whether or not we really could, whether it was interpretation, which is allowable, versus local --

Fish: Susan, you love to push the envelope. We're going to be sued no matter what we do, so it should be part of the conversation. What kind of local steps could we take, and then see if we could defend our actions.

Hales: Other questions --

Fritz: First, I want to compliment you and the bureau for this very elegant way of addressing the demolition challenge coming back after the demolition tax proposal I think this is a much more nuanced and careful and has had a lot of community input in it. So I want to thank everybody for your participation in this, and your leadership in particular. Part of the impetus for it though is that we want to discourage of demolishing of good old houses. I'm not necessarily persuaded that we shouldn't do the 1917 to 1930 range if we want. I've been taught by my colleague commissioner Novick about how supply and demand should fit the market with Uber, so maybe we should just open up a lot more homes that would be available for demolition or deconstruction. When you think about I appreciate the explanation of why not multifamily and why starting with 1916. I remember commissioner Novick admonishing parks to consider the heritageness of trees earlier so they could enjoy the heritage for longer. And the question when I first started was 1916 are we going to keep moving that goal post, I think there is a case to be made for 1930 as the middle of the great recession, presumably homes at that point started getting made with less quality materials. Even though that's now 60 percent, that's not necessarily a bad thing. If we are much more careful and thoughtful about demolishing 60 percent of our homes that would also accomplish the goal. I'd like us to hear testimony and consider that. At the very least I would suggest an amendment that not just the structure is a designated historic resource, but also exempt requiring deconstruction in historic conservation districts certainly for contributing structures as well as designated structures. So those are the things I'd like to hear some testimony about and for us to consider.

Hales: And maybe a reaction about is it administratively feasible to take that next tier of houses into the program in your opinion.

Anderson: We can tell you our opinion which is basically formed from what we heard from the industry. Which is hold on it's a fire hose if you shoot it all at us at once we may fail and we don't want to fail and so I'd like as people come to testify if you to ask them a little bit some of that so you can [speaking simultaneously]

Fritz: Wouldn't they just say no I can't do that, you know just like any other company if you've got to they would say you know I have a six months waiting list well fair enough and then there would be other companies who say look there's a niche here we're going to come onboard. We shouldn't be crafting our permits for deconstruction companies based on the number that we have now.

Anderson: The only experience I have that's familiar to this is when we suddenly made more energy efficacy requirements they did the exact same thing and they rolled it in over a 2 year period which is more what we're talking about because the industry needed to get there and you would've had really shoddy work, and we don't want poor work done, so

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we need to get there, I am not just that we need to do it tomorrow. We may want to roll it in over two years.

Fritz: As I said I want to listen to testimony about that. I just wanted everybody to know that's the concerns I had.

Novick: Commissioner on the uber analogy, I would note that we did not pass any legislation requiring a certain percentage of the population to take taxis everywhere. I would have been hesitant to do that without making absolutely sure that there was an adequate supply of private for hire service.

Hales: Questions for the bureau or other actions from you? Ok. We'll probably be calling on you again, and I know that we have some invited testimony and two panels, and then public testimony after that. So let me thank this group and call our first panel.

Hales: Good afternoon and welcome.

Steven Reichard: Good afternoon. I am Stephen Reichard, and I am the -- I service, serve as the director of the rebuilding center. The rebuilding center deconstructs homes and commercial structures, and salvaging up 85 percent of the materials for resale, in our warehouse in, on north Mississippi Avenue. We estimate that eight tons of materials come into and leave the store on a daily basis. Each year we sell 1.5 million of Salvaged goods, priced at 10 to 60 percent of the retail costs, saving over 60,000 customers, over 2 million off retail on an annual basis. Reducing the cost of the projects, and while recycling roughly 3,000 tons of materials annually. We provide employment to 30 individuals, many are people of color, some are ex-felons. We have 12.50 an hour with three to four weeks paid of vacation, depending on the length of tenure, and our profits, such as they are, are reinvested into the community through the outreach program, and we donate tens of thousands to various organizations around town annually, including many that address homelessness, such as dignity village, right 2 dream too and hazelnut grove. I serve on the deconstruction advisory board, and I attempted to offer to the group the knowledge that the rebuilding center has as an organization with 15 years of experience in the deconstruction industry. The rebuilding center offers support for the resolution before council today. By our estimate 30 homes were deconstructed in the Portland area in 2015, of which three building center deconstructed 15. Although the resolution, which we believe may triple or even quadruple the number of homes to be constructed, is ambitious, we believe that it is very doable. There are three scaling issues that arise with respect to this proposal. The first is scaling the workforce so that we can deconstruct the homes in need of demolition within the time frame acceptable to the deconstruction industry. And secondly, scaling our ability to move the additional product that will materialize as a result of the increase in the number of deconstructed homes, and thirdly, scaling the market demand for that additional product. We have begun to address all three issues. We believe it will require 25 to 40 new deconstructionists to perform the additional work, and it is admittedly difficult to hire skilled trade's people in the current building boom. That said, we have begun working with partners around the community, partners such as constructing hope, Oregon tradeswomen, the industrialization center, and the bureau of planning and sustainability, amongst others, and to design a training program that will allow us to ramp up in a timely manner to meet the increased demand for services. The associated jobs will provide a valuable workforce development opportunity, these jobs can pay well, with good benefits, and it is our intention at the rebuilding center to seize this opportunity to advance an equity agenda. With regards to the two issues, being able to move product and scaling demand, and we have examined our market, and we know that we sell 40 percent of all of our product in five contiguous zip codes. We have the largest

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merchandise of salvaged products in the Portland area, and our zip code analysis indicates that there is substantial room for growth, in the marketplace. To address the challenge of distributing the additional materials we have begun a close partnership with Habitat for Humanity's restores. In addition to the three local restores, there are nine other stores between Eugene and Longview, Joe Connell, right here, the manager of the local stores, has been pestering me for some time now to provide him with salvaged wood for a sale in his store. We tested his promise. He took two loads of wood off us and rapidly sold those in his restores so we believe that the market will easily absorb the additional materials that will materialize as a result of the adoption of the resolution. Finally, on the matter of asbestos, I would like to share with the council, the results of the study that we conducted last fall, on behalf of the office of planning and sustainability, regarding asbestos. Prior to conducting a house deconstruction, we hire, or ask the client to hire, a firm to assess the home for asbestos and if the asbestos is found, to abate the home. Prior to beginning any deconstruction, the homes that we deconstruct have been certified asbestos-free. We looked at the 51 whole house deconstructions that we performed in 2013 through 2015, and of those 51 homes, that had been declared asbestos-free before we began work, we found asbestos in 26 of those homes. And the only conclusion that I can draw from this study is that deconstruction is the only method of eliminating the risk of asbestos exposure. Thank you, and be happy to answer any questions.

Hales: Thanks very much. Good afternoon, and welcome.

Joe Connell: Good afternoon thank you, I am Joe Connell, the vice president of retail operations for the Portland Habitat for Humanity. Before I read my statement, you sparked a thought earlier with your story about Rome, and I was looking at the National Geographic and on the cover was a picture of London. And the digging that they are doing there, and the thousand years of stuff that they are uncovering. So it came to mind when you were speaking about reading about that, and how they would tear apart and reuse and build layer upon layer to make that city what it is. It echoes what you were saying earlier, and my other thought was I am from rural Maine, and we did not throw things away. We would tear things apart and reuse them as part of the culture. The nearest Home Depot was an hour and 40 minutes away, so it was not quick on our list to get to. So the things went to the dump, and it was called the dump, it was not a transfer station. Everything just got dumped there, but we could glean stuff from it. I was often pulling stuff back out of there, so very little went to waste compared to our modern, urban culture, is used to, so that's part of my motivation in the work I do and part of why I'm here. I will read now, sorry. Habitat for Humanity builds affordable homes with community support, and one of our ways of supporting this work is through our restores. All funds from the sale of the materials help to build affordable homes. Our work is supported by the community, in many ways. And the one way in which we see the most growth potential is increasing our materials donation base and growing our stores. Our presence, our present stores are salvaging many pounds of material annually, we are planning to open three more stores, and expand our deconstruction operations to build our capacity to demo that amount in the next several years. This would more than double our fundraising for affordable housing, as well, and enable Portland Habitat and our neighbors to build an additional 14 homes a year. In looking to build the program, we have started partnering with the Rebuilding Center to start priming our customers for salvaged lumber. We are talking about deconstruction contractors about getting -- setting up for partnerships that would allow us to do a hybrid type of thing where they would take the building down and our volunteers and staff could capture the salvaged materials. This model has been

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successfully utilized in other markets, such as Raleigh, North Carolina, and allows for the capture of materials with quicker timing and lower cost. Several of us, several of us are traveling next month to Raleigh For the national deconstruction conference to learn more from others around the nation and Raleigh, in particular. In conclusion, we support the recommendation before the council. Understanding that this is a bold and valid step for the city. The salvage industry, developers and demolition contractors. We also understand that as the market adjusts, so should the city's requirements with the ultimate goal of deconstructions far outnumbering the demolitions. Thank you again for this opportunity and your leadership.

Hales: Thank you. Welcome.

Travis Phillips: Good afternoon. Mayor and council, I am Travis Phillips. I am the manager of housing and development for the Portland community reinvestment initiatives, or pcric. We own over 800 units of single and multi-family affordable housing here in the city of Portland located in 30 neighborhoods, and we believe that everyone should be able to afford a safe and stable and healthy home. We develop affordable housing for families to rent and first-time home buyers. We were created by the community over 20 years ago. Because of this, it's very important that we are sensitive to and responsive to the needs and desires of the neighbors where we own and where we develop these homes. Deconstruction, as one of those sensitivities, is aligned with our goals to be good neighbors and good stewards of the environment. We save homes where it makes sense. But, we can improve density and opportunity and affordability in cases where it does not make sense to save homes. We also know low income families are disproportionately impacted by the desperate health impacts and negative environmental conditions so we're sensitive to health when we develop homes, and in cases where we replace a home already existing. That includes the health of the people and the health of the environment. So, to kind of hit on a couple of the issues that I think are critical when it comes to deconstruction, to provide affordable homes cost is a concern to achieve affordability, we have to keep our costs in check. Deconstruction costs, that is a method that we have used on several projects over the course of probably at least, and maybe more than ten years. We see the costs vary from project to project depending on the site conditions and the value of the material. In the best case scenario including the most recent development, where we have got new homes that are, actually, under construction now, deconstruction was cost neutral to the project, and it only added a very small amount of time to the overall project time line. We have seen other scenarios where there might be a 2 or 5000 differential for deconstruction versus demolition. But, in the -- I think one of the real benefits is by its nature deconstruction is more controlled, it minimizes the dust and debris compared to machine demolition, and we certainly talked about the difference as it has to do with abating and controlling asbestos. It also includes lead, which currently, I think, is one of the, perhaps, not as easy to deal with because you cannot remove lead in the same way you can asbestos. But by deconstruction, it, as a manual process, it ensures that we minimize the amount of lead dust that's put into the environment, and it allows us to control what and where lead contaminated materials go when we have to dispose of those.

Fish: Can I stop you, every time we mention lead people start having visions of Flint, Michigan, and they go out and buy bottled water so to make sure that we're all -- we have no lead in our water system. And we don't even have lead in the connectors from the main pipes to the homes. If there is lead in anyone's water, it may be because of household plumbing and the homes particularly suspect, were infill homes between 1970

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and 1985, and apparently, the reason is, that there was, from time to time, people then used lead in the sautering, and that's one of the reasons the water bureau, at no cost offers a lead testing kit, and I'm testing my water next Tuesday, mayor, and on camera, and I am going to ask my colleagues to do it, too, but it's -- we do not have lead in our water. We do not have lead in the water distribution system. But it is possible it was used in the sautering of the houses of a certain vintage, and that's why we encourage people to test, and if you are not sure you have two other options, which you can buy a filter, and the two options are a filter, to be safe, or do a test, but the test is very easy, and even I can do it, so if people are concerned and have homes between 70 and 85, they can go to a water bureau website and get a free kit, and we'll test it for you and let you know if there is a problem.

Hales: Thank you for that public service announcement.

Phillips: I mentioned the manual process of deconstruction really helps to minimize any lead dust that workers are exposed to and neighbors are exposed to or that, perhaps, ends up at a site. I think that's important to be mindful of our health, and being a manual process, deconstruction, as we talked about a bit here, too, though, equals more labor, and more opportunity for living wage jobs. As a provider of affordable housing, and knowing that the amount of housing that is affordable to many working families in Portland right now, isn't keeping up with the need, and the opportunity to provide jobs is very important to help us to bridge that gap. And to ensure that folks are self-sufficient. I want to bring up a couple of considerations and challenges that I have seen with the Potential for deconstruction. I think the folks from bps touched on this a bit. But, we have a smallish workforce at this stage that specialize in deconstruction, so I do think that we should be very mindful of a widespread rollout to ensure that we can do a good job with it, to ensure that we can ramp up the workforce, and I agree with the idea that the ramp up, so that organizations like habitat for humanity and the rebuilding center, can train those workers and ensure that we do good quality deconstruction and don't have folks put in a situation to not do things the way that we want them to. Taking time to be mindful and make sure that we do a good job of bridging that skills gap, and bringing folks up to speed and insuring that there is the capacity to continue to do good work with this, is great. And then I think just the only other note that I would make is that because many of the homes built at the point in time we are talking about have the possibility of lead paint and other lead materials and lead hazards. There are some limits to utilizing the existing training programs, where folks in the training program, perhaps, don't have lead certification. And to increase that workforce, so that needs to be considered, and there needs to be a mindfulness of expanding and adapting the programs to address that consideration, as well so folks do know how to handle things properly so the, that folks are safe and workers are not exposed to things that we don't want them to be, and they have the skills to do that. But that said I am in support of it. We have used deconstruction many times, it's been a fantastic opportunity to gain support of the neighborhood where removing an existing home makes sense, and it certainly, the neighbor that is we worked with have been friendlier having gone through the deconstruction process versus machine demolition so I support moving forward. Thank you very much.

Hales: Another panel to call and we'll go to public testimony. Stacy Edwards, Amy James Neel, Mary Helen Kincaid and Barbara Kerr. I think we'll need to pull up one more chair to get you all here. Good afternoon. Stacy is not here, false alarm about the chairs.

Amy James Neel: I am Amy James Neel, and I am the construction manager and job developer at Oregon tradeswoman. Oregon tradeswoman is a state certified pre

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apprenticeship program that prepares low income women for careers in the construction trades, and these are high wage jobs. So, as a way to get our students, hands-on construction experience we partner with nonprofits in the construction work, and we perform that for free. For the last six months we've been working out the living cully project, and this is operated as a strip club for more than a decade until it was purchased by the living cully partners. And we have been performing the deconstruction on that building. It is a method to get it more attractive and to be an asset to the community, we've been doing the construction on the interior of the building, so with some really intensive safety training and keen oversight, our students have done all of the work so far. It includes tearing out the interior walls, and some of which were low bearing, and we removed the post and beams, and doors, and metal clads and cabinetry appliances, and carpeting, subfloor, all of the materials that were salvageable within the building. Although this is a seven week program and our students have five days of hands-on experience, all of this work was performed by these students and by the students. My students have very little to no experience working in the construction industry at all, and this happened over five days on the project. By the end of the five days, not only do these women learn the skills that it takes to enter these highway apprenticeship jobs, but also, in doing so, in the training process, we salvaged hundreds of lumber and again, all of those materials that would have otherwise been diverted to the landfills. To be honest, I am a carpenter of 25 years, and I was -- this is the first time I have done a major deconstruction project with a group of students before, and I was not sure how it would go and how much they could do as a group of novices. But I was surprised with very little training, just some intensive training and really good oversight, that they were willing to do all of that work, and they were able to do all the work. If we are determined to make this a part of Portland's values, there are people willing and able to do this work. And as a side note, students that participated in this project doing the deconstruction on this project, many of them are pursuing deconstruction as a career, so if they are exposed to the opportunity, and there are jobs at the end of my training and they know about these jobs, they want this work. It's good entry work into high construction crews. As an educator and their teacher and somebody who has been in the construction industry for a long time, I am the one who is tasked with teaching these people, this is the future of the construction industry. This is the face of the construction industry. And I don't want to be the one to tell them that our industry does not value natural resources, or that we don't have a responsibility in reducing waste. I don't want to teach them that the industry standard is to crush a building and put in a landfill. I don't want to tell them that. We teach our students at Oregon tradeswomen that all the materials in a building have an embodied energy, and there is an environmental impact, every component of that building, and the resulting reliance on fossil fuels and carbon emissions associated with all those, so I want to continue to teach that the future of building requires that we preserve resources, and we value recycling, and I appreciate the city reinforcing the message I teach my students in the classroom by our actions in the field. I am committed as their trainer to doing what it takes to be an integral part of building up the people necessary to do this work, and I will be part of that training to meet that industry demand. My students want this work, and I invite any of you to come out and check out my students, come and watch them do the work, and it's really great work. Thanks for your leadership.

Hales: Thanks very much.

Fritz: Do you support the proposal as written?

James Neel: I do support the proposal, thank you.

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Barbara Kerr: My name is Barbara Kerr, I am the united neighborhood for reform representative on the deconstruction advisory group.

Fritz: Move the microphone over.

Kerr: I wondered what you were doing. At first off I want to thank Shawn and Alisa and the bps for an incredible job on a committee that represented, competing interests, but I felt we were all heard, and it was constructive, absolutely. I'm hesitating because I've been hearing so many fantastic things today, there is not any reason to go over all the things that I wanted to say. In terms of the benefits and etc. Because we have had incredible testimony. I do want to say, you know, Shawn and Alisa have put in years, next year, it will be 40 years, I co-founded rejuvenation, and it has been a long time coming, and I really, I am really excited. Real excited. Ok. We want to be sure that as we adopt the construction as the way Portland removes buildings, if they cannot be relocated, we want to be sure that definition is maintained, that it has to do with maximizing the reuse. We don't want to see the incredible standards existing deconstructionists have set, be a lessoned in any way. We don't want green washing where people claim, because we are deconstructing and that means it's ok to take down the building, and we are constructing, and there is a lot of definition and care that will have to go into the codes when they are written. We want to be sure that it's well defined because deconstruction can be complaint driven enforcement, as opposed to demolitions that go down in a couple of days so we want the public to know, what deconstruction is and what it's not. We feel the deconstruction will be successful. There is clearly a reuse market, and that's not a biggy, and we also want it to be understood that all houses have the potential for salvage or reuse. 85 percent of the materials that come out can be reused, and materials that can't be reused, can be repurposed as we know. But also, and here's one of our biggest pushes, is that if the materials can't be reused, they must be deconstructed to avoid the hazmat exposure, to be controlled in how they are removed. We feel like the businesses will expand, as we have heard today, and we feel that abatement companies will adapt, in new businesses will start up, it's just a matter of having the houses, not that we are encouraging houses to be taken down, we're not but if they have to be taken down, by deconstruction, the business will be there. The businesses will be there, the labor force will be there. It does cost the builders more money and time, probably more often than not but that's the cost of replacing the construction. When they are not deconstructed, the building is being subsidized by the neighbors and environment and we have to be clear about that. Deconstruction is not a detriment to affordable housing. The building materials will help low income people to repair their houses and oftentimes, someone can come in, and they need, they need to fix their front door lock and give them a slot that would fit. Not that they did not have to spend 150 for a new front door passage and have to hire a carpenter to put it in. Besides the houses removed, are the affordable ones that, the ones that replace them aren't so we need to be clear about that, and with any change in the health and safety regulations there can be delay, and delay causes developers money, and that's understood but the delay in the hazardous materials and carbon impact, outweigh that. And we will adapt. We urge the resolution be amended to speed up the time line, the materials and houses built in 1916 or more are irreplaceable and high quality, and even in the smaller, less substantial homes. The 1920s used the same old growth lumber, and with the advent of the electrical appliances people stopped applying servants, and started building smaller houses. The money was put into the quality features. If you have ever seen a story book house, they are gorgeous, and the woodwork, the tile, and everything, the features are beautiful, and so, there is a whole lot

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that we would lose during that time. Besides there are a lot of 1920s houses and neighborhoods that are built mostly 1920s houses. The other thing about 20's houses is that was an era that had reacted to the germ theory, and so things were painted a lot. It was just the fashion, a lot of paint, and there is going to be some lead paint in there, which, in terms of the reuse, is not a problem, because it has, you know, what, 80, 90 years of paint over the top. And can be sealed in with new paint and safely be removed if done right. However, if they are demolished, then that is pulverized and goes up into the air, and becomes a major health issue. We feel that waiting to mandate the deconstruction any further is going to be a problem for the developers, too, because they are, people are going to start suing. They have started suing. There is a class action suit in flint and one in southeast Portland, and they will have to be deconstructed to avoid that, and the city will, as well, so we totally support this first step and asking it could be amended to move up the time line to increase the number of houses and save the resources and the health and safety that are involved in that next era.

Hales: Thanks very much. Good afternoon. You are on. You are on. You are on.

Mary Helen Kincaid: Ok.

Hales: It works.

Kincaid: Mary Helen Kincaid, I was a member of the Drac advisory group, and sat on that committee as the direct chair. There were two other drac members, first Kristin wells, and then she was followed by Phil who participated and they had environmental concerns, and that's why they wanted to participate. I will not reiterate things but I want to say that the bps staff did an excellent job, and there was good representation from various businesses that participated in various ways with deconstruction and demolition, and there were two community representatives, Barbara, and I guess you could call me community, but I was more drac, so we had -- there was no true neighborhood association on the committee and I will later address that. Bps staff came to our January drac meeting and made a presentation, and drac neither voted to support or to oppose it because they had too many questions so I kind of took the notes from that meeting so that I could relay those questions that drac had in regards to those. They were concerned of how the age of the house would be determined because not all the time are the records correct. So, there might be some way to fix the system brought if the house is remodeled in 1970 and gets completely remodeled, there is a lot of intricacies there. Which historic designation would be used because we know the hri is useless right now, and the good news is, that bps hired a historic planner and will be able to move forward on that, and I was not going to name names but I think we all know. The increased cost to deconstruction varies widely with who you ask. I heard Travis say that it was cost neutral. I have heard that it's 9,000 to 10,000, and a lot depends on what has to be done with excavation is a big issue because when they deconstruct, and there is a basement, part of the deconstruction does not include the excavation so whoever is doing the building has to hire someone to do that there was a concern on how that would be recovered. It is only going to trickle downhill or uphill to the next buyer. So how that is tackled, I think, needs to be a very important piece of this to make it successful. I've been at a couple neighborhood meetings where there's been suggestions about incentives so that if you -- most of your waste is just construction waste, and you get credit for what you deconstructed and didn't bring to the landfill and lesser fees for those folks doing the deconstruction that the cost be shared, that this is -- and one of the drac members brought up, Herman brought this up, he said why should I support an emerging industry he said why should I pay 9,000 more for an industry that's just emerging and can we help with the training and the cost to get it in line with, with what

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a mechanical demolitionists would accomplish but not in a way that some people would not like. If someone chooses deconstruction, as a way to lower the fees, is there a way to offer then an incentive like we do when we buy a fridge, there is energy assistance, you get some sort of thing, so I think that there is those options that have not been put into this. A feasibility study, everyone says we can do it but we have not seen cold, hard numbers, so would that happen? There was a concern that there was only three full-time deconstruction companies in Portland, and I have heard today that they say that they can take it on, so I don't know who is going to decide that, but that would be a concern. There is less material to the landfill, are we going to put someone out of business because they are not hauling things, and we are taking 40 percent of the waste away. What's going to happen to those people doing that? I know that it's kind of a social issue, but will those people transform into another, and can that be part of the issue? And then how would this be administered the inspection and enforcement cost, and all those things need to be explored before, as Barbara mentioned, the complaint, everything is complaint driven so I complain that I didn't like the way that they did the deconstruction, and what is the deconstruction? So, that needs to be clearly defined. I've been asked the question, would drac support this, and I think that they would with a lot of additions. And I can't speak, but those were their concerns with what they heard at the January meeting. The number one thing, the clear definition of deconstruction needs to be on the table, more community input. Barbara and I are not representative of the entire city. There was no outreach done to the neighborhood coalition meetings to get their feedback. There is -- I brought it up at a south labor meeting association, and the guy brought up the idea about incentives for dumping costs. I think that there needs to be more of that because I think that there is a lot of wisdom in the neighborhoods. I think we need to involve them more because they are being most affected. And I think there needs to be state regulatory people. I could go on forever about hazmat control and asbestos and lead. Who does what? I really like the idea of the third option, but let's just do it. As current history is going on about state regulation, as well as what I witnessed when I, when part of the demolition delay ordinance tried to get everybody in the room about lead and asbestos. There were 11 bureaus and state agencies that came to that meeting. And they all had different pieces. None of them were talking to each other, they had some familiarity. But I think the city could take a lead and say we want to fix this, and this is how we get them in the room. We met two or three times, might be a good opportunity to bring those people back, osha and oha and Multnomah county and the lead line. I think there needs to be a clearly defined process for permitting and inspection and enforcement. Because otherwise, you are just going to have a lot of people saying, no offense to all the colleagues of people that do this, but a lot of people will become destructors and if there is no guidelines what happens.

Fish: Mary Helen, I wanted to stop you there, are some of these questions the kind of questions that can be addressed through the rule-making process?

Hales: Code.

Fish: I am trying to figure out where --

Kincaid: I think they need to be specifically requested that these questions be answered.

Fish: I am making a list, but many of these could be addressed through the code, right?

Kincaid: I think if we set a time line of October 2016, I don't think that you should set a date. Either way, I think that we need to answer these questions before we implement this program.

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Fish: One of the questions I have is does the mayor intend to bring back the code language to council in which case --

Hales: Of course, yes. That's the only to get it to be code.

Fish: There is some stuff that we can delegate but if the intention is bring code back that would be an insurance policy on the things you are raising, and we could request a certain level of outreach between now and then.

Kincaid: I agree but I think that the concern was that there was not a lot of neighborhood input, other than Barbara's voice and me being out there in the land use world am I think we need to have public forums and tell people what it is and how that needs to be a piece. I address the concerns of drac about the equity and funding and how it would affect affordable housing that comes after, and the question of who pays. If it is the difference of 9,000 and 1,000 is 5,000 bucks, how is that 5,000 going to be absorbed into the process and why not share that with the industry and some other -- because right now it is laser focused on the development industry, and I think that they can be a participant in the process but all it will do is add to the cost of affordable housing, and there is other ways to get at that to do deconstruction.

Hales: Questions for this panel? Thank you very much. Let's turn to public testimony, and folks come on up and again, we have a great deal of information so what you have already heard, answers your concerns you know, feel free to be brief.

Moore-Love: We have 21 people signed up. The first three are terry parker, jim brown and john sandy.

Terry Parker: Thank you for the opportunity to testify, I am terry parker, a fourth generation Portlander and speaking as a member of the steering committee of unr. For a city that prides itself promoting reuse and recycling, why is this resolution still about single family homes built after 1960 to be mechanically demolished with reusable materials, literally being crushed using a diesel, smoke belching excavating. The delay in fully implementing deconstruction mandate appears to be a development community fabrication that suggests the deconstruction and reusing, building materials, industry, will fall short. The preservation of existing homes needs to be the top priority. However, when a home is slated for removal the sustainability and preservation tools are found within the deconstruction toolbox. The reuse of the building materials lessens the need for new raw materials including new lumber from growing trees while preserving historical artifacts such as period window frames and interior moldings and trim and other materials of character that otherwise could not be replaced. The marketplace for these has an unmet demand for both restoration and repair work, and for re-purposing uses. There is a need for livable wage jobs. As compared to mechanical demolition, the deconstruction can create significantly more jobs, and including entry level jobs that can lead to higher paying jobs, with a truck, some tools, and the proper training, and the will to work hard, deconstruction supports the creation of numerous small business, small family and minority businesses that could dominate the local deconstruction industry, in the 1920s Portland was in the midst of a new home building boom, and these homes are of high quality construction built with old growth lumber, amending the deconstruction mandate to include homes build in the years from 1917 to 1930, do not come soon enough. It is a crime not to preserve the irreplaceable lumber and reuse the materials from these homes. Instead of accepting delay and waiting a year or two after and effective date of October 16 to take the next step, a fast paced track to full implementation should be viewed as an opportunity to both create new jobs, and add more vibrancy to an already thriving reuse marketplace. The city council needs to pass this resolution and take the field of dreams

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approach, require deconstruction, promote the reuse of deconstruction materials, and assist in early trading, and watch the industry soar to new heights. Thank you.

Hales: Thank you.

Jim Brown: I am Jim brown, address for the last 36 years, 3407 northeast 27th. I live in the grant high school area for 70 years. I recently retired from five Years as land use committee chairman for alameda neighborhood association, and our most frequent contacts from homeowner's concerned construction of livable homes, and construction of new homes that appear out of character for the neighborhood, that said, demolition of a good house is a waste. What is worse, the waste is compounded by the current practices smashing and trashing. Homes built in the 1920s and some in the 1950s, contain old growth Douglas fir lumber, deconstruction, yields whatever quality is not available from today's commercial forests, and this old wood is denser and stronger, and has a higher resin content and more durable. The present day lumber comes from trees that are farmed, managed to grow quickly, and often harvested in the age of 40 years. Today's lumber is adequate to meet current structural standards but is not fine grained. Large old growth beams from deconstruction are resurface and had reused for structural purposes. Left exposed for the unique appearance. Smaller lumber is reused or repurposed by small businesses to manufacture furniture, moldings, and cabinets. I am told the market is strong and growing for this wood, as customers learn of the unique quality and look, I urge the council to develop regulations to encourage and increase the use of this resource. The date of 1916 should be ramped up as deconstruction capacity grows, perhaps a few more trees will remain growing in the forests.

John Sandie: I am john Sandie, a resident of northeast Portland. A couple personal things, one, I recently built a dining room table with materials from the rebuilding center that can sit by 12 members of my extended family. I had a home torn down right behind me, and it was deconstructed, and myself and my neighbor slept more peacefully knowing that it was deconstructed. My emphasis is on the hazardous materials, in December, as part of a unr, I focused on that, and brought up a couple of studies talking about the hud studies that talked about the spread of the lead dust from sites up to 300 feet in concentrations above that, so I refer to these, in my talk, and that sparked my fashion for the hazardous materials focus that I have given on this subject for 15 months or so. What has occurred, and the highlights of that, two things. One, those studies said proper wedding, two things, proper wedding and partial deconstruction of the high lead concentrated windows trim and that were the biggest factors to reduce that spread. Those two factors. We're talking about one of those today. What occurred since December of 2014? The bureau of development services has instituted the certification by contractors to follow the rules. That's been ineffective with recent data from the deq as analyzed by the Oregonian showing 65 percent non-conformance levels when you are talking about asbestos abatement and demolitions. 65 percent, obviously, the honor system is not working too well. What else has occurred? Citizens have promoted through the legislation, sb705, which is the asbestos survey for single family houses. unr and activists are working with the deq to put some teeth into this. Right now as we talked about earlier, they can request this. We need verification, there should be surveys available, as we started to talk about what can we do. After 15 months of knowing the potential of public health, nothing concrete has been done to mitigate the risk. 15 months. With the recent national and local issues around it, I would hope the city council would take that to heart, and institute simple, urgent requirements. Full deconstruction is the sure easiest but partial deconstruction, coupled with proper abatement and adequate

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debris wedding should be verified with on-site inspections so the fill the gap between the economics capacity, and to create full deconstruction, we should at least take the intermediate step of partial deconstruction and such. So, I think that most of the other things were covered, so thank you very much.

Hales: Thank you.

Brown: I failed to mention that I want serving on the unr steering Committee.

Hales: Thank you.

Al Ellis: I am al Ellis, and I am one of those elders, that builds up my retirement time with volunteer work, and I am involved in three organizations, one is the Portland habada sister city association, and I am president of that association, and we're not here to talk about the Russian far east but the welfare of our neighborhoods here in Portland. The other organizations are the neighborhood organizations. One is the Beaumont Wilshire neighborhood association. I used to be the president of that, and now I am editor of the newsletter, and the other is the organization, the grassroots organization that I co-founded a few years ago, the united neighborhoods for reform. I serve as unr's representative on drac's demolition subcommittee. So, you heard from the bureau of planning and sustainability, that there's been an average of 300 Portland homes demolished in the past two years, and whether this constitutes a demolition epidemic is up for debate but there is no denying that many viable, contextually compatible homes have fallen victim to this wave of deconstruction with Portland residents bearing the environmental costs, and bps concludes that, "demolition of housing has raised community concerns about housing affordability, health, and waste, and neighborhood character." I was at a rip sack meeting a couple of weeks ago, a few weeks ago, the infill reform committee, that the mayor has initiated, and the mayor spoke to this committee, and he said the concerns I mentioned are comprised of the hyppocratic oath, and it's these concerns that gave rise to unr. And it's been endorsed by 43 neighborhood associations, and with a shared tenant, that destroying a village in order to save it is never the wise policy. A central plank of our resolution deals with environmental fallout from demolitions, and it's a logical extension that deconstruction is the way to go. The proposed legislation before you today is a step forward in addressing the impacts associated with waste generated by demolition and is hopefully the beginning of a path that will fulfill our unr's ultimate objective which we mandated deconstruction for all of the residential demolitions. So, I think that there is a sense of urgency here, just as there is a sense of urgency on the global warming front and in southeast Portland, and there should be a sense of urgency on this issue, and I encourage you to expand to 1930 to cover homes that were built, you know, at that point because 1916 leaves out so many homes destroyed and will be destroyed.

Hales: Thank you.

Margaret Davis: I am Margaret Davis, I work with the united neighbors for reform, and I also live in northeast Portland. I am betting that most of you recycle and most of us here recycle, and we do it because it's the right thing to do. And nobody pays us to take that effort to take our recyclables and put it in the special bin and put that down the driveway. We recycle because it's the right thing to do. And we can recycle whole houses because it's the right thing to do. I handed out a metro report that was published in December. For the first time in a decade we registered a decline in our recovery rate, the materials not going to the landfill, two of the three materials are wood and scrap metal, and those two materials are attributed to the construction industry. And there used to be a pulp mill in Newberg that burned vintage homes. That closed in October so I think you will see a deeper decline starting from now if all those homes are headed to the landfills instead of

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to that pulp mill where they used to be burned. We have a great, ready market, and you will hear from them, those experts. We avoid the hazmat relief, and I don't think that anyone should be breathing asbestos, certainly not our kids, and no neighbors to the demolition sites should come into contact with any of these hazardous materials. If you look at bullseye glass and other glass factory, no one is paying them, not to use arsenic or cadmium in their recipes. For the same reason I don't think that we should have to pay to not breathe the asbestos and the lead issued from these sites, I believe these costs rest with the people responsible for releasing these hazardous materials. I don't think that we can share the cost, I think the cost belongs to the people profiting, And I think that the costs, if they are added, and they don't make affordable housing, I don't think that they are making affordable housing. You had Randy Sebastian was sitting here before saying the average of homes, the average cost of the homes he builds, are 700,000, and we did a study of two years, of homes demolished and the replacements were 2.4 times as expensive. So, if you want affordable homes, you keep the homes there, you don't demolish them, and if you do, you must deconstruct on your own dime. We've been here a lot in the last year and a half, and we are anxious for any measure that prevents loss in our neighbors of quality, old growth, materials, and construction, homes modestly sized that people could age in for decades. Homes that sheltered generations of Portlanders and can shelter more, so this is a chance to stem that loss and number of wasting Portland.

Hales: Thank you both.

Doug Lichtor: Good afternoon, I am Doug Lichtor, a resident of southeast Portland, I am also the department manager for deconstruction services of the rebuilding center and have been for the past eight years. We're very excited in this industry to think that you folks might endorse and pass this resolution we would like to think that we can take this tremendous step towards deconstructing the majority of the buildings to come down in this town and make a mark, a nation-wide, as having been the first to enact this kind of a policy. One of the things we are excited about is the opportunity afforded to additional companies to engage in this work. We are going to require a minimum of 25, if not 40 additional participants to deconstruct this. These buildings. These will be skilled trades people who have gone through this program, and know what they are doing, and who have osha training and how to work safely and how to work in concert with the team, identifying hazardous materials. If you were to google the deconstruction of Portland, two firms would come up, deconstruction services, the rebuilding center, and the Levitt deconstruction, there is room for the growth of additional companies to do this work in this marketplace. We cannot accommodate between the two of us, all the additional houses coming, and so we're very excited at the prospect of a rising tide of additional firms who can engage in this, and pay their staff living wages, and do good work, and reclaim the materials for reuse, and encourage you to pass this resolution.

Hales: Thank you, welcome.

Preston Browning: I am Preston Browning, the owner and founder of salvage works in north Portland, a retailer of reclaimed lumber. I spoke to you some in June. Thank you for having me back and hearing this important resolution. I told you in June that my business was growing, and I just had hired my tenth employee. Well, in less than a year I just hired my 13 and 14th employees. I see this as a huge boom for a small but a lot of potential for Growth industry, a niche, as it were, and I think that there is a real trickle-down effect here for job creation, and maybe it's trickle up. There is jobs there, and there is increased jobs on the retail of that material. And the increase of the jobs of the fabrication

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of people making products from this material. And you know, we -- a lot of our customers are fabricators, do specialized work here, and they are building trade show booth im talking about the 2000 ft booths the shoe booths. For Nike, or timberland. Or danner. And they come to us for their materials, and I often can't supply the volume that they need. I see this will add to the economics that we're talking about, and there is a real room for sort of an export market for this material. This has been said but I think it's important you, that it will put Portland on the map as a progressive and forward thinking city. So I ask you to pass this resolution. I encourage the resolution to be passed as is, and believe me, I understand the desire to salvage more of these houses. I do have concerns about the industry, and commissioner Fritz, I am absolutely happy for competition. I think that there is a lot of room here for that, and I don't think that it will, affect my business but I have concerns about the glut of that material and that can -- if there is not a value in that, it will raise the cost of deconstruction that much more because deconstruction contractors, or nonprofits are relying on the income of that, and I would hate to see a deconstruction happen, and then that material get tossed away because there was not a market for it. So thanks again.

Hales: Thank you very much, Welcome.

David Bennink: Hello. I am David bennink I'm from Bellingham, Washington so I will give you another perspective in the local groups. I am a deconstruction consultant, and contractor. I travel all around the United States, and Canada performing this work. I've been doing this for 23 years. I've been to 42 states and 4 provinces so I get to see what everybody is doing, and their different perspectives, and frankly, I am really impressed with everybody here. And actually, you know, we're all -- I say you know, around the country, I have said it before that people are looking at Portland and they are impressed, you know, with what's happening here, and the progressive measures that you are taking to protect your citizens and things like that. So, now, we could not wait for an ordinance to be passed so we started doing deconstruction, and I have done 900 buildings, so I have also been involved in about 3,000 total projects, so you know, you don't always have to deconstruct. You might gut out the building and use that. You don't always have to get rid of it, and I proved that by doing work in that limited Scope. We did it in an unsubsidized scenarios where we were doing it under regular mark conditions. We didn't have grants, volunteers, anything helping us out. We were going toe-to-toe with the demolition contractors and winning. To my clients, and I do my training, they kind of look at us as a role model and say, what are you doing, Dave? What do you think about this building and what do you think about this project? And if I reject a certain project, or a certain type of building, then it's almost like they all are going to follow in that and reject it. So, it's really important to me that I pushed the limits, and that's what I have done in inner city job training and taking down buildings with lower value, things like that, not just going after the high value buildings. I think Portland is doing that, as well. Where you're serving as a role model for, for other parts of the country. I am going to other parts of the country asking, so what I am seeing is that when you do something good here, you make an effort, and somebody follows you. Whatever good you have done has been magnified by whatever good happens in that community because they are looking to you, and you are the test subject, maybe, if it works for you they will follow you. So that's an important point. One of the other things, people don't want us to take too much time or to cost too much. So we are constantly faced with that issue. We've been able to get projects down to three or four days, and we have gotten the cost about similar to demolition, and you could say well, that's not what we have heard today, well, do 900 projects, and you will

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see maybe we could get that down, and one of the trainings that we do is to try and accomplish that.

Hales: Thank you very much.

Bennink: Yes.

Jordan Jordan: Appreciate that. If government camp, I am Jordan Jordan, and I represent earth advantage at 623 southwest oak street here in Portland. And I also serve on the deconstruction advisory group. Earth advantage is a Portland-based nonprofit, that works with the building industry to help implement the sustainable building practices. Our mission is to advance green building science and create an immediate practical and cost effective path to sustainability and reduction of carbon in the built environment. We partnered with metro to develop the program that beginning next month, will provide consultation and material brokerage service to builders and developers in the metro region with the aim of facilitating greater rates of salvage, of deconstruction and salvage of reusable materials. And it's our belief that for a project, that requires replacement of an existing building to be truly green, responsible removal of that building, and maximum reuse of the viable building materials, if necessary. Deconstruction provides a path to those outcomes. Diverting waste from local landfills and reducing the waste of embodied energy and emission of carbon, protecting neighboring properties from dispersal of hazardous materials and passing quality reusable materials for productive use. Deconstruction salvage can drive economic development, as you have heard creating six to eight jobs and a growing market with the product it needs to thrive, and offering affordable options for quality used materials. Deconstruction allows us to keep our history out of the landfill, and most of us feel a visceral reaction when we see an older home demolished, and the crunch and dump method of removal feels like insult added to injury. It feels like we are losing something because we are, there is a history and culture in the older buildings, and too often it's literally being thrown away. While on the rare instances concerned neighbors are intervening to keep a threatened home intact, in most cases, deconstruction provides the best opportunity to save the irreplaceable material culture that's thrown away when older buildings are removed. The resolution presents an opportunity for the city to look at planning goals and help to level the playing field for builders who have voluntarily chosen to deconstruct. If adopted earth advantage will work to ensure that the growing supply of deconstructed Materials will find new homes. Thank you for your leadership.

Sara Badiali: I am Sara Badiali working in deconstruction since 2005. In 2014 I was the board chair for the building material reuse association, a national membership organization for furthering building reuse and deconstruction. The deconstruction advisory committee proposal is achievable. We have thousands of unemployed Oregonians, who can be trained in deconstruction, including unemployed veterans skilled in team work, physical labor, and communication that are perfectly poised to learn to safely and efficiently unbuild buildings. We have deconstruction training outlets for women and minorities and Oregon tradesmen, and unemployment resources, like work source Oregon are in the position to direct people seeking training in deconstruction. There is a comprehensive training curriculum, created by national professionals in the field. It is a gateway skill to trades like electrical, plumbing and construction and for life work not just employment. Portland has the resources for market growth and salvage and reclaimed building materials. Since 2011 I have been cataloging news and resources on my website, the reclamation administration. And there are thousands of post about businesses spanning all levels of industry using reclaimed materials, corporations like

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Starbucks, who now only design cafe interiors with reclaimed materials to fender who released a series of guitars with old Growth wood, there are crafts people in cottage industries making laptop cases to tiny houses. The interior design industry is words millions but also in japan. The Japanese fire reclaimed wood and architectural salvage starting on the west coast. Portland's creative class and entrepreneurs are in a position to make great things of the materials made from our houses, and we want those materials and we don't want to jeopardize our health to get at 100-year-old wood from the sites. A table made from old growth wood can feed a craft person for a month. Not only can we absorb a glut in the marketed for reclaimed materials but can turn it around and produce ground-breaking products, just give us the chance on passing this deconstruction resolution. Portlanders have always been leaders in sustainability and creativity, the nation and the world looks to us for innovation and we're on the cusp of making history with this. My sincere thanks for the opportunity to testify and serving on the deconstruction advisory group, and I wanted to add one more thing, when we talk about health, we talk about air quality, and one of the things we don't talk about is water quality, we're using clean watered to keep emissions from us and we are, actually, putting clean water on the buildings to keep asbestos and lead in the groundwater, and other chemicals that come from hosing down buildings like benzene, which is a derivative of natural gas, and when this doesn't get filtered out, like if the demolition companies are not putting the filters in the drains that goes into our water table. I want to add that one more thing.

Natalie Perrin: I am Natalie Perrin, president of the board of directors at restore Oregon at 1130 SW Morrison Street. Restore Oregon staff has been on the deconstruction advisory group since the formation a year ago, and through that involvement, we work with the bureau of planning staff and other stakeholders to ensure the historic resources were adequately considered in the drafting of this resolution. Resources should be preserved and maintained intact, requiring deconstruction would serve as a small disincentive to removing houses from the landscape. And in fact, this is not a new idea since 2002, the zoning code has required in that would be demolishers are historic resources respond to all offers of salvaged building elements before demolition, and while salvaging is never as preferable as preserving them, requiring deconstruction would reduce some of the external costs in case where it cannot be prevented. There are many opportunities to expand the program, we support the resolution in front of you, as a tool to discourage the demolition of otherwise viable historic resources. I want to address one other question that commissioner Fritz had regarding which properties would be included in this resolution and as I understand it, historic resources are those defined on the register, local Landmarks and conservation landmarks and the historic resource inventory individually or as part of a district which you had asked earlier about whether or not the conservation properties, if they were contributing to a conservation district.

Fritz: We'll clarify that, thank you.

Hales: Thank you very much. Speaking of apprenticeship, thank you for training the new historic planner that is working for the city of Portland.

Perrin: I was not going to mention it but since you are going to say that, you are lucky to have him, he's going to be a boost for the city.

Hales: Thank you. Our apologies for the theft. Welcome good afternoon,

Ben Gates: Thank you, mayor and commissioners for the opportunity to testify in supported of the deconstruction resolution. I am ben gates, owner of urban patterns, an owner-based company that provides real estate development services to private and nonprofit owners. And I am also a member of the deconstruction advisory group, and a

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board member of the rebuilding center. A substantial number of our clients, landlords, and tenants, and owner occupants, elect to use salvaged material in our projects. Recently a new start-up, and local food industry incubator. Now, a lot has been mentioned about the benefits of deconstruction, so I am going to abbreviate my testimony, and don't have to reiterate that. But, just wanted to highlight that there is a substantial demand for salvaged material and increasing our deconstruction efforts will have a positive effect, and in supporting an increased supply in quality affordable materials that we can re-purpose into buildings. Our projects, our clients are asking for it, and in addition, we're excited about the economic growth opportunities in our work, and we look to grow and incubate small businesses, minority owned, women owned businesses and look to work with those who provide job training, opportunities to low income communities, and local communities. We're excited about this growth potential. We think increased deconstruction activity will allow the industry to retool, hire and train employees, and we know that for every one demolition job, six are created in deconstruction. We can grow business that is re-purpose salvaged materials and provide affordable quality materials, and we can also increase the health of the communities by diverting materials often hazardous from the landfill. So thank you for your leadership, and in pursuing this resolution, and the opportunity to testify.

Luby Wind: Great. Thank you, mayor hales, and the council for the opportunity to speak today, and to show our support for this very important resolution.

Hales: Put your name in the record.

Wind: Luby wind, and I serve as the employment navigator at mercy Corps northwest transition center in northeast Portland. I want to speak on the boots on the grounds that Shawn was talking about earlier. The rtc has been operating for six years and we insist to help individuals released from incarceration to become responsible citizens of society. The work we do serves 1,000 individuals per year. And find and use the resources. And we have saved the state of Oregon estimated \$8 for every \$1 spent on the services, my job is to advocate for and to assist individuals fund employment and keep it. Meaningful employment which I believe this project will bring, is one in which a worker receives fair livable earnings, benefits, and a connection to a collective purpose. This is a cornerstone of reintegration and change following a length of incarceration. The ability to engage in work has an impact on preventing or reducing the recidivism. Our clients need the opportunity to connect in a workplace, in a beneficial and in a meaningful way. Meaningful promote goes farther than what we hear as a survival job, the rebuilding centers plan, and I believe bps, is to train and employ workers in the deconstruction of homes, and this is not simply a survival job. Careful deconstruction runs parallel to our clients' efforts in reconstructing their lives. These are sustainable opportunities that have a learning environment where future carpenters, plumbers, trades people, and general laborers can learn skills and abilities and prepare them for future careers in the trade. We are pleased to have the opportunity if this resolution and ordinance passes to collaborate with the rebuilding center and who is a second chance employer and provide a path for job-seekers who are in reentry. I want to thank the council and the mayor for your leadership, on behalf of our hundreds of volunteers and our thousands of clients and you're staff for your leadership in passing the ban the box ordinance. This went a long way to paving the way to removing the stigma of incarceration, previous incarceration. We ask you to pass this resolution for the rebuilding center, and the rtc to create employment opportunities for Anthony here.

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Anthony Rutherford: Hello everyone, I am Anthony Rutherford, a volunteer representing mercy corps on the deconstruction versus demolition process. I've been working construction ten years and have seen many of the ins and outs of demolition, I became interested in deconstruction because I do remodeling projects, and they call for reusing the materials, as much as possible. It only makes sense, why destroy what we can recycle. We encourage Americans to recycle everything that we purchased from our local stores can includes paper, plastic and glass so why not recycle building materials. I read the cost from deconstruction is [inaudible] by taking advantages of tax deductions for donating the materials saved during this process. The deconstruction also diverts, wasted materials from the landfills. Local activists does not have to worry about the hazardous materials with deconstruction because the proper steps and training are done first. It keeps our environment intact and provides employment and helps homeowners save materials by donating to nonprofit organizations, and builders, certified training and learn new skills for higher rates of pay. I am one of the under-represented people here, and I will, actually, struggle from filling the background records. Where I am from, second chance, this is a big problem, so our nation suffers from recidivism because our system persecutes instead of rehabilitates. A steady job provides just, not just financial resources but connections to the new community that can reduce, recidivism, men and women have the same problems with housing, as well, and the housing is the most effective tool to reduce recidivism resulting in a safer community and low cost to taxpayers. So, give us men and women with past criminal history a chance to return to the society and learn how to live and prove to ourselves and our families that we can succeed.

Hales: Thank you very much, thank you all.

Chloe Eudaly: I am Chloe Eudaly, I've been writing and rewriting my testimony as I've been listening to everyone hoping to present a slightly new perspective. I am here to give testimony as an affordable housing advocate, a fan and neighbor of the Rebuilding center and concerned citizen. Last year, psu researcher shared the alarming results of their multi-year study, which revealed Portland's hottest and most polluted areas. They are hard at work in coming up with solutions. We should be doing everything within our power to reduce the environmental hazards and health risks to our residents, and we should be regulating environmental impacts across all industries, whether it's glass manufacturing or property development. The greenest home is the one that already exists, and as we saw earlier it's also the most affordable home. If we cannot preserve these greener and more affordable homes we should be requiring developers to take the most responsible path to taking them down. The decision to waste energy, increase pollution and add tons of reusable materials to the landfills should not be a choice. The majority of residents are not benefiting from the boom, and they are suffering from it in the form of rising rents and being locked out of the housing markets. Among many other negative impacts, it is unreasonable that we should also collectively suffer the impact of wasteful and hazardous demolition practices. Deconstruction comes with great benefit as we have heard, and including more living wage jobs, and decreasing demand for new resources, and saving consumers' money. These homes display a level of craftsmanship, and they are built from timber, from old growth forest we will not see again in our lifetimes. Short of saving them destruction is the most fitting final tribute to these historic buildings and reusing these materials is a way to honor and enjoy them for generations to come. I agree with commissioner Fritz and others who would like to see the range expanded to homes built in 1930, this is possible, and I would prefer to see developers bear the cost rather than be

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funded by grants. But this resolution is a step in the right direction. Thank you for the opportunity to give testimony today, and for your leadership.

Jordan Palmeri: I am Jordan Palmeri and I work in the green building program, at the Oregon department of environmental quality. My work focuses on reducing the life cycle and environmental impacts of building materials. I am here today to help highlight the environmental benefits of deconstruction, and the material reuse. For most materials, such as lumber and cabinets and light fixtures and windows and doors, the vast majority of the environmental impacts caused by these materials occur during their production, not their disposal. Therefore, the largest environmental benefits of reuse are not avoiding the disposal impacts but instead avoiding the production of new materials. From a carbon perspective, the deconstruction and reuse of materials from a single family home has a two to three times increase in carbon reductions compared to demolition. Other environmental impacts to air, water and land, can also be reduced through building material reuse, and the subsequent decreased demand for new products. Additionally, it is the policy of the state to prioritize the material reuse, over recycling, composting and burning for energy recovery, and landfilling. Oregon is a leader in the field of materials management and deq's 2050 vision for materials management calls for Oregonians in the year 2050 to produce and use materials responsibly, conserving resources and protecting the environment, and living well. Part of achieving this is that when materials are no longer wanted, they are recovered for their next highest and best use. The city's climate action plan commits the city to partnering with deq to implement the 2050 vision for materials management. And the deconstruction resolution is a commendable step to conserving resources and protecting the environment and living well. Thanks so much for the opportunity to comment.

Paul Grove: Members of the council, Paul Grove with the Portland home builders, and thank you for the opportunity to provide comment today. I want to start off, not being trite in saying this, we want to promote policies and practices that are environmentally friendly, and support our sustainable objectives. And at the hpa, through our sustainability and educational programs, lead-based training programs, we have seen a leadership position on some of these issues. In the residential industry, and I think that, as was noted in the previous testimony, particularly around lead-based paint and other stuff, that there are some additional opportunities on this front, around enhancement of particular training programs. I wanted to spotlight three or four issues noted today, and I don't want to be, to belabor the point, first is the cost, and as previous testimony noted, the costs do vary, and we heard some folks talk on the low end, infill group and talking with them, noted the additional costs were approximately 8,000 to 10,000, it varies by size and etc. I am saying anything that council does not know, as we move forward, we would ask that we had the conversation around a program to mitigate those costs recognizing that these are passed onto the end user to the home buyer, and we want to ensure housing affordability, so as we move forward in the process we would look to have that conversation around what the incentive looks like and the potential, potentially sustainable funding sources, as well on that front, if this is a path that we go down. The second issue talked about, is, involved capacity, and these are my terms, not those that were used earlier but I categorized it as institutional capacity and the workforce component. We talked about the firms, and we want to be sure that, you know, there is a limited number of firms doing this work today, and they have acknowledged or believe that they can, assume the additional work but a ramp up period, and I would echo the comments that would support a feasibility analysis on this front to ensure that there is not a glut, to ensure that we can

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accommodate the increase in materials that we would realize. The second piece is the workforce piece, and I think that there is a great opportunity on this front to have a robust and comprehensive workforce development program to, that provides the career pathways, and this is not unique to the deconstruction. Our industry is facing shortage of framers and other workers, and we think that this is something that is, has transitional skills, and we would love to be a partner in the development of a workforce curriculum. This does take time but I think that there is great opportunity to again provide the career pathways for folks moving forward. The last thing is the timing, I know the current resolution notes October 31 implementation date, effective date, and I think that it's important that we address and understand these foundational issues before we move forward with an October 31 implementation date/effective date. We want to move forward with the proposal, that hasn't articulated and addressed the underlying issues, and we don't want to see a proposal move forward that is set up to fail, so with that, thank you for the opportunity.

Fritz: I have a question, the 8,000 to 10,000, is that the net cost of deconstruction compared with the cost of tipping and the amount you get for selling the materials.

Grove: It's my understanding and I would have to get back with you, I would be remiss if I answered that right now so let me follow up.

Fritz: That may be a question for staff. But commissioner Fish, mentioned about recycling, and one of the reasons, that we recycle, a lot, is because otherwise we're paying extra for putting more in the garbage. So I would be interested in knowing the relative cost.

Fish: Can I ask a question? We are running out of time. You know Mr. Grove you are fairly new in this role and testifying here, and I would say that I can think this is the third or fourth time someone from the home builders has come, whether it's the tax abatement programs, demolition fee or this. Where you have come and laid out the reasonable and thoughtful concerns, that you and your members share and asked us to consider them in the legislative process, and I want to say to you, I am profoundly disappointed that this body has not received from your organization why you are trying to block the number one priority of this council in Salem which is inclusionary housing. If there is a view that there is some reason that we should not be able to have that tool, I would ask you, in the spirit, in which you have, and your predecessor has come before us and laid out concerns with every other piece of legislation, we have taken up, you put in writing what those concerns are, and that we don't keep running down to Salem and finding out in that you and the realtors and some other groups are trying to kill the number one legislative priority of this city. I would ask you to seriously consider both your strategy and how you engage this council including laying out in the same detail you are laying out, I think, thoughtfully now on this issue, why your organization feels we should not have that authority.

Hales: Please get back to us on that.

Jeff Fish: Thank you, Mr. Mayor and council. I may ask you for a little more time, I am also on the deconstruction advisory committee, and you know, I want to address several issues brought up previously. Commissioner Fish, early in your discussion on this, you talked about maybe having to get the attorneys out and fight some of the issue, as far as cleaning up the air. I am speaking for myself, but as a member of the homebuilder's association for a lot of years, I think that we're on board with this, the only question is the cost of the deconstruction in how that ought to be handled, and I will get to that in a minute. In response for your question to Mr. Grove, I haven't deconstructed a lot but we did want to, in the summer, solely because being on the deconstruction advisory

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committee, I wanted to know what the costs were. We came in at 9,000, give or take a couple of bucks, and over the bid that we had, to demolish it. And in that 9,000, that was a net number, levitt sold the materials. I am not sure who, we tore the siding off, when this lead-based pain, and shipped it to Newberg. It had the hog fuel burner going, so burned it up. That material is going to Everett or Medford, the two closest places to burn hog fuel. This committee -- I've been on a lot of committees and this is one of the better ones, I interacted well with Steve and Joe, Preston Browning and a couple others in that recycle business, and I would like you to listen to them when they say, take the first step first, and what they think that they can get done, they bared their soul on what they could do. My concern is that, for lack of a better term the 9,000 net over what it cost to deconstruct, if you have had a mortgage you know when that is in the process, there has to be an appraisal done. I will pick a number, 300,000 house and I have to spend 9 to 10,000, if I have to spend 10,000 more on that home to deconstruct it but my competitor around the corner is building on a vacant lot or demolishes a house with mechanical and spends 10,000 less, if I sell my house a month before, there is a comp for him. He can take advantage of that. His house is an identical floor plan, his house will sell for 310 even though he does not have the additional cost. The used market is based on the new market. If a neighbor is selling a 20-year-old house, it's roughly the same square footage, that's going to drive his house up, too, so it will increase our problem with affordable housing. I think if we find a way to take these 150 houses, say 10,000 a house subsidy, if we can do that, that's 1.5 million. It's not chicken scratch but it's not a lot of money, either, so if we can find a subsidy measure to pay for the deconstruction, I think that it will keep the cost down to the general public, and we can get deconstruction done, and for the most part, I am not going to fight over the two days that it cost me to demolish something versus eight to ten days. That's something that I am willing to accept the expense on, and I think most of the guys are willing to do that out there, too.

Fish: If you have suggestions for incentives, either you have seen in other cities, incentives you want us to consider or some offset, we have time to do some rule-making. I hope you furnish those and you have a good idea.

Jeff Fish: I don't currently but I will sit down with Paul Grove and see if they can come up with something that works.

Shawn Davis: Thank you very much for letting me be here to speak and I appreciate your time. I am not a member of the --

Hales: Put your name in the record.

Davis: Shawn Davis. I am not a member of the deconstruction council or part of the homeowners, builders, I am a post-commander for an American Legion on northeast Portland, and I deal with combat veterans coming back. While they are ready to work, some of them are not ready for 9 to 5 jobs or offices. Getting them in there, and, and to be able to work with their hands outside, with really would benefit them a lot. Many of them, come back and they may feel like they lack a purpose, and giving them this opportunity to do so, to reuse production, and help the environment, and give them that purpose, and give them a much needed job some of them sit at home. Also, on the post American Legion that was given to us in 1947, and we're remodeling it right now, and if we can use that, we'll use a lot of equipment from the rebuilding center, but we can -- it's cheaper to remodel, and we're getting the combat veterans jobs, and I think it's a win-win so I am here to support it.

Hales: Thank you both. So I think -- we have questions for staff before we vote on this, the subject of historic and contributing structures, and districts. Right.

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Fritz: Yeah.

Hales: We would love to hear your thoughts as a as a change to the resolution.

Fritz: Was the testimony we heard accurate, the language in the resolution actually covers the contributing structures within conservation districts.

Wood: Contributing, exactly? Not noncontributing.

Fritz: Contributing as well as those that are actually designated.

Wood: so it would mirror historic demo delay requirements in the zoning codes, so it applies to those same structures.

Hales: Any other questions for staff in thank you very much. Let's take a vote on the resolution.

Fritz: Thank you, mayor and staff and bureau of planning and sustainability for bringing this very nuance very carefully thought out, when Jeff Fish says the committee works well, he knows. Indeed that's a compliment worth having, congratulations to staff clearly you've heard a lot of interest in going further and I am persuaded from the testimony that you're approach, the right one to start with, and 1916, and hopefully, get farther, quicker, this is a really good start and thank you very much for coming in, and thanks to all the neighbors and the construction industry, the deconstruction industry, and others, who have worked on this, I hope it will result in fewer houses, old houses being demolished at all, or deconstructed, and that would also be a benefit, so by doing it in the measured approach, we can do better as we move forward, thank you very much, aye.

Fish: Thank you for bringing this forward. It's a thoughtful proposal that has gotten a lot of community input, and obviously, it's going to evolve over time, but we're going to start here. And I thought some of the concerns raised by the skeptics and the critics are valid, and we need to track that, and I think that any time that we can soften the blow on folks of the cost particularly at the lower end, we ought to be open to that, I think that we would want to look at the idea, and 15 years ago, I started learning about this when the housing event of Portland deconstructed homes, called Columbia villa, now new Columbia. It is exciting to learn about it, and they made a concerted effort to deconstruct. That technology has evolved, and one of the things -- there is two things I love about this, one is that it's in keeping with the city's green standards and values. And number two, I love that we are incentivizing an industry that will meet the workforce needs and not just veterans struggling but all kinds of people who through this are going to have a chance. It feels like a well-conceived first step. It has a lot of process getting to this point, it's consistent with our values. And it has some other dividends which are really neat and I think this council should embrace there, and I am proud to vote aye.

Saltzman: Well, thank you, staff, but also, the deconstruction advisory group. And I am very impressed with the balance, taking into account the needs to nurture, nurture a young industry, the deconstruction industry, and I am heartened about the path that we foresee with Portland leading the way, and we'll be putting people back to work or creating more jobs for people. I guess my instincts were also why 1912 or 1960, whatever the date is there, but I am persuaded by the staff report and the testimony we heard from the deconstruction industry that we have to sort of do this in the right way if we are going to make sure that the vendors we want to be successful doing this, are, indeed, successful. I think there will always be room for further review and modification but there is a starting point that will make a difference so aye.

Novick: There is a quote attributed to lombardi, winning isn't everything, it's it is only thing. I would not say climate isn't everything, the only thing, but I might come close to say I am persuaded by hearing that the difference between demolition and deconstruction

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is equivalent to taking four cars off the road for a year. So, very pleased to support this, and you impressed me, the work that has gone into it, and I am persuaded about the testimony, reasonable to start sort of small with that 1916 date, and I really appreciate everybody's work and thank you very much, aye.

Hales: Let me mention three things. Context, process, and a little personal experience thrown in. Context, I spent ten years in between my two chapters of public service, working all over the country. And there is things about Portland that we talk about, light rail and urban growth boundaries but they are talking about things with Portland that we know and compare so favorably to other cities that don't get talked about as much, one is our park system. It's an amazing park system. Most other cities have a great park or two but we have 200. It's undersold. And other thing, believe me, after walking over miles and miles of streets in other cities to figure out where the light rail line should go, nobody has the miles and miles and miles of streets full of great old houses that we have. We have a few great old neighborhoods, there is Queen Ann in Seattle but nobody has this. It's a treasure of inculpable value. And I think that we have come to see how vulnerable it is during this recent wave of demolition. I have, and I know many of you have. It is a treasure, and we have to defend it, and this is an important step in doing that. What a great process this has been, I want to thank the citizens who worked so hard in this committee in helping the bureau do its work and to thank Susan and Shawn and Alisa because this bureau has a talent, as we have seen it again and again, of moving people together forward on progressive things. We have progressive values but Susan, you figured out the right increment, whether it's recycling or green buildings or commercial energy benchmarking, you have done a great job of figuring out what the right step is in bringing people along to it, and this illustrates that so well done, and a personal experience I told the story a few times about the house my family built together for my parents when my dad retired, and we took the ruins of a mill built in 1776, burned down by Phil Sheridan and left as a ruin. And rebuilt the stonewalls, log oaks, milled them into post and is beams and then floored the thing with 150-year-old heart pine boards out of a factory in lignon, virginia that someone took the trouble to deconstruct because nobody could ever find dense, red, heart pine like that because it does not exist anymore. I still have the memory of drilling thousands of holes into those boards and screwing them down to the subfloor, but my kids grew up playing on those, and now somebody else's kids will do that and their grandkids and that floor will be around for a long time because my dad built the house that you can land a 747 on and it would survive. But the value of that material is inculpable because it cannot be replicated, is powerful to me, and it will be powerful to people that get to live in good buildings or work in cool offices with materials that have been thoughtfully salvaged from old homes. A few of which are deconstructed and well done, aye. Thank you all.

*****: Thank you very much.

Hales: We are adjourned.

At 5:20 p.m. Council adjourned.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

FEBRUARY 18, 2016 2:00 PM

Hales: Good afternoon, everyone, and welcome to the February 18th afternoon session of the Portland City Council. Would you please call the roll?

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

Hales: Good afternoon, everyone. Welcome. We have three items that we'll take in order this afternoon on the Council's calendar. You're welcome to testify on those items as we take them up. They are different from one another, the subject matters differ, and we will explain that as we go forward. If you'd like to speak on one or more of these Council calendar items, please let our Council Clerk know, and she'll call you from a list of folks signed up to speak on each one.

If you have not testified here before, there are some basic ground rules. First, you need only give us your name, you don't need to give us an address. If you're representing an organization, please let us know that as our code requires it. And we follow obvious and common sense rules of decorum here in the Council chambers. That is, we want to make sure everyone has the chance to be heard. So, we limit testimony in time -- and I think because of the number of people we have here to speak this afternoon, it'll probably be two minutes per person.

We also ask that we respect other people's points of view. So, if you agree with someone and feel the need to indicate your agreement, feel free to give them a thumbs up or a wave of the hand. If you disagree with them and also feel compelled to show that, a polite hand gesture to the negative is OK, but we ask that we not applaud or heckle or make any verbal demonstrations in favor or against our fellow citizens' points of view in this room so that everyone can be heard. We make exceptions for visiting dignitaries and school children, so if you're one of those, you might get a round of applause from us.

So, that's about it in terms of procedure. Let's turn to the first item. I'll ask Karla to read it, and then I've got some explanation and procedure to talk about it as well.

Item 161.

Hales: OK, so this is the first of the items on the calendar this afternoon. This is to determine whether the City should vacate a public right-of-way at 3rd and Harrison. It's also in subsequent action this afternoon going to be a matter of discussion about whether or not Right 2 Dream Too should be located on this site. But the first item is the street vacation itself, and that needs to happen no matter what the ultimate use of the site. So, the first item is the street vacation, and the question is simply, should this street right-of-way be maintained as a street right-of-way or be vacated so that the piece of land owned by the City of Portland can be used in some useful way? It's important to remember the distinction. The second item on the calendar is a zoning confirmation letter about Right 2 Dream Too's use of the site. The first item is simply, should there be a street there or not? Should there be a street that runs into the viaduct at the back of the property or not? It's a

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simple ministerial question that we get to answer lots of times about streets, and in this case we need to decide it in the case of this little fragment of street.

Saltzman: Mayor?

Hales: Yes.

Saltzman: I requested that someone from the Transportation department walk us through the decision-making criteria with respect to street vacations.

Hales: I believe they are here and prepared to do that. Commissioner Novick?

Novick: Yes. Christine Leon is here, and co.

Fritz: We wanted continue explaining first what the process is.

Saltzman: Sure, OK. That's fine.

Hales: So good afternoon, and walk us through that place.

Fritz: Well, actually --

Hales: Did you want to make your comments now, or did you want to wait?

Fritz: Yes. Because we wanted to be very clear that the first part -- as the Mayor was explaining -- that this was about whether there should be a public right-of-way on that portion of the property. Commissioner Novick is the Commissioner-in-Charge of that. There will be an opportunity after that -- if the Council decides, we will take a vote at the end of the hearing on the street vacation. If it turns out that the street is vacated, then we will have testimony on the proposed use of the site. But this first section is about whether to keep the public right-of-way remnant on the site that the City owns. We're going to be asking you to speak only to that under the first item. Commissioner Novick?

Novick: I also just wanted to put on the table that due to an oversight, we didn't have an emergency clause on this item. I wanted to propose an amendment simply adding that section five, the Council declares an emergency exists because any further delay in the vacation of this property no longer needed for street purposes would harm the public welfare, therefore this ordinance shall be in full force and in effect from and after its passage by the Council.

Hales: Is there a second?

Fritz: Second.

Hales: Further discussion on adding the emergency clause to the proposed ordinance?

Saltzman: I prefer we vote on that after we vote on the vacation.

Hales: On the emergency clause itself?

Saltzman: Well, I guess I'm not prepared to add an emergency clause until I know whether I'm --

Fritz: That makes sense, actually.

Hales: This is only to the vacation --

Saltzman: Yeah, but you're pre-judging where my decision may come because you need unanimity for an emergency clause.

Fish: He's saying why don't you hold off on that?

Saltzman: Yeah, hold off on the emergency clause.

Hales: OK, alright. We'll delay action.

Fritz: And just so folks know so you can testify about that, an emergency means that the ordinance would go into effect immediately. A non-emergency would be voted on next week. Regardless, my understanding from the City Attorney is that street vacations take 30 days to go into effect whether or not it was 30 days from today or 30 days from next week. So, that's part of the issue, also.

Hales: OK. Other Council questions or comments? Take it away, Christine.

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Christine Leon, Portland Bureau of Transportation: Good afternoon. Just before you get started, I want to remind you that there was another amendment to the Council from the Mayor.

Hales: Oh, right. Let's see -- walk us through that. I'm looking for my copy.

Leon: Sure.

Hales: The sewer issue?

Leon: Right. Would you like me to read it off?

Hales: Yes, please.

Leon: OK. It's a memorandum dated February 16th to City Council from Mayor Charlie Hales that amends Item 161. This memorandum requests that Item 161 directive C.2.ii be amended with the following language. Petitioner will determine whether the sanitary sewer and lateral line at SE Harrison are active or not. If these lines are not active, petitioner will accept ownership over the facilities in their current condition, will transfer ownership of the facilities if the property is ever sold. This will be accomplished in the conveyance document. If the lines are active prior to or at the time of any sale, petitioner will either 1) grant an easement to the abutting property owner in a form satisfactory to the Bureau of Environmental Services for the existing facilities, or 2) relocate the lateral line to a location and in a manner improved by BES.

Hales: So moved.

Fritz: Second.

Fish: Has this amendment been cleared with BES?

Karl Arruda, Portland Bureau of Transportation: Yes, Commissioner. We ran it through the BES staff person who commented on the street vacation initially.

Hales: Because normally we'd deal with that kind of sewer issue now, but because it's a City-owned property, we don't have to.

Arruda: Correct.

Hales: Further discussion on the adoption of the amendment? Roll call on adopting the amendment, please.

Roll on amendment.

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

Hales: OK.

Leon: So, again, good afternoon. My name is Christine Leon and I'm the manager of PBOT's development, permitting, and transit group. With me is Karl Arruda from our right of way section, as well as Bob Kieta, who's Office of Management and Finance's facilities manager. The purpose of today is to consider the final hearing for a portion of SE Harrison Street street vacation. It's a right-of-way situated between SE 3rd Avenue and SE Martin Luther King, Jr. Boulevard.

This street vacation was initiated by the City Office of Management and Finance, and OMF is the owner of the parcel that is immediately to the north of this public right-of-way that abuts the Harrison Street right-of-way on its northern boundary. If approved, after a minimum of 30 days after the second hearing if it's not an emergency ordinance and the conditions are met, the vacation is filed with Multnomah County. The City would release its underlying interest in this right-of-way to the underlying property owner, which in this case is the Office of Management and Finance.

The purpose of the request was to assemble the right-of-way to the parcel to the north for the adjoining parcel's development. I'm going to go through and describe a little bit of the details of the parcel, and then Karl's going to talk about the process, and Bob

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can get to some of the accommodations made before we end the hearing for the street vacation.

Saltzman: Is somebody going to explain the decision criteria that the Council undertakes in making the decision?

Leon: Yes, we'll go through that. So, the parcel itself is a 60-foot wide public right-of-way, it's approximately 150 feet in length and approximately 9250 square foot in size. It's partially paved. It's crossed by a publicly-owned storm sewer system on the east side which is close to the Martin Luther King alignment. It also contains a sanitary sewer and lateral in SE Harrison. That was the subject of the amendment that was read earlier.

The transportation street classification of SE Harrison as well as SE 3rd and Division in its location -- it's a local service street for all modes, but it is in a freight district. Like I mentioned, the parcel abuts the OMF -- the right-of-way abuts the OMF parcel to the north. On all other sides it is public right-of-way.

Further north of OMF's parcel is another wedge-shaped property which does not abut the Harrison right-of-way. And this wedge-shaped parcel is owned separately by East Side Plating. East Side Plating has accessed the Harrison Street right-of-way in the past across over on to the OMF parcel from which they deliver goods to their business by truck.

Again, part of my role this afternoon is to mention -- this is the ordinance for the street vacation, not for the development of the parcel itself. When we consider a street vacation, we don't give consideration to what the final use is gonna be. We're going to go through the process of how we got here, what the criteria for the street vacation was as contained in the report for the Planning and Sustainability Commission as well as the City engineer's report. After which, again, Bob can answer some questions about the accommodations for access, and then we'll be ready to answer questions.

But just in general, PBOT's recommendation to Council has been evaluated using the criteria contained in the engineer's report and Planning and Sustainability report to make a recommendation that this street vacation move forward. We've also considered through a notification process of other bureaus and agencies what conditions should be included in the street vacation. So Karl, you want to go through the conditions and then the overview of the process for the government-initiated street vacation?

Arruda: Sure. So, during our notification process, we received comments from other City bureaus and agencies, utilities. And using those comments, we prepared conditions for the engineer's report and for the final ordinance. In this case, Christine already mentioned a little bit that BDS asked for a custom conditions because there are several active storm sewer lines on the east end of this piece of Harrison Street which need to stay in place, and so the ordinance would reserve a 35-foot-wide easement to protect those storm sewer lines.

And then in addition, there was the sanitary sewer line that goes right down the middle of Harrison Street that leads up to a lateral pipe that heads north, and BES was not totally sure if those lines were active or not. And so in that amendment that Christine read off earlier, BES asked OMF to determine if that line is still active or not. If it's not active, it's not really an issue. BES would agree to abandon its interest in those pipes and they would become OMF's property and responsibility. If they are still active, then BES wants to sort of work with OMF to figure out the best future of those pipes -- whether to leave them as they are or to eventually have OMF reroute those pipes to a different location. BES and OMF agreed it could be decided later, and so that was the subject of that amendment.

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Another minor condition that came up was that Portland General Electric noticed they have some electric lines that cross 3rd Avenue and then cross just a very small piece of the southwest corner of Harrison Street. And so, as they often do, they ask for a general easement to protect those lines so that nothing that might be built in that Harrison right-of-way in the future would interfere with those lines. And that's pretty common that PGE or Pacific Power ask for an easement like that.

Another condition that's pretty typical is that PBOT asked for OMF to basically construct a sidewalk, pedestrian right-of-way, along 3rd Avenue to close off the Harrison Street entrance and curbs so that the general idea is to -- if it's not a street anymore, to make it not look like a street. PBOT's permit engineering and development review would work with OMF to give them the guidelines to construct the standard sidewalk right-of-way to close off Harrison Street.

Those are the main conditions that were required during our notification process. So then those were prepared -- so, our summaries that went to the Planning and Sustainability Commission and then were put into the engineer's report and then were placed into the ordinance for your consideration today.

Hales: Thank you. Questions? Do you want to keep going? Sorry.

Leon: I was just wanting to comment to drill in a little bit more to your question, Commissioner Saltzman, about the criteria we use for the recommendation. So, the evaluation really is based on the role of SE Harrison as a right-of-way serving the adjacent properties and the larger transportation system. And there are five criteria out of the comprehensive plan that we look into in addition to the concurrently in use actions and the transportation element in the neighborhood plan.

So, the five comp plan policies are 6.20 connectivity; 6.21 right-of-way opportunities, which is basically the need for the right-of-way; 8.14, which is natural resources, and that's chiefly focused on view corridors; number 11.11, which is a street plan requirement to have a logical connected system of public rights-of-way, and the underlying criteria there is 330 feet for a bicycle or a pedestrian spacing for a street as well as 530 feet for a street spacing; and then the last one is to provide for pedestrians with enough circulation and access to light and air, and that's under criteria 12.4.

Saltzman: Right-of-way opportunities means what again?

Leon: That's the basic need for the right-of-way. Let's see here -- "to preserve the existing right-of-way, unless there is no existing or future need for them, established street patterns will not be significantly interrupted and the functional purpose of nearby streets will be maintained." So, this is a short segment of right-of-way that is constrained by the existing facilities. We look at rights-of-way for the movement of goods and services, and this will not connect in the near future to any larger system. The street spacing that exists for accommodating vehicles as well as the pedestrian connections that exist meet the connectivity standards.

Saltzman: So these five criteria then are the same criteria that the Planning and Sustainability Commission applied in their decision?

Leon: In doing the report, they received the findings from these criteria, yes.

Saltzman: So I don't want put words -- I don't want you putting words in their mouth, but I'm curious -- was anything in these five criteria the basis of their decision to turn down this vacation? The Planning and Sustainability Commission?

Leon: I think we can read off to you what the Planning and Sustainability Commission's recommendation was. They ultimately voted to deny the vacation, but they denied it with conditions and they had three conditions mainly related to the access for the East Side

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Plating, which again is not part of the street vacation. That's a separate parcel. I think part of the reason it was brought up is because East Side Plating had accessed the Harrison right-of-way to get to the adjoining parcel to then get to their door for access. Do you want to read off in summary the conditions that Planning and Sustainability --

Arruda: Their suggestions? Yeah.

Leon: Suggestions, excuse me, not conditions.

Arruda: Well, the PSC recommends if the City Council chooses to approve the street vacation, then the following conditions should be included in the approval. Continue to allow access to East Side Plating on the south end of their building, provide for liquid chemical deliveries at the south end of their building or in a similar way, and three, require a good neighborhood agreement between East Side Plating and Right 2 Dream Too.

Leon: So, OMF has considered the Planning and Sustainability suggestions and worked with our office to provide a buffer along their parcel as well asking to us consider additional on-street parking spaces with frontage improvements and maybe some restriping of 3rd Avenue there. I can get into more details.

Saltzman: That's sufficient for me for now.

Leon: OK. Thank you.

Fritz: I'd like Bob Kieta to continue.

Bob Kieta, Office of Management and Finance: Bob Kieta, Facilities Services with OMF. First, OMF has reviewed the conditions --

Fish: It's hard to hear you.

Hales: Microphone a little closer, there you go.

Kieta: OMF has reviewed the conditions that are included in the vacation request and accepts those conditions. With regards to the Planning and Sustainability Commission comments that you just heard, we went further in meeting with the owners of East Side Plating as well as some of their safety employees and others. Had a wonderful tour of their facility, you know, got an idea of how the operation works and the need for the access to their side door, which actually opens up to the OMF parcel. Because of that, we looked into the code requirements. The only code requirement for their business operation was that they have an egress through that door. So, we started our planning just to create an egress along that side.

With the Planning Commission's review, we determined and had PBOT perform an engineering study. And with the information that East Side Plating had provided us about the size of the delivery truck, we did a couple different scenarios to verify whether or not a truck could actually make the maneuver if we provided a buffer alongside the south end of the building there. So, we've created in our planning and we're going to intend to create a buffer from their building 15 feet out. The buffer will include essentially a driveway, a curb driveway and fenced area to secure that area to accommodate their deliveries to the same door that they have been receiving deliveries. It'll change the method the delivery comes in -- they'll have to back in rather than pulling in and turning around and backing up -- but the maneuver is possible and we have that verified.

Hales: Other questions or any of our staff? Anything else you need to add at this point?

Leon: No. Thank you very much.

Hales: Thank you very much.

Fish: I have a question. I recognize we're talking about a street vacation and later we're talking about a siting opportunity, but what I want to avoid is breaking them up arbitrarily and then having questions later that are sort of germane to both. I'll just give you an example. The user agreement -- excuse me, the space use agreement talks about water,

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sewer, and electricity services to the site. Is that relevant at all to the question of the street vacation? Are there any code issues that come up in terms of how we're going provide those services and where, and whether this action has any bearing on that?

Kieta: That would actually be the development. If we were to develop the parcel by itself or the parcel with the street vacation, the same development criteria would apply to how we get water, sewer, and utilities to that site to supply whatever we need for the proposed development.

Fish: And Bob, what work has been done scoping out what that would require?

Kieta: We haven't got into the actual engineering development of any site plans at this point but the standard water line, sewer line, and electric services are what we expect to have to provide to the site.

Fish: Is that -- have you put cost estimates on any of that?

Kieta: No, sir.

Fish: OK.

Hales: OK, other questions at this point? Alright, thank you very much.

Arruda: Thank you.

Hales: Again, let's prepare and receive testimony from those that want to speak on this item. Again, this is only on the street vacation itself.

Moore-Love: I have 14 people signed up. The first three, please come on up.

Fritz: We do appreciate you sticking just to the street vacation. Obviously, you'll get a chance to testify on the proposed use later.

Andy James: Andy James, WYSE real estate advisors. Mayor, Council, the proposal to vacate a portion of SE Harrison east of 3rd Avenue is a terrible idea and should not be approved based on the follow reasons. First, the underlying reason for the vacation is an illegal use for the property based on the current zoning. Tent camping is a residential use --

Fritz: That's not germane.

Hales: No, sir, this is on whether that street should be maintained by the City of Portland as a public right-of-way for street purposes. The use of the property is a separate decision we get to shortly. We own this property, that is the OMF property, and there is a street right-of-way in front of it. It is a street right-of-way that runs into a 10-foot tall concrete viaduct that carries the streetcar. The question before the Council is, will we ever build a street there and why? That's the only question in this item.

James: But the adjacent permitted use is an industrial use --

Hales: Uses are a separate question. How the property is zoned what, uses are allowed on the property, those are completely separate decisions. The only decision before this Council is, should there ever be a street there and why? Given the transportation network that the street system is supposed to create -- so streets connect to each other. This one can't. It can connect to 3rd, but it can't physically connect to Martin Luther King anymore, other than by a sidewalk which already exists. So the question is, why would the City of Portland ever want to put -- to put the question in different words than the code, why would the City of Portland ever want to build a street there?

James: Because it'll allow for turning movements in a safe manner so you won't be backing people down for their use on East Side Plating's use. You can't say that the circulation around the site is going to be improved by vacating the street. In fact, it's going to be made worse, it's going to be made more dangerous.

Hales: You can build a driveway on a piece of property --

Debbie Kitchin: Are we doing testimony, or?

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Hales: Go ahead, but I just want to make sure we're sticking to the subject.

James: Absolutely. But it's one thing if you're backing bread trucks down adjacent to Benson high school and people are out there flagging --

Fish: Sir, can I call a halt to this for a second? Because I think Debbie has an excellent point. You signed up for three minutes, and I'm interested in hearing your testimony, not having a discussion at Council. You've given him the limitations of his testimony, but I'd like to have each witness given the chance to testify and then we can ask questions.

Hales: That's what they're doing. Go ahead.

Fish: Actually, he's responding to your point. I'd like to hear the testimony. There's how many people, Karla?

Moore-Love: 14 on this item, 161.

Fish: And how many on the next?

Moore-Love: About 40.

Fish: Thank you.

Hales: Go ahead.

James: So, the circulation -- if the streets there are for circulation of goods and services and people, to vacate the street and reduce access to anybody who would use the adjacent property and create a greater hazard not just to the drivers but anybody occupying that property is a bad idea.

Kitchin: OK, I am Debbie Kitchin and I'm here representing my business, InterWorks general contractors. I'm a property owner and business owner in the Central Eastside. The original intent of the land is a transportation-related use. The end use of the land should result in a transportation related use, either as parking to alleviate districtwide parking pressures or as a roadway providing access to the surrounding properties. The proposal to allow a 15-foot wide access for delivering chemicals to adjacent businesses is not sufficient to assure a safe delivery, and you'll hear more from East Side Plating being that.

The existing right-of-way serves as a viable access for emergency vehicles needing direct access to the adjacent site. This is an important life safety issue for the employees for the adjacent businesses, as well as potential residents of a homeless camp. The inability of adjacent businesses to use the right-of-way for safety, egress, and safe delivery of chemicals creates a liability for the City's general fund. It's not prudent for the City to pursue vacating this street.

The right-of-way -- preserving the existing right-of-way for movement of goods is part of the Comprehensive Plan, and this street has been used for that purpose for 40 to 50 years. It'll impact businesses that are in the area and that won't be able to have adequate space, even with the modifications that were made after the Planning and Sustainability Commission ruling. This will create an irreparable harm to the adjacent businesses by vacating the street. So, I am opposing the street vacation.

Hales: Thank you. Good afternoon.

Gary Rehnberg: Questions? Hi. My name's Gary Rehnberg. I serve as president of East Side Plating. ESP has been operating at the 3rd and Stephens site for 70 years. We have 130 employees in Southeast Portland.

For the past 50 years, the area to the south of us has been used for transportation purpose. In 1963, ODOT bought the property and there was a condemnation proceeding to use for a planned east-west freeway. Harrison Street has been both a parking area for employees and customers for adjacent businesses. It serves as a key access point for critical regular chemical deliveries to our treatment department occupying the south end of

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the facility. ODOT has represented over the years that the property would remain for stormwater management for the viaduct following the MLK rebuilding and would continue to be available for parking.

According to the City Auditor's notice of the proposed street vacation, our facility is in the affected area of the street vacation. The loss of Harrison will cause significant damage to our firm in terms of our ability to operate, improve our processes, and continue serving northwest manufacturers from this facility. I understand communicating the opposition and potential damages is required by Oregon state statute that rules on street vacations.

I had a chance to testify back on December 15th when the Portland Planning Commission recommended denying the vacation of Harrison. Nine volunteer citizens devoted themselves to considering the same topic and voted 6-3 to deny the vacation. It's my understanding that the Council regularly denies vacation proceedings for City streets that serve a transportation use. Why is the Council disagreeing with the Planning Commission recommendation and changing its usual stance on streets that serve a transportation use? At the St. Philip Neri meeting on 1/30, Commissioner Fritz indicated that without the vacation, the R2DToo plan won't work. I'm concerned that the street vacation consideration is missing the core of Harrison's existing transportation use and the benefits to East Side Plating and adjacent businesses. Please do not vote for the Harrison Street vacation, I need it for my business.

Fish: Mr. Rehnberg, I have a couple questions because I want to make sure I understand. You saw the handouts that we were given. Were they up on the big screen?

Hales: The truck maneuvering diagram?

Rehnberg: I did not see anything no.

Fish: Well, Mr. Kieta was talking about a buffering between the consolidated property to allow a tanker come in and make -- are you familiar with that?

Rehnberg: Yeah. We brought a video, Commissioner, with us that'll show the truck access, as well as the vendor is here to be able to comment on that.

Fish: I guess I have two basic questions. With the current proposal, could you just describe what kinds of vehicles need to have access to the lane that's created? And what kinds of product are they carrying?

Rehnberg: The tanker truck delivers -- it's usually got 2000 gallons of concentrated sodium hydroxide. It's a caustic soda material that we use to raise the pH of materials. It also has 2000 gallons, usually of hydrochloric acid, and is delivered directly to an insulated double-contained tank within that south door.

Fish: Hydrochloric acid. And how do you -- once the truck comes in and makes a delivery, how does it get out under this proposal?

Rehnberg: I'm sorry, which proposal?

Fish: The proposal that we're considering. I understand without the street vacation, apparently you can go in and curl around Harrison. How does the truck get out?

Rehnberg: There's no current way for the truck to get out. I'm not aware of proposal is. I haven't seen any alternate proposals.

Fish: Commissioner Novick, what's the current proposal as you understand it for egress -- for access of any chemical trucks with East Side Plating?

Novick: I'd like to ask staff to come up and respond.

Saltzman: Mr. Rehnberg, how frequently do you have those deliveries? Daily? Weekly?

Rehnberg: They're regularly. Weekly would be a good measure, yes.

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Kieta: So, the actual -- as proposed, what they demonstrated to us is a double tanked truck, so we did an analysis using a double tank truck pulling back, backing into the 15-foot buffer. What currently happens is the truck pulls across the OMF property, turns then on to Harrison, and then backs up towards the door to then get to the 50 foot of the door. So, what we're proposing the truck would do the maneuver on 3rd backing into the buffer to then get the 50-foot length to the door. The 50 feet is the critical piece because the hose length -- they don't want to go further than 50 feet of hose length. That's what we've created to make sure we have that type of a buffer to get the truck in. So, Commissioner, to answer your question, in this proposal the truck pulls forward out onto the street.

Fish: So you back in the truck. The truck's width is about eight feet?

Kieta: The truck's width is about eight feet.

Fish: You're proposing a 15-foot roadway.

Kieta: That's correct.

Fish: That the truck would back into. OK. And what's the -- OK. We haven't discussed the physical barriers. Bob, have we done some kind of safety assessment about that as a procedure for delivering chemicals backing into the site? And are we regulated at the federal, state, or local level when we think about these kinds of chemicals being delivered to this facility?

Kieta: Our research could not find anything that showed that there was a requirement that it could not back into a facility. The owner has indicated that -- the hauler has indicated that they're not willing to back into a facility because of the double tank situation. But again, the design we did shows that a double tanker could actually perform that maneuver and within the boundaries we've created.

Fish: The tanker here I take it is a third party company? It's not your company, sir?

Rehnberg: That's correct.

Fish: So if the company that delivers the chemicals is not willing to back in for whatever reasons -- and I don't know as I sit here whether it's safety reasons, federal transportation reasons, common sense, I don't know. What would be the alternative to delivering chemical to the plant?

Rehnberg: We -- for 70 years, the waste treatment facility has been at the south end of that facility. So, we have a huge investment at that lower end. That's where all the effluent treatment occurs. The safest way to deliver chemistry has been through dedicated, double contained, heated tank that's accessed through that door. It was recently permitted through a big addition in 2013 through the City with that specified chemistry storage right inside the door.

Fish: If that wasn't available to you, sir, what alternatives would you explore?

Rehnberg: We would explore -- caustic soda weights about 15 pounds a gallon. A 55-gallon drum would weigh 750 pounds. My waste treatment operator is about 160 pounds of pure strength, but he would have to manually -- instead of being able to deliver up to 500 gallons of material at a time -- do 500 gallon individual shots through the western end of that lower building.

Fish: You've lost me on that.

Rehnberg: We would have to set smaller units. It would be a handling challenge for the weight of the material.

Saltzman: You'd be using a forklift, right?

Rehnberg: Yes. It would be more costly. Fewer containers, more frequent deliveries.

Fish: But at least -- I'm just going off the diagram. I'm trying to stay within the confines of the question before us and I have this chart which has a 15-foot roadway I guess that

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assumes that a truck backs in. So your testimony is that your truckers -- this does not meet the specifications of whoever you hired to deliver the chemicals or pick up the chemicals because they're not going back a double tanker into that location.

Rehnberg: That is correct, yes.

Fish: Have you shared that concern with the City as part of this process?

Rehnberg: I have, yes. And you'll hear from the vendor. They are signed up to testify shortly.

Fish: OK, thank you.

Hales: Other questions? Thank you very much. Have you got slides?

Rehnberg: Yes, I have video.

Hales: Have you got that, Karla? I want to make sure we can get our PA system to cooperate.

Scott Henriksen: My name's Scott Henriksen, I'm with East Side Plating, the environmental and health safety manager. I have a short two-minute video showing the Northstar truck delivering the bulk caustic. [video playing] What you'll see is this truck pulling in off of 3rd Avenue onto the property that is adjacent to Harrison Street. The building on the left that's about to come into view is our East Side Plating facility. It is a high-hazard group H4 occupancy due to the presence of corrosive and toxic chemicals. This truck, as you'll see, is going to make a turn onto Harrison Street which is much wider than a 15-foot radius. So, what we do is we're delivering this bulk sodium hydroxide into that facility.

Touching on some of the earlier questions, this type of delivery occurs once a month currently because we're using telemetry to monitor the level in our tank. Prior to the use of that telemetry, we were getting a delivery like this once a week. If we were to use the ability to do this bulk caustic delivery, we would have to go to possibly at least once a week and possibly more frequently. This is the turn the truck is making onto Harrison Street. You can see him grazing up against the far edge of it there as he's trying to make that turn. Now he's going pull forward all the way up to 3rd Avenue before he stops and reverses to start backing up to our facility. At this point, he's backing up. He's used the entire length of Harrison Street, he's now backing up to the corner of the property adjacent to it. You'll see the door that we're going through here momentarily.

As you can see here, East Side Plating has been using this method for years. Harrison Street has been a regular part of that. And that pretty much brings it to the end here of what -- just showing how the truck delivers chemicals.

Hales: So, a couple of questions come to mind seeing this. First of all, most of the space that Mr. Kieta -- could we leave that up? Most of the space that Mr. Kieta described as a potential alleyway for the truck to be able to back into is now occupied by parking? Employee parking, I must assume?

Henriksen: Some of it is our employee parking. Some of our employees do park there. Some of it is the adjacent businesses. There is a tow truck facility across the street that usually pulls in there to stage their vehicles. There are other neighborhood businesses that their employees park in this same area.

Hales: And obviously from this video, the truck has entered -- the truck entered here.

Henriksen: It's pulled in forward right about that space, turned around on Harrison Street and backed up on Harrison.

Hales: So this is a fee simple piece of real estate which the state of Oregon has sold to the City of Portland.

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Henriksen: Yes, and Mr. Renberg previously was testifying that back in the 1960s, Oregon -- the state had acquired that property and that it would be available if they had no use for it, which has been the practice since 1963.

Hales: Right. But it is a piece of fee simple real estate, which they have sold --

Henriksen: I am not familiar with "fee simple."

Hales: It means you can own it.

Henriksen: OK.

Hales: So, they owned it, they sold it to us the City. They might have sold to it a private owner, because this is now surplus property. It was purchased to build the Mt. Hood freeway. And so, your business has been relying on the use of this piece of real estate and this public right-of-way to conduct the truck maneuver that you just described. If the State of Oregon had sold that property to a private party and they proposed an industrial use for that site, we would have to approve it if it met our building code requirements because it's an industrial district and this is a piece of land that you or I or anyone else could buy.

Henriksen: Would that also require you vacate Harrison Street to add to that property? Which is what this meeting is about.

Hales: Not necessarily. I'm saying the video you just showed us shows you relying on the free, available use of a piece of real estate plus the free and available use of this unbuilt City right-of-way in order to conduct --

Henriksen: Yes, we are showing the use of the City right-of-way and we're taking advantage of the property that's been available for sale since the 1960s when it was taken from the original owners through legal processes.

Fish: Can I follow up on something, Charlie? The video also shows the truck backing up. Can you help us understand why in the video they are able to navigate by backing up, but under the proposal that's before us it would not be feasible?

Henriksen: Right. It's based on the view the truck driver has. When he's at Harrison Street, he's able to pull into there and straighten out and then back up essentially straight. As he's coming down 3rd Avenue, 3rd Avenue curves at the point of East Side Plating around this property underneath the overpass for the -- I believe it's the light rail. And so, there's a very different -- it's no longer a straight line of sight. He would have to pull in past the point and then start to make a curve on an already curved part of the street. So, he no longer has visibility as he's backing up and there's traffic coming around a relatively blind corner at that point that may not see him as he's -- or he may not see them either as he's trying to back up. So, it's visibility from the 3rd Avenue and Division Street --

Fish: I'm not trying to argue the point, but I wanted to ask you -- if this is a monthly occurrence or even a weekly occurrence, couldn't there be measures put into place including having a flagger or some group of people assisting to make it work if that was required?

Henriksen: Theoretically, I believe that is possible. But who would the flagger be? And do they have the right to actually stop people and will people always do that as they're coming around through the --

Fish: I'm not -- I'm just asking. Can you tell us in plain English tell us what sodium hydroxide is?

Henriksen: Sodium hydroxide is a -- its common name is caustic soda. It's a high-pH chemical. It's basically -- sodium chloride is table salt, sodium hydroxide is a sodium ion with hydroxide. It has a really high pH, around 14. Sodium hydroxide is as close to a

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common term as I can come up with. I don't know what else -- Drano would be the most close thing.

Fish: So it's a toxic chemical?

Henriksen: It depends on how the define toxic. If you go to the emergency response guide, the criteria that this would be categorized would be considered toxic, yes. Under the fire code, it is corrosive, not toxic.

Hales: I live in Southeast Portland and I pass by this site pretty frequently. I didn't keep a log, but for much of the last year, the site was periodically occupied by sort of randomly parked group of recreational vehicles, which I believe might have had people living in them. How did that -- did that interfere with your deliveries? And how do you respond to that interference?

Henriksen: Yes, it did interfere. It got to the point where those RVs that were parked in the area had blocked the access for that truck, so the truck driver for safety reasons refused to deliver there anymore. What we ended up having to purchase drums of caustic soda, the sodium hydroxide, and maneuver it through the plant manually and stop using the bulk heated tank that we use.

Hales: OK, thank you. Questions? OK. Please.

Mike Steeprow: Mike Steeprow, Northstar Chemical. And to reiterate Scott's point, the ability to back in the truck is not the issue. I mean, backing the truck is not the issue. It's backing in off 3rd street on the corner that's the issue. It's a visibility -- because in a sense, not being able to make the U-turn. We have to stop on 3rd street and back in off that corner where the visibility is low. That's where the real issue is -- the safety.

Saltzman: So it's not a DOT regulation.

Steeprow: No --

Saltzman: It's nothing like that that says you can't back in --

Steeprow: No.

Saltzman: OK.

Jeremy Horn: Hi, my name is Jeremy Horn, I'm the technical director at East Side Plating. I'm a chemical engineer with over 18 years in the electroplating metal finishing industry.

As we have clearly shown, Harrison Street is currently being used for transportation purposes at East Side Plating. We use numerous chemicals in our facility to process parts, treat waste streams, and maintain or regulatory requirements. We use hazardous solids and liquids to precipitate heavy metals such as copper, nickel, and zinc from our wastewater discharge. We use chemicals in our treatment systems in order to take an environmental hazard and create clean water that we discharge to the city's sewer systems. We use strong acids and bases to neutralize corrosive liquids and convert them to a noncorrosive state. These processes occur in the southern portion of our facility immediately adjacent to the ODOT right-of-way the City recently acquired.

Without the use of these chemicals, we cannot operate our business or be able to maintain our permitting requirements. This proposed street vacation would cause irreparable harm to the way we conduct our business and put a huge problem on East Side Plating to be able to come up with riskier and more difficult methods of maintaining compliance with local, federal, and state regulations. Please do not vacate Harrison Street because we actually use it. That's all I've got.

Hales: Questions? Thank you all very much.

Fritz: Who were the first three?

Moore-Love: The ----Tracy, Tim, and Linda.

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Hales: Thanks, folks. Good afternoon. Who would like to go first? Go ahead.

Tracy Finck: Good afternoon, my name is Tracy Finck and I'm the plant manager of East Side Plating. Thanks for listening to the following points concerning the vacation of Harrison Street. I am responsible for 19 employees currently working at the Stephens plant. We work hard to keep our employees safe by providing hazardous materials training, providing personal protective equipment, and regularly drilling our evacuation procedures and working with the local fire departments.

When the fire department visits with us to understand where hazardous materials are located within our facility, they park their fire engines on Harrison Street. We use the area to the south of our building, south of Harrison, as our evacuation meeting area. We have busy streets on the east and west side of the building, and Eastside Distilling directly to the north. There's no other place to congregate in the event of an emergency evacuation.

This area to the south of our building has been chosen as our muster area to also avoid potential interference with emergency response vehicles. Employees park on the property to the south on Harrison Street and on Stephens. The ODOT right-of-way property is accessed via Harrison. We purchase parking permit for the employees each year. I have worked with the ODOT and PBOT contractors for the MLK viaduct replacement in 2010 and the streetcar extension in 2011 to verify there were no plans to keep my employees from being able to park on the adjacent probability. Please help me preserve the parking for emergency access and do not approve the vacation of Harrison Street.

Hales: I'm sure as the plant manager, you might be the right one to answer this question. On the west side of your business here on your property, there's this parking area here.

Finck: Mm-huh.

Hales: And there are cars parked here, but there's a 20 by 18 foot loading dock door here and there's a 10 by 18 foot loading dock door there. What are those loading docks used for?

Finck: That is access to the processing lines.

Hales: And can the chemicals that we're discussing here that are now being delivered on the City property be delivered through those doors?

Finck: By forklift, yes.

Hales: Not by any other means?

Finck: Well, there's not enough room there to park a tanker truck.

Hales: If there weren't cars parked there, there would be.

Finck: No.

Hales: Does that loading dock not extend into the interior of the building?

Finck: Yes.

Tim Lamb: It has processing in parts right up to the doors.

Hales: OK, so those doors are not for deliveries?

Lamb: We deliver the parts to be processed into that door and then after they're processed, they're removed out of that door. So, the parts are actually staged right in the entrance of the doors.

Hales: Alright. Other questions? Go ahead.

Fritz: I just have a comment, Mr. Finck. In light of some of the other issues that are going on in industrial businesses in the southeast quadrant, I just want to compliment you.

Everything I've heard about your business and its safety procedures are outstanding. I just want to thank you for running a good business in the Central Eastside.

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Finck: Thank you.

Lamb: Thank you. My name is Tim Lamb and I am a business owner of East Side Plating and I genuinely appreciate this opportunity to be able to speak to you guys today. The reason I wanted to testify is because I'm really concerned about the vacating of the 3rd street and the connection it has. And I understand we're going to talk about it after this, too, but it does connect in the sense that it really affects East Side Plating's ability to be able to serve our customers.

East Side Plating does not manufacture parts but actually services a lot of manufacturers by offering polishing and plating and coating and anodizing to these customers. So, there are a lot of businesses that we all know that East Side Plating supports that may not be able to do business as easy or even do business in Oregon if we are unable to provide these finishes for them. The thing is our customers dictate all the processes that we have. We offer four times as much as any of our competition does, and that's because customers come with needs so we look and ask whether we can actually put this in.

So, with this being said, it's important for us to be able to have the ability to be able to change our processes. And by changing these processes, it means we change some of the chemicals. And that's what we've done in this last thing here. We actually put in this anodizing line in 2013. And there was an assessment that had to be done by engineers to be able to say whether we could put something in within 200 feet around this area. And based on the -- because of the hazardous chemicals that are going to be used in this process. With this being done -- and I saw this was just ODOT property to the south of us -- it was really approved for us.

Hales: I'm sorry -- approved by whom?

Lamb: It was actually approved for us -- the City approved for us to be able to have the permit to put this in based on that. [beeping] So, we did put it in and we've operated it. I guess my concern is without the street to deliver chemicals, I'm going to be limited to what kind of processes I can offer to customers. Today, we're doing these. It may be something different in the future.

And if I can clarify just a little bit about the sodium hydroxide, too. Because, you know, I hear the laughs and the snickers in the audience that says, "oh, gosh, why can't they just deliver it another method?" The thing is it is a very blind corner. Even when I'm driving in there as a person not driving a big truck, I end up going out on Harrison Street because the traffic comes around there very, very quickly. There's a berm that you can't see very well. It is really blind. So that's part of the reason of using Harrison Street is to exit, to be able to get out.

But the other thing about the chemicals that they snicker about -- backing the truck in would be hazardous. But having it in drums is not as simple as just being an inconvenience to us. It has to be heated -- so 58 degrees. What's our temperature today? It can freeze if it goes below that temperature. When they're in drums, how do I keep all these drums from freezing? How do I move all this stuff and keep them warm? So with this situation in the back, it actually is liquid pumped in. It's heated hoses. The chemical is brought in and it's not going to freeze into a tank that's heated. It's not just as simple as can someone use a forklift just to move this in the back.

Hales: And again, we're trying to understand --

Lamb: Sure.

Hales: -- the operation. And frankly, it's hard to credit this problem from our point of view.

Lamb: I understand.

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Hales: Because you've been relying on the free use of an adjacent piece of land aside from this street vacation issue.

Lamb: Yes.

Hales: And so, ODOT could have sold that land to anybody.

Lamb: We would have loved to be able to talk to them about that.

Hales: But they could have sold it to anyone, or they could have built something on it.

Lamb: We didn't have that opportunity, but you're right, they could have built something.

Hales: Are you telling us that it's impossible to move this product through a 100-foot hose instead of a 50-foot hose, and the City couldn't provide you a pull-out? We accommodate industrial processes all over --

Lamb: We appreciate that.

Hales: We're making steel and box cars that have to be moved across city streets. We have all kinds of industrial processes in the city.

Lamb: Yes.

Hales: But it's pretty hard for me to credit a situation in which you've made a major investment in the reliance on trespassing on an adjacent property, regardless of who owns it. So, instead of relying on the City providing you access and perhaps permits for a 100-foot insulated conduit that would take the product from a pumping station at the pullout at the curb to the interior business -- again, I don't understand the plating business --

Lamb: Sure, sure.

Hales: -- but I've been around construction a little bit. Seems to me there might be an engineering solution to the question of moving product out of a truck into a business that doesn't rely on trespassing on a conveniently-located adjacent piece of property. So, why did you as a businessperson rely on that?

Lamb: Well, because of the past in 1963. They had indicated this would always be a parking lot that you guys would be able to park your vehicles on. That is why we have used it --

Hales: Do you have any sort of assurance in writing from ODOT about that?

Lamb: No, they have not given us assurance in writing. But that was confirmed again when they were doing the streetcar -- ODOT also confirms the same thing, too. That's why. The question is "why?" That's why.

Hales: Well, they took the property to build a freeway there. They might have done that.

Lamb: Yes, they would have. And they said it would not affect you guys because it would be overhead and you guys would be allowed to park underneath it. So, that's what we were told. Maybe it's a different story. And I understand you not understanding the planning part. I appreciate you trying to understand that. To answer the question about the 100-foot hose, I believe our supplier said they are not willing to be able to do that. I think the other question about, you know, is there another way -- why would we do this? Why would we be doing chemicals? If we knew this situation would have come in 2008, I don't think we would have put this process in here. We wouldn't have had as much of a need to have this chemical in here now. We made a huge investment in this new process and this new line that I need to have this chemistry here.

Fish: Can I just jump in for a second --

Lamb: Yes.

Fish: -- because this is a great discussion. We recently had two pretty extensive hearings on something called Ivy Island in North Portland. We talked about all the logistics of how we were going to build out a corner lot and all the safety issues. We take these things very

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seriously. I think one of the questions is, as you look at this proposal -- and again, all we're talking about street vacation --

Lamb: That's right.

Fish: We're not talking about the use of the property. They Mayor is correct, it could be developed for many purposes.

Lamb: We'd be in the same boat.

Fish: You'd be in the same boat. I guess the question is, for me, are there mitigation measures that are not currently before us that would make this easier for you? For example, Mr. Kieta has said this would be a 15-foot wide dedicated strip. I'm not an engineer. We've got engineers up here. We've got lots of smart people in this room. But are there reasonable things we could do to work with you to mitigate the impact of this decision so you could continue to be a successful business? And the Mayor has said -- the Mayor and the Transportation Commissioner here -- there might be something we could do on 3rd. Could be some dedicated something. I haven't heard Mr. Kieta say the 15 foot is locked in stone. Do you foresee a possibility if this passes where over a particular period of time, you could work with the City to mitigate the impact and come up with something that actually work for you? Because I think you're also hearing from this panel that this concept is not designed to put you out of business.

Lamb: And we appreciate that, thank you for asking that. I do appreciate -- to be able to stress the point. I know we're talking about the vacating of this, and I know the R2DToo thing a big thing and everyone wants to keep it separate, but it's together. What I'm trying to say is this is the underlining. I don't know of anything, but we'd definitely want to look at it. I'm up here trying to say there's a concern, there's a safety issue. It's a safety issue for people coming around that corner, it's a safety issue for that truck for people running into it, it's a safety issue for us hauling that chemical back into the back of our plant.

Fish: Sir, I take the safety issue very seriously because later on today, we're going to talk about putting human beings adjacent to that turn. So, the safety issue -- particularly in light of the Bullseye and other things in the news -- we take those very seriously. You've got my full attention on that. I'm trying to figure out off of this phase whether within a reasonable period of time the City working with you could come up with an alternative plan that allows you to continue to be successful.

Lamb: And that's what I was saying. We're concerned about the safety. I don't know what those would be. But absolutely we would want to talk to them about it. Absolutely we would want to figure out a way to do it. We don't want to go out of business. I believe that you don't want to put us out of business. And we want to find a solution. But I honestly do not know of something to do that. I am concerned about the safety. And if we can address those safety issues, let's find a way to make things happen.

Hales: Let me suggest something -- because I'm not an engineer, but I'll play one on TV - - but I am the son of a civil engineer and I've worked in the construction industry for much of my life, and I worked for an engineering firm that designed roadways for 10 years. So, I might ask you to confer with our engineers about this. But your colleague just video demonstrated a maneuver in which a double truck came down the street, turned at 45 degrees into this parcel of land, made a hairpin turn here, and backed up this way.

Lamb: Yes.

Hales: Might it be possible for the same truck to come up this street and make a 25-degree turn into a driveway that then joins the asphalt parking lot of your business and allows the truck to back up into this space right here? It seems to me that the turning movements I just described have smaller radii than the turning movements you're already

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using to access the site. If we gave you a driveway here -- an asphalt driveway that left 3rd Avenue at a gentle angle, connected to your own parking lot in front of your own loading docks, and allowed to you back the truck up into this space -- maybe it needs to be 20 feet wide instead of 15 feet wide. I don't know, the engineers can figure that out. But it seems to me, given the demonstration you just showed us, the physics allow your truck to safely leave the roadway, get onto private property -- some of ours, some of yours -- we'll be happy to lease it to you for a dollar -- it was free from ODOT but we'll make you almost as good a deal --

Lamb: Thank you.

Hales: And then you can back your truck up on a paved surface instead of bumping around on a dirt lot. It just seems to me on a common sense basis -- that's why I'm having a hard time crediting this argument that this is an existential threat to your business. It seems to me we simply have a truck maneuvering problem here.

Lamb: I think physically, what you described absolutely can happen. I think the truck would actually have to come from the east going towards the west around from that direction, just as you described. That area right in the front of our -- that is the property right in front of that dock is not big enough for that truck to be able to pull in. Now you did mention that maybe there can be another road. Those are things we've got to talk about. But pulling in there -- the other thing that throws a little wrench into that doesn't show on there -- but I don't know fit does -- there's a telephone pole in there, too.

Hales: That can be moved. I know telephone poles can be moved.

Lamb: But the telephone pole is right in the center of that. So as you spoke, why couldn't they do it today? They couldn't do that today because of the telephone pole, and that is not enough area. They would have to be out in 3rd street -- which has very little visibility in traffic --

Hales: I understand. But I'm suggesting that we could cooperate with you and build a truck pullout here that enabled the movement of your vehicle to service your business. It might rely on moving a telephone pole -- these things happen -- and then create a safe maneuvering area for your truck to back up to your loading dock. But accepting at face value the argument that there's no other way to get your chemicals in except through this human-sized door back here instead of the large loading dock doors out front. I'm accepting that argument. But it seems to me if the problem is getting a truck from this street to this side of the business, it's a hell of a lot easier -- excuse my French -- to do that at this angle than it is in the crazy curly Q just shown to us on the video.

Lamb: Absolutely, and I think the reason they chose that is there's not all the traffic on Harrison Street. But you're exactly right. It's actually more of the correct angle for backing in going the direction you're talking about. But why would they do that before now? It's because there hasn't been a lot of traffic. That's the reason why.

Fish: Mayor, can I make a suggestion? Because that colloquy helped me understand the whole thing. So, you play a good one on TV -- [laughter]

Hales: I won't quit my day job just yet.

Fish: Since we have another 10 or so people testifying, might we suggest that these gentlemen and our team talk about a potential condition that we could take up as a -- in the same way that PSC put a condition on their recommendation, perhaps we could craft a condition of the ordinance that could be considered by Council.

Hales: I love that suggestion. If you'd be willing to talk to Christine and other staff in the back of the room --

Lamb: We're always willing --

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Fish: I won't prejudge how this ends, but it would give the Council a chance to have a condition to consider. And you've raised a question and I think we want to consider it.

Fritz: Mr. Lamb, I want to thank you and your family for attending the forum we had at St. Philip and just for being a part of the conversation.

Lamb: We appreciate being invited. Thank you.

Hales: Thank you. OK, appreciate your patience with that discussion. It was helpful to me.

Lamb: Sure -- no, I appreciate the opportunity, thanks.

Hales: Thank you. Welcome.

Linda Crossen: Hi, my name is Linda Crossen, and thank you all for listening to my key points concerning the vacation of Harrison Street that you're considering. I've been working at East Side for 43 years and I've been parking on the south side of the facility for much of that time. I recall a time not too long ago when 45 employees worked here and we sometimes operated around the clock. A few months ago, homeless campers obstructed access to the southern door of our waste treatment area and the chemical delivery driver was not willing to risk delivery due to obstruction. The police came with their hazmat suits and cleared the area so we could receive the chemistry we needed. Please don't vote to vacate Harrison Street since it's critical for our transportation and chemistry delivery and parking for employees, customers. If you get rid of all that, where are we going to park? That's another question. I mean, if you look on Division -- thank you.

Hales: Thank you very much. Good afternoon. Welcome back.

Susan Keil: Thank you. I am Susan Keil, chair of the board of OMSI. As a museum that attract a million people annually, it's our role to provide a vibrant and engaging space for our guests. As a business that employs over 300 people in the Central Eastside, it's our doubt defend our community from harmful actions by the City, however well-intended they are.

Our concerns can be summarized into three main points. The vacation would present a significant burden on local businesses. You've heard about East Side. There are others that use this street. East Side Plating, which is a fine environmental company -- I used to be their regulator -- they work hard as doing their job well. They'd be forced to overhaul their shipments, as have you heard, and they would lose vital life safety egress out of that. As part of their permit under the fire marshal, they have to have that life safety egress. And from OMSI's perspective, the vacation would call into question the life safety access to a business that's across the tracks -- just across the tracks from us.

Secondly, as the Planning and Sustainability Commission stated, one commissioner said, "If this vacation hurts the neighboring businesses, I have an issue with it." Another said, "We have a community that needs a place to live but we have industrial land to protect, a duty to help local businesses grow and survive." And finally, we do have a responsibility to promote and preserve business. This is exactly the kind of business that you want to help grow. It goes against the very plan that we all worked on to create. We worked alongside the City for two years to create that Southeast Quadrant Plan. [beeping] I guess in conclusion, if you're looking for a solution to this situation, you've got debilitating impact on business, and this proposal is not going to make it one bit better.

Hales: Thank you. Good afternoon.

Tim Merrill: Good afternoon. I'm Tim Merrill, I'm an architect and I volunteered to prepare the site plan for this project. In doing so, I conferred with Bob Kieta, and they have shown me diagrams that described a truck being able to back into the site satisfactorily. I'm convinced you can accommodate industrial use next door and be able to make this work.

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That said, I'd also like to say that my wife has a business in that area, my daughter is on the board at CEIC, and I have been hearing quite a bit about the problems of the homeless in that area. And so I hear this nightly at the dinner table. My daughter voted against the vacation of the street, so I know all about it. And I'm saying that a good deal of the objection to the vacation of the street has to do with the homeless problem in that area. And so I would recommend that the City do something in a major fashion to deal with the homeless issue and in particular with that area. And there are schools that could be occupied, there's a prison with 525 vacant beds in it, there are other options beyond a tarp on the sidewalk that could alleviate a lot of the problems and the objections of that neighborhood. Please consider doing something big.

Hales: Thank you. Welcome.

Robert Jackson: My name's Robert Jackson, I'm a homeless advocate. I'm an Indian, I've chaired my tribal housing authority, I've chaired my tribal enterprise board with the largest employer in Grays Harbor County, so I've had experience on both sides. The issue the Mayor brings up is when the City bought the property, there was a title report. And if there had been a covenant to give back the land to someone, it would have showed up in the title report and the owners would have filed a lawsuit. So being as it's not a record, a covenant for taking the land, then I agree with the Mayor that that's not a valid issue.

I've also chaired a planning commission. Of course, there's always NIMBY. NIMBY says, let's put this impact in another location. I'll give you an example of that. Cathedral City in California where Bob Hope lived. They petitioned the legislature of California to put their low income housing in another city -- that they wouldn't even consider low income housing in Cathedral City. It actually made it through the legislature and a veto of the governor. So, we've been down this road quite often dealing with homelessness. And so, I would advocate support for this proposal.

It is an interim proposal. It is not the definitive solution to homelessness. It's only a temporary facility. If you look at the future of this facility and say, yes, we would like to build permanent low income housing and provide this to this organization, then that should be a covenant as well and at fair market value for them to purchase the property at an established price so that they could go forward with future development. If they want to expand into other facilities and train other people, then perhaps that could also be a benefit to the City, that could be a training grounds. So, if you need to do build additional facilities temporarily, then under your state of emergency, then it would be a way of certification recognition. [beeping]

Hales: Thank you.

Jackson: Published reports of the eastside community has been, "we're opposed to all homeless programs" as I've read in publications --

Hales: Thank you very much.

Jackson: [indistinguishable] -- NIMBY. Thank you.

Hales: Thank you very much. Thank you all.

Moore-Love: The last person who signed up is David Kif Davis.

Hales: Anyone else besides Mr. Davis? Alright, you'll be the last one.

David Kif Davis: I just wanted to say the relocation of Right 2 Dream Too would be actually be a good solution --

Hales: We're not on that yet. We're on the street vacation -- just the street vacation.

Davis: Oh, I know. I'm just saying that there was RVs parked there last summer during one of the biggest homeless sweeps that he with filmed from fight the sweeps Portland at 3rd and Harrison. There was definitely deliveries going on all summer with the chemicals

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and all that, so I don't see that there's any real issue because that space has been vacated and basically that video is just to show their angle and their narrative. It's very easy to -- as a videographer and stuff, I could actually just prove the same thing with my little video camera, or I could prove that there's plenty of room to actually move. So, I don't think that video proved much at all. That's all I've got to say for now.

Hales: Thank you very much. Alright, do we need some staff back up, please?

Fish: I have an amendment we're scrubbing.

Hales: Come on up, please, Christine and Bob.

Fish: Bob, we're killing time until the amendment is done. Where are you taking your summer vacation?

Kieta: Ireland.

Hales: Go from wet to wet.

Kieta: There you go.

Hales: So, other questions before we get to the amendment? As I understand, there has been discussion about a way to amend this to deal with the engineering issue.

Fish: Bob, just a question generally -- what's that? Thank you. OK. In this exhibit map we have, it doesn't -- does it -- is this intended to reflect the space for the vehicle or is it --

Kieta: No, that's just showing the property line of the OMF property.

Fish: And does the street vacation action before us lock in stone what might be here?

Kieta: No.

Fish: OK, so that could be determined at some future time.

Kieta: Right. The development will be what addresses that.

Fish: Mayor, I'd like to offer an amendment in the nature of an additional condition for moving forward under this ordinance. It reads as follows. Let me see where this would go.

Fritz: Right at the end.

Fish: This I guess would be a new -- Commissioner Fritz, would this be a new, um --

Hales: Finding or condition?

Fish: Therefore, the Council directs. We have an A, B, C, would this be to a sub little b?

Kieta: The conditions are all under part C now under the Council's directives, one through seven I think.

Fish: I'm sorry. My amendment would be as follows. It would be a new condition number eight?

Kieta: I believe that's correct.

Fish: I think we're on the right track.

Hales: I see it, page four.

Fish: And it shall read as follows. The City shall work in good faith towards a reasonable engineering design to more easily accommodate the delivery of chemicals to East Side Plating.

Hales: There is a second?

Fritz: "To more easily accommodate"? Could we just have "to accommodate"?

Fish: Please, I'm not -- this is a collaborative exercise.

Fritz: To accommodate delivery to East Side Plating.

Hales: And that binds us -- and I'm very comfortable with that -- that binds us with reaching an engineering solution that actually works.

Fish: Right. So, we've agreed in good faith to work to get a reasonable engineering design accommodate chemical delivery to East Side Plating.

Fritz: Second.

Hales: Further discussion on the amendment?

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Fish: The Mayor has given the best description of this of the group.

Hales: I'm very comfortable with that. Let's take a vote, please, on adopting that amendment.

Roll on amendment.

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

Hales: And I want to add that I appreciate the language and I want to sure the intent is clear, because there was at least an assumption in this hearing that the City Council would be willing to consider a scenario in which we vacate the street and it makes business operation of East Side Plating infeasible. And that would be unacceptable to me, and I think it's unacceptable to my colleagues. As I think the discussion illustrated here, and as the amendment cements, it is our intent and we will not proceed unless we can provide a practical way for a truck or trucks to deliver the material that's necessary for the operation of this business in a way that doesn't do any significant harm to their operations. As my discussion with the owner I think illustrated, even an amateur -- namely, me -- can at least look at this map and this diagram and that video and come to a conclusion that it is possible on the combination of the vacated right-of-way and the property that the City of Portland owns and the parking area on the west side of the East Side Plating to be able to accommodate the truck movements necessary for the operation of this business. If that proves to be an incorrect assumption, then nothing can happen here.

Fish: Mayor, so we're clear, we have three matters before us. You have directed us not to prejudge them. So, this is a street vacation subject to the presentation we've had. This amendment was designed to address what I thought were valid concerns raised by the owner of a business. We have now made this a condition of moving forward. And again, we have not reached the merits of the other issues before us.

Hales: Correct. OK, thank you very much.

Fritz: Commissioner Saltzman, with the decision of this condition, are you comfortable with adding the emergency clause?

Saltzman: Yes.

Fritz: Thank you. I would move a roll call on the adding the emergency clause.

Hales: Take the roll on that, please.

Moore-Love: There's a motion for the emergency clause?

Fritz: Commissioner Novick's, and I seconded it.

Moore-Love: OK

Roll on emergency clause.

Fritz: Aye.

Fish: Aye.

Saltzman: Well, I -- in reviewing the criteria under which we make a decision about a street vacation, it really seems like most of our relevant criteria don't apply to this little remnant of SE Harrison. I can't create any conceivable arguments that would justify denying this vacation request under the applicable criteria, so therefore I vote aye.

Novick: Aye.

Hales: Aye. Any further discussion before we act on the matter itself? That was just the addition of the emergency clause.

Saltzman: Oh, OK.

Fritz: It was a very nice speech.

Saltzman: I gave my speech, alright. [laughter]

Hales: Do it again -- so let's take a vote on the proposal overall on the vacation.

Roll on Item 161 as amended.

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Fritz: This is one step at a time, and I appreciate the good discussion. As I said, I very much appreciate the good business of East Side Plating and the fact it's been proven to be a good business over many years, and we want it to continue to be so. I also appreciate staff and the discussion of the Planning Commission, and I appreciate my colleagues agreeing to take this step. Aye.

Fish: Yes, I want to thank -- I think this has been a very useful hearing, and I particularly appreciate the testimony of the owner walking us through the concerns. I sincerely hope that the condition that we've added allows us to find the middle ground on the issues that you've raised. Thank you, sir. Aye.

Saltzman: Aye. **Novick:** Aye. **Hales:** Aye.

Hales: Thank you very much. OK, let's move on to the next two items. Why don't you read those together, please?

Item 162.

Item 163.

Hales: OK, Commissioner Fritz, would you like to start?

Fritz: You have a nice bit. You were going to be talking about the wider picture of the state of emergency --

Hales: Yes, I'm sorry. I had you queued up here, but I'm actually going to go first. OK, welcome, everyone. So, the purpose of these two items is to allow the development of a new site for Right 2 Dream Too. The context for this is that we are in a housing state of emergency. Those aren't just words, those are a formal declaration of a unanimous vote of this City Council. We have been in that state of emergency now for a little more than four months. During that time, we have as a community between the efforts of the City of Portland, Multnomah County, and local churches opened more than 400 new shelter beds in our city. We have finished housing our backlog of homeless veterans -- although there are, of course, new homeless veterans every month, and they need to be housed as well. But we began last year with 690 homeless veterans in Portland, and we have housed 697. That's a good start.

The Council has dedicated \$354 million dollars -- I'll say that again -- \$354 million dollars to affordable housing and homelessness. So, this is a serious crisis that is getting serious attention from local governments -- not just the City, but also Multnomah County, Housing Authority -- Home Forward, that is -- City of Gresham, and others. And I'm proud of that work. Meanwhile, there have been a lot of solutions created at the community level, and Right 2 Dream Too is one of them.

They have been in Old Town for five years. I have a memorandum here from the Commander of the Central Precinct who says this. "The Portland Police Bureau quickly established a positive relationship with Right 2 Dream Too since its inception. We did not and do not experience increased calls for service at R2DToo. In fact, it appears that R2DToo manages whatever incidents occur within its borders without police intervention. Upon inquiry with our police officers who routinely work the area, I am assured that calls to R2DToo are essentially non-existent." Signed, Sara Westbrook, who's the Commander of Central Precinct.

So, I as the Police Commissioner appreciate the fact that not only are people finding a safe place to rest and access services and move into housing in many cases, but also that they've made part of our city a little safer. Because I can't think of another corner in the central city where Central Precinct officers haven't been called to a problem over the course of the last five years. So, I want to thank R2DToo for that work as well. I

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believe that this site is a good location for a temporary solution, and that's what we're about here. Commissioner Fritz?

Fritz: Thank you, Mayor. We did have a two-hour work session on what the Council is doing in partnership with the County and Home Forward with A Home for Everyone to establish a home for everyone, a real home. Let's be very clear -- nobody here thinks that living in a tent is an ideal solution. Nobody thinks that this is the option for helping people who are living outside. There are many of us here who feel that this -- living in a safe place with a community of supportive people and with services is a lot better than under a tarp on the sidewalk or a tent by yourself in some unknown location. And so we're not here to deliberate on the housing strategy and the bigger, homeless, houselessness issue. What we're looking at is, is this a good place for the successful Right 2 Dream Too community to have a new location?

In the Planning Commission's review -- the Planning and Sustainability Commission asked the Council if we passed the street vacation to add three conditions. One is to address the concerns of the adjacent property owner, which we have just promised to do. The second is to hold a public process on the use of the land, and that's what this hearing is all about. And the third is to convene a good neighbor agreement process. Now, that would follow after today if the Council votes to continue to pursue a new Right 2 Dream Too at the 3rd and Harrison site that we would convene -- I would convene with a neutral Resolutions Northwest facilitator, stakeholders from the adjacent community, and others who are deeply invested in the success of the whole neighborhood to have a good neighbor agreement process.

We did have a constructive conversation at the end of January with community members at St. Philip Neri church, as I have referenced -- I do see many folks who were there as part of that discussion -- and it was evident that once Portlanders recognize each other as human beings and neighbors and sit down and listen to each other as well as talk to each other, we can find good solutions together.

We have been working for over a year and a half now to find a new place for the Right 2 Dream Too rest area. They do need to leave their current location by October 31st. The Portland Development Commission has agreed to purchase the lot and plans to develop it and the property owner wants to sell. So, we do have a deadline of October 31st. I think that's correct, right?

So, we have -- people have said, why not somewhere else? Why not Nicolai street or why not here? And we -- and when I say "we," I mean Josh Alpert, the Mayor's chief of staff -- looked into dozens of locations prior to settling on this one. One of the reasons that this location was chosen was because it was formerly in government's hands and we were able to have first choice on it. Other private properties that became available just got snapped up way too fast or else were not suitable.

This site is a great location. It's on streetcar, and the City owns the streetcar, so we can provide the tickets to Right 2 Dream Too so that their folks can get to and from services in the central city. We're also in partnership with Right 2 Dream Too planning to provide bathrooms, showers, laundry facilities that will help the existing population of people living outside in the Central Eastside and improve services and safety in the Central Eastside, and so that's why I am urging my colleagues to consider accepting this proposal. Thank you.

Hales: Thank you very much.

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Fish: So, Mayor, as I understand it, we have a zoning letter that we're going to take up whether to accept the letter, and then we're gonna take up the second resolution. Is that correct?

Hales: That's right. We have staff presentation and invited testimony to walk us through all that, and then -- yes.

Fish: Most of the questions that I have -- I'm perfectly happy accepting a report on the zoning. It is what it is, I will accept it. The questions that I have have to do with the final resolution. So, are we going to take them up together?

Hales: Yes.

Fritz: Yes. And I also -- thank you for reminding me, Commissioner Fish -- I need to move a substituted exhibit B in both agenda items 162 and 163. This adds the proposed 15-foot buffer for truck access to the adjacent property. Of course, the proposed site plan is not set in stone and that can -- since we're now going to be having more discussions, it might change anyway. But I would like to move that as a ministerial piece to go with these.

Hales: OK. Commissioner Fritz moves the revised site plan that's substitute exhibit B. Is there a second?

Saltzman: Second.

Hales: Further discussion? Roll call on adopting that amendment.

Roll on amendment.

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

Fritz: Now, I'd like to invite Matt Wickstrom from the Bureau of Development Services to come up and explain the zoning confirmation letter. This is important because one of the cruxes of the issue is, is this use even allowed on the property under the zoning? And so, Matt is going to go through that first.

Hales: Microsoft is being helpful like it always is.

Matt Wickstrom, Bureau of Development Services: [laughs] Good afternoon, my name is Matt Wickstrom. I'm with the Bureau of Development Services and I will be talking about the zoning confirmation letter requested by Right 2 Dream Too today.

First of all, what is a zoning confirmation letter and how is this one unique? The purpose of a zoning confirmation letter is to verify in writing the allowed uses, development standards, and regulations applicable to a specific site, and this requires a zoning analysis of the proposal often as well. In this case, Right 2 Dream Too has asked if a use similar in operation and function to its current use or current facility could locate at SE 3rd and Harrison. And this letter is unique. Due to the high level of public interest in the proposed use of the site, Commissioner Saltzman has asked that this zoning Confirmation letter be considered and affirmed by City Council.

It's important to describe some key elements of the proposed use, but you're going to hear more about the proposed use from Bob Kieta and representatives of Right 2 Dream Too later. But what we're looking at is a rest area with tents providing overnight shelter for houseless individuals. It would be operated by Right 2 Dream Too, which is a nonprofit organization. Tents would range in size from one to two-person tents to up to 10-person tents. Structures with approximately 2100 square feet of net building area containing restrooms, showers, laundry facilities, a kitchen, and storage for personal belongings would be provided. Other houseless individuals who are not sheltered at the rest area may use some of the facilities, as Commissioner Fritz said. And then a fence may provide privacy of the rest area.

These are the items that were submitted as part of the zoning confirmation letter request. First of all, it was an application. Second was a letter with questions and a

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summary of the use. There is a description of the use as well, as well as a site plan showing the location of where tents would be as well as some of the structures that I discussed. We also reviewed in crafting the letter the Right 2 Dream Too website, and then State of Oregon documents. That was primarily to determine the nonprofit nature of the organization.

The questions asked were -- first of all -- this is really the primary question -- what use category does the proposal fall under? And that's the zoning code use category. Is that use allowed? Is it limited or is it conditional? Does the use or site plan require a land use review, or would it be allowed by right? Are there planned district or overlay zone requirements that apply to the proposal? What development standards would apply? And then, how would a fence made of doors be regulated?

This is the zoning map of the site. You'll see it's zoned IG1. You'll see the land itself is in red, the vacated right-of-way is shown in green. The site is located at SE 3rd and Harrison and contains a portion of vacated right-of-way, as I just said. Owner of the site is the City of Portland, and the site is 18,000 to 20,000 square feet in area and that includes the vacated right-of-way.

There's really two key questions that apply to the zoning confirmation request. The first is, what is the appropriate use category for Right 2 Dream Too's proposed use? And the zoning confirmation letter concludes that the community service use category is the most appropriate category for Right 2 Dream Too -- for R2DToo proposed use. And this determination was dependent on the second question, which is, are tents structures or buildings? And the answer is no, they are not.

Structures are defined in the code as objects constructed in or on the ground, and structures include buildings which are essentially structures with walls and a roof. Structures also include flagpoles and signs, decks and fences -- these are things that are supported by a foundation or a footing. The types of tents that are proposed do not require a foundation or a footing. They're easily assembled and taken down.

Now we're getting into the appropriate use category. Regarding the first question, which is, what use category would Right 2 Dream Too's proposal fall under? It appears to meet all the qualities of the community service use category. The use is operated by a nonprofit, it provides shelter and stability, there are no membership requirements, amenities at the site would be available to other houseless individuals as well as those who take shelter at the site, and the proposal does not -- and because the proposal includes less than 3000 square feet of net building area, it would be allowed by right under the zoning code. And this is the answer to the question number two.

There's two examples of community service uses given in the zoning code, and these are mass shelters and short-term housing. These are still community service uses, but they're two examples of community service uses. And there's many other types of community services -- community centers, senior centers, and museums, all sorts of things. So, consideration was given in the zoning confirmation letter to whether the proposed use matched either of these two examples. The definition of mass shelter refers to structures for sleeping. As we already discussed, the tents are not structures. They're easily assembled and taken down. No sleeping will occur inside of the buildings on the site or inside the structures, and the development standards for mass shelters refer to buildings and net building area. There are buildings proposed, but these are accessory to the use of the site, which is a community service but not a mass shelter. As such, we concluded that the proposed use is not a mass shelter.

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Another example of a community service is short-term housing. We've covered that tents are not structures. Tents also aren't rooms, and that's explained in the zoning confirmation letter. Short-term housing may or may not include food preparation and shower facilities. So, this is just an example of the uses that may or may not be there. These are located at the proposed use but once again, it's not a condition of determining whether this is a short-term housing use. The proposal doesn't involve reservations or referrals. The description of short-term housing refers to reservation and referrals. It also refers to parking, and there's no parking proposed at this facility nor would any be expected.

The zoning confirmation letter also considered other potential use categories, one being retail, sales, and service. And of the four subcategories within retail, sales, and service, the rest area clearly isn't two of them which is sales-oriented or repair-oriented. There's two other subcategories. One is the personal service oriented subcategory, and the proposal doesn't match the examples given for personal services. These are things like banks, laundromats, photo copy services, etc. Nor does the proposal match what's called entertainment, the entertainment-oriented subcategory. Clearly, the proposal is not entertainment nor is it recreation, it's shelter.

And then finally, we looked at the group living category to see if the proposal would be consistent with that. Once again, the tents are not structures. The group living use category refers to residing in structures. The length of stay for group living uses is a month or longer. In this situation, the Right 2 Dream Too -- the people who seek shelter there could stay there for one night, they could stay there for longer than a month, but it isn't tenancy for a month or longer. Examples of the accessory uses provided for group living in the group living use category also don't match what's proposed at the Right 2 Dream Too, and the group living use category also refers to buildings.

So, the conclusion was that the use category most closely matches the community service but it does not match the examples of the mass shelter or short-term housing. While the Right 2 Dream Too proposal is an example not mentioned in the zoning code, it most closely fits the characteristics of a community service use.

The last three questions related to the zoning requirements -- regarding those questions, there's really few zoning standards that apply in the IG1 zone. Fences, including a fence made of doors, would be allowed up to eight feet in height. And the central city plan district also specifies that no parking is required. And then as far as any regulations from the central city sub district, none address the proposal. And that concludes the staff presentation on the zoning confirmation letter.

Hales: Questions? I have one -- or maybe a couple, but they're related. Based on the Council's decision that we just made on the street vacation and given that the underlying zoning is industrial, if the compliance with the Council's condition of approval -- which Commissioner Fish added in our discussion -- requires the construction of a driveway on our property, the City of Portland's property, in order to serve the adjacent industrial business and allow truck movements to and from their doorway, I assume that the construction of such a truck driveway is an allowed use in the industrial zone and would not require a second zoning confirmation letter?

Wickstrom: You're correct, yes.

Hales: Thank you. Any other questions for Matt? OK.

Wickstrom: Great.

Hales: Thank you very much. We have invited testimony, Commissioner?

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Fritz: We do. We have a Right 2 Dream Too representative Trish Reed; Bob Kieta from the Mayor's office; and Mark Lakeman and Tim Merrill, architects. And Karla, if you could run the three-minute clock because we have two panels that will be brief, and we are going to get to public testimony hopefully by 4:00 or shortly thereafter. Trish, welcome, and thank you.

Trish Reed: Thank you. Good afternoon, everyone. I appreciate your time, and I really do appreciate all the work that has gone into all of this, so I just wanted to say thank you for that to start with. My name is Trish Reed, I am a member of the Right 2 Dream Too. I'm also on the board of Right 2 Dream Too.

One of the things that is encouraged is that you expand and better yourself as a member of Right 2 Dream Too. I recently have acquired a part-time temporary job and do lots of work around the rest area as well. Sorry, I am a little nervous. [laughs]

Hales: Go ahead, you're fine.

Reed: I'm just going to give you some statistics of what Right 2 Dream Too has accomplished over the four years that we've been on the 4th and Burnside site. We have been able to house 297 people. We have had 286 people find work. 35 people have kicked extensive drug habits. We've had 17 women be able to keep their children. We have had 15 people complete online education, two of whom just graduated this last year -- one from PCC and one from PSU. Crime rates actually didn't go up when we moved in, they actually went down a little tiny bit.

We are in solidarity with many organizations, including the homeless bill of rights, the Columbia Riverkeepers, Black Lives Matter, Health Care for ALL Oregon, Anti-Displacement, Tenants United, right to be safe which is a self-defense class that happens once a month, Working Families of Oregon, Street Roots, Sisters of the Road café, 15 Now, and other camps like Hazelnut Grove and My Backyard, which is trying to be established in outer southeast. We cater to everyone who comes through our gates, whether they're disabled, mentally ill, LGBTQ. We do not discriminate. And I would just like to say we do our best to provide safety and warmth and love to our family, because these people are our family. Thank you.

Fritz: One point of clarification -- you don't have children at the rest area, right?

Reed: That is correct.

Fritz: You mentioned about mothers keeping their babies. Could you just explain what you meant by that?

Reed: Sure. We have pregnant women who have come through the rest area, and we referred them to the midwives instead of sending them to the hospital where the question is asked, you know, if they're houseless or not, and that causes them to lose their children because they are required to report to the state that an individual is houseless.

Saltzman: If I can just follow-up -- that was my question. So, there are absolutely no children living at Right 2 Dream Too?

Reed: That is correct. Anyone under the age of 18 is not allowed.

Saltzman: And that rule will apply to the new location as well?

Reed: Yes, it will.

Saltzman: Thank you. And that's a specific condition of operation we have somewhere?

Reed: Yes, it is.

Saltzman: Codified between the City and the Right 2 Dream Too?

Bob Kieta, Office of Management and Finance: That would be in the use agreement.

Saltzman: Is that what we are considering right now?

Kieta: No.

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Saltzman: That's next?

Hales: If this is approved, there will be a use agreement created. You're saying, Bob, that that would be an item in the use agreement?

Kieta: The rules of conduct, good neighbor agreement, all those items.

Fish: Bob, there is a space use agreement and there is an exhibit E, which has code of conduct, and perhaps you could show where that applies. I don't see it in either.

Kieta: The use agreement is not complete at this time. We are still working to develop the full use agreement because there are items of it, such as the good neighbor agreement and things that will be included. Is that part of your code of conduct as far as the age?

Reed: No, it is not.

Fish: It is not part of the code of conduct.

Fritz: But just to clarify, exhibit A is a draft that's still in progress. If the Council approves the continued discussion, then there will be a final use agreement that would include Right 2 Dream's code of conduct as well as other agreements.

Fish: Well, I have a copy of the Right 2 Dream Too code of conduct which I assume is your existing code of conduct.

Reed: That is correct.

Fish: And there's nothing in the code of conduct that addresses minors?

Reed: That is true, but we do -- if we feel that we have a minor, we do ask for ID and we do not allow them until we can verify that they are over the age of 18.

Hales: So, this is potentially something to flag for the use agreement, it sounds like. It's not nailed down as well as some members of the Council would like. OK.

Fritz: Bob?

Kieta: Absolutely. So, Facilities Services is responsible for procuring properties throughout the city whenever it needs to find. As we go through our process, our due diligence in identifying properties and then determining whether it's a good property for the City to buy, we conduct a minimum of phase one environmental test of the site. Due to this site's location next to East Side Plating, there was concern from the start that we wanted to make sure that we weren't putting anybody in any kind of jeopardy as far as locating next to an industrial plant that might have issues. So, we conducted a phase one and we conducted a phase two.

Phase two actually goes into where we do soil sampling and going down into the soil to verify there aren't contaminants or reasons of concern. Our concern of course is in camp, you have people down close to the ground, so we wanted to make sure the ground was safe. While we found some contamination, there was no major red flags, and we'll be able to address the actual site so that it will provide no issues as far as safety issues for the residents of the camp.

With that, though, we also looked at air. And that's not something that we normally do, but it is good, you know, timing, actually, with what's happening in southeast recently as you see in the news. We actually conducted air studies, not just at this site but across the way from it and at their current site to verify the air quality in these areas. The actual site, the R2DToo site that we're talking about today -- the 3rd and Harrison and OMF property -- was clean. We measured it at residential standards. So typically, if you're in an industrial area, you do industrial air quality standards. We actually asked to have it done at a residential standard to make sure that, again, this is more -- you know, people eating and sleeping and not, you know, working in a plant.

Saltzman: Did we measure for lead, chromium, and -- what's the other one? Cadmium?

Kieta: I will have to go back and look at the report, but there were no flags as far as --

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Saltzman: I guess my question is, did we measure for those?

Kieta: I will have to go back and look at the report specifically for those items. But in residential testing -- you know, we passed for residential area.

Fish: Bob, one of --

Saltzman: I guess I would ask the question -- when East Side Plating comes back to testify, I'll ask them the same question: what can you tell us about emissions of those substances?

Kieta: I will say our studies basically showed that East Side Plating is doing a remarkable job as far as scrubbing their air, clean standards both in the transfer of their chemicals and everything else because the soils were clean and the air was clean, which shows a wonderful track record for their business and what they've done considering the chemicals and things that they are using. So, it's a very positive report in sense of the business and for our proposed use now.

Fish: Bob, just to follow-up -- in a notice that my staff gave me, they said the findings were that the air and soil quality were low risk for a healthy adult that was at the site for less than a year. Why the qualification? First of all, there are going to be adults there who are not necessarily healthy. There are lots of people who are sleeping outside. So, what can you tell us about the qualifications that the low risk applies to healthy adults who are at the site for less than a year?

Kieta: Less than a year was based on it's a camp and it is not residential long-term housing, so they used the less than a year as that example. As far as the healthy adults sleeping outside, if we go to the Burnside site where we also tested the air, the air was less safe in that area than it was at the current site at the Harrison in the property. So, I can't tell you the exact why, or what level of healthy adult, but the standard for residential was met, and that's as far as I can go with that answer.

In addition, we mentioned the good neighbor agreement, and I wanted to talk about it. You heard their safety manager earlier bring up the point of the safety of the employees. We also are concerned about the safety of the members and the visitors at R2DToo. What we'll be proposing in the good neighborhood agreement and the use agreement is that we develop a safety disaster plan in cooperation with our first responders and East Side Plating, and hopefully we'll even be able to coordinate drills with them so that the camp will be able to, in case of a disaster, respond to the same as the employees of the East Side Plating would respond to evacuate the area. Thank you.

Hales: Thank you, Bob. Mark? Tim?

Tim Merrill: I'd like to briefly explain the site here. This is 3rd as it curves around and becomes Division.

Fish: Could you put your name in the record?

Merrill: Tim Merrill, and I'll explain some of the buildings on this site. What's shown here is a 53-foot container for people's belongings. And we may need to relocate that if we change this situation. There are some tents up front that are for a single overnight guest. These are 10-person tents, and they would be observed by the gate located here. So, whoever's in charge would be able to see what's happening with these people. These tents are for the Dreamers, who are the people who will manage the camp and live here in a more permanent basis. The other tents down here are for guests who will be there for an indefinite period.

The actual buildings on this site are two restroom and shower buildings here, a laundry building, a meeting room, a kitchen, and there's some outdoor areas here also for kitchen outdoor dining use. We have located some facilities near the street here so that

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people can come and drop off locations at this location. And the tent area will be enclosed with a screen that we've discussed before, part of which will be done with doors. And Mark Lakeman can explain the balance of this and show you what this will look like.

Mark Lakeman: I'm Mark Lakeman, and Tim Merrill and I have been working to provide planning and architectural support for the last year or so. Just would like to say that it's been quite a balancing act as we've figured out the perimeter setback needs and how to kind of fit everything onto the site that is desired in the program. You'll notice that the buildings that classify as structures that add up to 2100 square feet, are all lined east-west because they are sitting on top of an access trench that will provide utilities and take away effluent and such from the site. So, it's pretty logically located.

Even though it is very much a pull-yourself-up-by-your-bootstraps operation, at the same time, this is Portland, and place matters. So, what we're doing is trying to address every person's stated concern from an urbanistic point of view. That is, we're trying to make this safe and clean, and we're actually being collaborative and trying to build community through the design process. We treated the edge -- which is visible to the community as they pass by, or as they are a resident or as they operate in the area -- with an interesting and kind of lovely edge. And this certainly is not trying to be Shangri-La, but on the other hand, people are going to look at it and a lot of people have an apprehension in advance about such an operation. So, what we are trying to do -- and I'll show you in this next image, what it looks like from the ground -- we are trying to make something that's spectacular and that we can be proud of. As usual, we're doing things in advance of what other cities have even begun to consider.

So, when you look at it from the street, what you see is that these houseless people are actually doing things like trying to support distressed bee populations by providing pollinator habitat through their sculptural door wall that they'll be bringing over from the Burnside location. They'll be creating a beautiful edge that is lovely to look at and that makes a statement about community. And when you arrive at the site, there will be a gateway which announces that you've arrived at something of a village of people that is a cultural space. So, it will be a lovely thing, and it will speak to the street like the best kind of architecture must do in the urban city in the urban core. And even along the southern edge, which is really just kind of a woven fence wall, it steps along with the landscape and can be made into a lovely amenity as well.

Within the site, going back to the site plan, we're surrounding the perimeter with raised planters and kind of perennial features and really trying to make the most of the site and to vegetate it so that it's shaded and it's not a barren landscape. It has plenty of space for people to be able to move around and do the things that they are going to do. Because this will not just be a desperate place, but this is going to be a place that will inspire people in other cities as well.

Hales: So, Mark and Tim, back to the earlier discussion. If it is necessary to modify the northwest corner of the site plan in order to address the truck movement issues -- you're talking about having to change the location of the large container and some of the tents but probably not the buildings -- and therefore, I'm assuming that the functionality of the site in terms of connecting to the infrastructure wouldn't necessarily be compromised by those kinds of revisions to the site plan?

Lakeman: It could be modified, but the program is extremely compressed now. It could be modified, but I would like to speak to the issue of backing into the site. We've done a lot of good study and we've consulted the truck drivers. We've given them more than the code requires for backing an eight-foot semi in a space. And we feel that this is more than

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ample. And we appreciate everyone's concern, but on the other hand, we've done our homework.

Hales: Well obviously, if this proceeds, we'll need PBOT and you and the property owner to confer on potential modifications, but I would assume it would be to that part of the site. Other questions for the team?

Saltzman: I guess I had a question just going back to the previous discussion -- or Matt Wickstrom's presentation of the use agreement. I thought that part of the determination of this community service zone was something about people not being there longer than a month. Mr. Merrill, you pointed out an area where people would be staying for an indefinite period of time -- did I get that wrong? Everybody's shaking their heads, OK. I'm confused.

Kieta: More than a month.

Saltzman: More than a month. Oh, OK.

Lakeman: Trish, you can say it better than I can, but the way that the population breaks down is that there is a stewardship culture on site that manages the place, and they need longer residency to perform that function. But most of the population -- I think, three quarters of the population -- are people who are short-term residents. And that management population does change over a relatively short period of time.

Fish: Mark, on the map that you've given us -- can we go back to -- yeah --

Hales: The site plan?

Fish: The site plan, excuse me. So you've got the toilets and the showers, you've got the kitchen and various things. Do we know where there are existing water and sewer lines?

Merrill: The water and sewer are located right out in the front here in the street, so it should be just a straight shot from these buildings down to the front. That was the reason for the axial kind of layout.

Fish: I don't know that the utilities have verified that, but that's your best sense? That there is existing infrastructure in front?

Merrill: That's correct.

Fritz: And this is a concept plan. We didn't want to do too much design and engineering until we had the Council's permission to move forward. So, this is not exactly what it may end up being, it's also subject to Right 2 Dream and to the budget.

Hales: Thank you all very much. And your next panel, Commissioner?

Fritz: Yes, our final panel is Brad Malsin from the Central Eastside Industrial Council, Sue Pearce from Hosford-Abernethy neighborhood -- I'm not sure if she's here yet. If not, we'll have her come in later. Shannon Singleton of JOIN -- oh, Sue is here, great. And this is our final panel. After this, Council, I might suggest we move the public testimony and hold our questions until the end.

Hales: OK. I think you're on first, Brad.

Brad Malsin: Thank you, Mayor Hales and Commissioners. I think that I want to start -- I have a statement from our Central Eastside Industrial Council, but I want to start with the personal comment. I have gotten to know Ibrahim and the Right 2 Dream staff over a period of time, and I am impressed with what they do and how they do it and everything else. The position we're taking has nothing to do with the Right 2 Dream Too. It has to do with what is -- we believe -- is compatible within the district.

So, on behalf of the board of directors on the Central Eastside Industrial Council, we'd like to express our opposition to, one, vacating the SE Harrison and SE 3rd site; two, categorizing the residential use as an non-residential use and community service; three,

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considering a use agreement that cannot by its terms turn into an illegal agreement and use with conditions.

We are adamantly opposed to moving Right 2 Dream to the site at SE 3rd and Harrison property. It is zoned industrial and part of the industrial sanctuary. It is also located in a part of the sanctuary that is proving to be incredibly successful, areas of the business to locate and thrive. CEIC and many community stakeholders have been participating in a long process to develop a comprehensive plan for the southeast quadrant, and this intended use is in compatible with the plan accepted by the Council.

The site is not zoned for housing, whether temporary or permanent. Since the agreement is for 10 years, these actions are considered to be permanent change to the status of this property. It will cause irreparable harm to the surrounding businesses and to the district's ability to increase the employment and to fulfill the vision of the Comprehensive Plan. The original intent of this right-of-way was limited to transportation-related use. That transportation use is still badly needed in the district to accommodate truck access -- as you will hear and you have from others -- and to partially alleviate a significant need for additional parking in the district. Parking is an extremely in short supply in the district, and it may have been a dampening effect on the ability of the district to bring more jobs into the community. And of course, our collective homeless problem is more critical than parking supply, but that is not the issue.

Residential use of an industrial sanctuary property is the issue and is prohibited under the zoning code. The land therefore should remain in a permitted use for which it was originally intended, transportation. The existing right-of-way serves as access to emergency vehicles needed to direct access to the adjacent site. This is an important life safety issues for the employees of the adjacent businesses as well as the potential residents of the homeless camp. Uses directly adjacent to the site are industrial, using industrial processes, and providing employment in the industrial district -- [beeping] -- can I?

Hales: Either that or make sure we have a copy of the statement.

Malsin: I only have two more minutes. Plans to vacate the street and locate a homeless camp on the site threaten the conditions of the permit approved for the adjacent industrial businesses. Future uses of the site that are not employment related and do not recognize the existing permits and that violate the social contract of our zoning code should not be allowed. Emergency shelters and short-term housing of any type are plainly and expressly prohibited in the industrial zones. These are the primary uses contemplated by the proposed action, regardless of whether the use occurs in the building or not. There will be people living, residing, staying on this site and using it for residential services 24 hours a day, seven days a week. Many will stay longer than 30 days, and I think that at least 14 of them will become permanent resident Dreamers. This is a residential use, no other conclusion is plausible.

The site is adjacent to the industrial facilities and uses. Establishing a homeless camp under these or any other conditions is not, in our opinion, a humane way of helping the people experience the trauma of homelessness. People deserve a warm, dry place to stay with appropriate services close by that can cover their sustainability and dignity. We recommend the City Council request a fire and life safety plan reviewers at the Bureau of Development Services to review the potential future uses of the site in conjunction with the existing uses prior to the City Council's approval of the street vacation, the zoning confirmation letter, or the use agreement. The City should not waste more resources in

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developing the plans for the site if they do not meet the fire, life and safety requirements for the potential site, and uses.

No one is saying there should not be no place to rest and we should not be proactive in helping the homeless, but not in industrial sanctuary land where residential uses are strictly prohibited for all the reasons listed above.

Hales: Thank you. Susan?

Sue Pearce: Thank you for this opportunity to share my thoughts. I have brought with me some copies and given to Karla a letter written last summer by the Hosford-Abernethy Neighborhood HAND board, of which I'm chair. We wrote in response to the proposal to move Right 2 Dream Too to the SE 3rd and Harrison site. The letter was developed after exploring aspects of the proposal, meeting with City Commissioners and officials, meeting with members of Right 2 Dream Too, visiting their present site, and listening to HAND residents.

The HAND board has not since -- the day of the letter, which I think is August 3rd -- had much opportunity to discuss and update the letter. We've been distracted by other things -- most recently, air quality. It was discussed briefly at the HAND board meeting on Tuesday, but my comments which will reference the HAND board letter and the discussions should be considered my own and not those of the board.

We agreed -- and it said in that letter -- that we could -- were this plan to become a fact, we could work with the Right 2 Dream Too community to help them become the best possible fit in the neighborhood. We were unconvinced that SE 3rd and Harrison is the right place for the Right 2 Dream Too, and I think that Brad Malsin covered a lot of those reasons in his comments. I won't repeat them. And furthermore, we had some real frustrations about the public process surrounding the proposal as well as the City's history of the phenomenon of homelessness is addressed.

The fact that people are sleeping on the streets embodies a complex and many-faceted problem, and many of us already know a lot of the factors, so I'm going to skip ahead in my notes. But I do want to comment that it's difficult to find a job and maintain employment if one has no address, no place to shower before an interview, and if one must carry all one's belongings to the interview, and if there is no place for a good night's sleep and adequate assistance with medications and other means of managing chronic illnesses -- be they mental health or addiction or those of a more physiological nature -- it's difficult to keep a job.

We can talk about homelessness -- ending homelessness -- that's a dream. It ain't gonna happen. It's like a chronic illness. There may be remissions and exacerbations, but like a chronic illness, it can only be managed and controlled with ongoing and appropriate treatment and attention -- this should sound familiar to Commissioner Fritz, who shares my background as a nurse. Complex and complicated problems require a constellation of solutions. There is no one easy answer. Sufficient number of beds that offer a variety of settings, including places for all members of families to be together, places where couples can be together, and where someone whose family is a furry and four-legged or feathered and two-legged can be together. [beeping] There isn't -- those things aren't really available in the city of Portland just now. There are some changes in the last week that address some of these issues, but not all of them. And how that is going to work remains to be seen. The, um --

Fritz: Actually, Susan, Shannon is going to speak to some of that, so do you have any other --

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Pearce: So, skipping ahead -- let me go through my notes here, because I want to leave some things out. There are concerns about the public process. This came as a huge surprise to HAND and to the Central Eastside not quite a year ago, putting us in an awkward position in terms of working with our constituency. Some of those have been addressed -- some of the concerns about that have been addressed, but efforts have remained spotty. I want to mention that I did not hear back from any member of the Council when I sent that letter in August. So, maintaining the public process is critical.

We would ask and I would ask that the City continue their efforts to support Right 2 Dream Too, continue the efforts to work with the homeless, and -- um -- I had to skip part of this, so I lost my place.

In closing, let me say that we spent and I spent time over the course of the summer and in the intervening months working with Right 2 Dream Too. I have no qualms that they will follow through, continue the kind of work they're doing, and that they will be able to follow through with what they say that they are doing. I have to stop here and back up a bit to say that one of the critical things within this process will be the good neighbor agreement and that the City must be a part of that good neighbor agreement for it to work.

Fritz: Thank you very much.

Pearce: My biggest concern -- I have no qualms about Right 2 Dream Too. I am concerned about you -- that you will be able to -- the onus to make this successful is on you, and please don't let us down.

Hales: Thank you. Good afternoon.

Shannon Singleton: Good afternoon. My name is Shannon Singleton and I'm the Executive Director of JOIN as well as the chair of the Home for Everyone safety off the streets work group. The safety off the streets work group is a group of folks that started meeting at the direction of the executive committee of A Home for Everyone with the charge of finding spaces for people to be able to sleep safely. This group included folks from the business community, from the social service provider community, members living at Right 2 Dream Too, and sites like Dignity Village.

We started this process by defining what safety off the streets meant. What we decided that meant as a group was that people are legally able to sleep there, that there are access to bathrooms, that there are clean facilities, that there's the ability to have heat or warmth, that there is oversight or support by people trained to support physical safety, that there is dry or overhead shelter, including tents or tarps. Another is lighting design to assure adequate safety. We specifically discussed a variety of options, acknowledging that the needs of the people sleeping outside -- our homeless neighbors -- are just as diverse as the health population. Sites like Right 2 Dream Too and Dignity Village came to the top of our priority list when we had to go through an exercise deciding which of all of the options that we had we wanted to support first. And the group agreed that supporting and strengthening the existing sites like Right 2 Dream Too and Dignity Village were the top priority.

Sites like Right 2 Dream Too provide safety options for couples, for people with disabilities, and for people of color in our community who we know are disproportionately represented among the homeless population. Facility-based shelter is not the only option and it can't be the only option that we offer. The sites serve large numbers of people, they are extremely cost effective, and we want them to also be connected to the services like those mentioned by Sue as well as supports to exit into housing.

Essentially, I want to encourage this Council to continue to support the work that Home for Everyone has done and the safety off the streets work group has done and

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continued to support the top priority of supporting sites like Right 2 Dream Too and Dignity Village. Thank you.

Hales: Thank you very much. Questions?

Fish: Shannon, I have a question. When I had the honor of being the Housing Commissioner, one of the ongoing challenges for the bureau was how to manage Dignity Village and how to be flexible enough to encourage a unique model that didn't quite fit anything that we were working on, but while also trying to provide adequate oversight. It took a lot of time and energy. And one of the things that we learned is that Dignity Village really wasn't temporary housing or transitional housing. For some people, it became quasi-permanent housing. If we truly want to have experimental, innovative housing that's transitional, what's the City's role and responsibility there to make sure that people are being transitioned to some place, and it doesn't become, in a sense, permanent shelter, which I think none of us would say is adequate?

Singleton: I think that what -- so JOIN, actually, has a staff position that works with Dignity Village, and her role is to support Villagers in connecting with other services, be it mainstream services or housing services. And so, that has shifted at the Village, as well, where folks are able to transition out more quickly -- [coughs] -- excuse me -- and I believe that that's also part of the requirement of Council and of the City is to ensure that people have access to those services. Let's fund services that are mobile. We can't continue to expect people to come into offices to meet all these requirements. If we can get out and go and meet people where they're at, they can be much more successful at moving forward in their lives.

Fish: Commissioner Fritz, in most of the housing that we fund in the city, we have very clear guidelines as to what our expectations are in terms of outcomes. And we are very rigorous with our nonprofit partners. What are the -- at least currently, what are the benchmarks -- what are the criteria that we have established and what are the benchmarks for evaluating that?

Fritz: We're going to have an annual report, and I'm currently missing what's in that report, but it will be written by Right 2 Dream with input from the Central Eastside Industrial Council, HAND, and others to report on their success and some of the benchmarks that Trish mentioned in terms of getting people into housing, into jobs, etc. I can look up and find that answer to your question.

Fish: What I found -- I'm just looking at the -- and I know it's an evolving document but the space use agreement, exhibit A. In paragraph five under benchmark, it says there will be an annual report, will include the number of people sheltered, number of people turned away from shelter, and such other information as the parties may mutually agree to. And I just wonder, since this is at the heart of what the Housing Bureau does when setting expectations when we have public money and the specific goals when we hold people accountable, what -- first of all, have you worked with the Housing Bureau to develop a set of goals and criteria? And what's the process for developing them?

Fritz: No, and certainly we'll be happy to work with the Housing Bureau on that. We're also thinking that we'll be part of the good neighbor agreement discussion process to decide what's in the annual report.

Saltzman: If I can interject a question. I've always operated under the expectation that there's no Housing Bureau dollars going to Right 2 Dream Too.

Fritz: Correct.

Saltzman: That is correct from this point --

Fritz: Yes.

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Saltzman: -- and going forward?

Fritz: Yes.

Saltzman: That the \$849,000 that we received from the prominent Pearl District neighbors to fund this move is the source of money that pays for all the improvements occurring at this site, and there's no operational dollars expected from the Portland Housing Bureau?

Fritz: Not from the Housing Bureau. We have committed to providing utilities for the first year from the general fund, not from the Housing Bureau, and --

Saltzman: You said for year one?

Fritz: For the first year, and then we'll look at what the utilization is. It's not realistic to expect Right 2 Dream's volunteers to fundraise to provide the services for people who are not staying there. We are envisioning that this will be an eastside area that people will go and take a shower and that the water bill will therefore be higher than they currently have. But no, Commissioners, no Housing Bureau dollars. In response to Commissioner Fish's question though, yes we would absolutely collaborate with the Housing Bureau in setting the benchmarks.

Fish: So unfortunately, this produces a perverse effect. Because on the one hand, we're saying no Housing Bureau dollars, which I guess by extension means no Housing Bureau staff. And yet, we have charged the Housing Bureau as the agency of the City that has the expertise to establish housing, including the Dignity Village, establish criteria for what successful housing looks like, and then match the services with the housing. So, the extent to which this becomes a one-off that's not integrated with any of our housing systems -- with all due respect to Dan on this -- this becomes much less -- this becomes, I think, much less viable. I mean, are we in essence saying that because there's no Housing Bureau dollars, this project is divorced from the values of the Housing Bureau, from the expertise of the bureau, which is the only bureau of the City which has direct online experience managing Dignity Village?

Fritz: No, Commissioner, we're saying it's an interim place to make people be safe. It's just like the Mayor is coordinating with the Housing Bureau and with Commissioner Saltzman on the sleeping on the streets issue. If I might -- we're trying to take this one step at a time. And if I might suggest that we go to public testimony because there's a lot of people who've waiting --

Fish: What are we going to take public testimony on?

Fritz: -- because we have been waiting on 2.5 hours -- on the proposal that Right 2 Dream Too should be allowed to continue working with the community and others. We would probably not be able to take a vote today. I understand, Commissioners, you have more questions for the staff and experts, but I'm very mindful that the community members were here since noon waiting for an opportunity to testify.

Fish: I'm very mindful of that, too, but as someone asked to pass judgment on it, I also have to know what it is, and the public has to know what they're testifying to. So, I'll just park this one comment. There is no housing that we manage in the City where we say we'll leave it to a community advisory process to establish the standards under which we expect people will live and be transitioned to other housing. We don't do that. So, we're in an area here that's new. And I completely understand that it's an emergency, and we as a Council declared an emergency and said we're going to welcome innovation and experimentation. But we do have a well-established set of policies and practices which are designed to make programs successful. So when I hear that is to be determined and we

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don't have expectations and it will be done through a community advisory process, we are getting far afield here. So, I mean, we'll come back to have that discussion --

Hales: Speaking of field, let me reiterate Commissioner Fritz's suggestion that we get to public testimony. There's no doubt going to be a need for Council discussion about how this fits into our overall programmatic effort, but I also want to remind the Council -- and you can ponder this while we deliberate later on this -- and that is, Commissioner Saltzman is in the process of leading the process by which our homeless services staff are transferred to Multnomah County. So, this is a rest area, not a housing project. We will be in the housing project development business, and Multnomah County will be in the homeless services business if the transition that Commissioner Saltzman is leading goes forward. And so, I think it would be appropriate for us to discuss with Multnomah County how this particular homeless service facility will be supported by local government.

Fish: They're not even part of the process, Mayor.

Hales: They certainly can be through A Home for Everyone and through other means. So again, I would recommend we save that discussion of ways and means and procedures until after we hear from the public about the basic proposition of if Right 2 Dream Too should go here.

Fish: I think that's right, but now what we've said is that the Housing Bureau and Multnomah County -- the two entities that have the experience and the knowledge and the history and in fact the charter to address these questions -- may be engaged at some point in the future. And I would say, why haven't they been engaged in the front end if they are the community experts in making these things successful?

Hales: I think that they've been engaged to an extent. We might want to hear from them later, Right 2 Dream Too has existed for some time now in a different location.

Singleton: And I would say that the safety off the street work group did include jurisdictional staff members from across the board. It also included folks from the County and the City. At the time that it started, I was actually a Portland Housing Bureau staff member who was staffing the committee.

Hales: Thank you. Thank you all very much.

Malsin: Can I ask one quick question? Why a 10-year agreement? Is this truly a 10-year agreement? Can we do -- again, if we're going to all going to -- [indistinguishable] -- as experimental, can't we do a shorter agreement with some kind of renewal?

Pearce: That would have been a request from Hosford-Abernethy as well, that there be two years.

Fritz: We can certainly consider that. I think Right 2 Dream would be more than happy if their services weren't needed after two years.

Hales: Thank you very much. OK, let's turn to testimony.

Moore-Love: We have 37 people signed up. The first three, please come on up.

Saltzman: We're doing two minutes?

Hales: Two minutes.

Fritz: And just so folks know, we were allowing our invited panel -- as you saw, they had a broad range of opinions -- additional time. The longer you go over two minutes, the less likely it is that the people at the end of the list will have time to testify today.

Hales: Welcome. Go ahead.

Andy James: Andy James, WYSE real estate advisors. Portland has a long and legendary zoning code that has been held up by other groups and other cities as being the stalwart, and what we're talking about here is an elegant manipulation of the code to allow for a residential use. The fundamental thing is that Right 2 Dream Too is doing an

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exceptional job in a tough situation, but we shouldn't put them in a situation which would essentially degrade their own safety and quality of life. It's not just East Side Plating's use, but we've got rail yards across the street, which no one can control what could be stored in those tracks and what could potentially happen. We owe all the citizens of Portland -- whether they have a house or not -- a safe, peaceful, enjoyable place to rest their head. This is not that location. I would suggest Council spend the night there. Trains are clacking all night. Trucks are going by all night. This is not a restful and peaceful place, and we do enjoy that as being one of the fundamental things of a residential use. This is an industrial zone and should be maintained as an industrial zone. We've seen the problem with the Bullseye Glass. I think that we're exposing the City and the general liability across the board to a point where I would suggest that we can do better. We can do better. I talked previously with Commissioner Fritz and Mayor Hales about Wapato. Maybe the Terminal 1 location would be a better site -- 14 acres, flat, level, and available. And also I would like to say that since this is the land use decision, under ORS 197, I would request a continuance or the record be held open for at least seven days for the submittals of additional evidence.

Hales: Thank you. Welcome.

Terry Parker: Thank you for the opportunity. Terry Parker, Northeast Portland. I am speaking as an individual today. To illustrate my concerns, I'm going to tell you a short story. Within the past few years, homeless people broke into four vintage railroad passenger cars stored in California. They started fires in the cars to keep warm. Three of the four cars were so badly damaged that they were eventually scrapped. In 1984, these cars were leased as part of the 13-car for the Louisiana world's fair daylight from Portland to New Orleans in return. This special train was powered by the only remaining daylight steam locomotive, which is now housed at the Oregon Rail Heritage Center. When this recreation of a full-length red and orange train daylight train traversed near Los Angeles, Interstate 5 became a parking lot. There were three TV news helicopters overhead, and the media estimated there were 100,000 people who lined the track to watch this train travel over what is a marvel of the railroad engineering. This is a big deal.

My primary concern about moving R2DToo to the SE 3rd and Harrison site is the close proximity to the Oregon Rail Heritage Center. In the '80s and early '90s, I spent numerous volunteer hours working on and helping to restore the steam locomotives and rail passenger equipment now at the center. Since R2DToo will be a sanctioned camp on City property, and since the camp will likely attract other homeless people to the area, what liability will the City take on to help protect the irreplaceable rail equipment, historic rail equipment that is on the nearby museum property? Good neighbor agreements have no teeth.

Secondly, and just as important, the public process has been stifled and is broken. Shame on any of you that supported disallowing public testimony about the use of the property at the City Council hearing related to its purchase, specifically when the reason for the purchase of the property was to move R2DToo and was predetermined. And that's affirmed in your handout. Without enhanced neighborhood protections associated with the close proximity of the Oregon Rail Heritage Center, and on the grounds that far too much of the public process has been bypassed and not followed, I am opposed to R2DToo to the SE 3rd and Harrison site. You might perceive this as NIMBYism. However, the insistence of the City Council to move Right 2 Dream Too out of Old Town is far more of a NIMBY mindset. Thank you.

Hales: Thank you. Welcome.

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Debbie Kitchin: Hi, I'm Debbie Kitchin, a business owner and property owner in the Central Eastside. I served as co-chair of the southeast quadrant stakeholder advisory committee. Through a long, rigorous process over two years, the committee along with excellent leadership from the City of Portland staff, developed the Southeast Quadrant Plan. And in that, we affirmed the importance of the industrial sanctuary for our district. In fact, one of the land use objectives was to maintain the viability of the industrial zoned lands in the Central Eastside as a place where existing operations are protected from non-compatible land uses, where industrial operators can feel secure about investing in their businesses, and where all industrial sectors as well as those yet to emerge find a place to operate. The City's zoning code recognizes that residential uses are not compatible with industrial uses. As a result, residential uses are prohibited in industrial zones. Your yes vote on the proposed agenda items violates the goals of the Comprehensive Plan and is not consistent.

The ZCL seeks to avoid the prohibition of housing in the industrial zone by stating the tents contemplated for shelter are not structures under the code. However, it is clear that platforms, fences, decks, and other attributes of the current site for Right 2 Dream Too are structures and do not comply with the code. They would not be allowed under this ZCL. The primary use of the site is short-term housing, and that's prohibited in the IG1 zone.

The ZCL also acknowledges that stays over 30 days are not allowed by this interpretation of the code. It was said at a community meeting and also in the presentation today that there would be 14 resident Dreamers staying at the camp and managing it, possibly periods of time longer than 30 days. Will the Right 2 Dream Too operation -- organization be responsible for maintaining the records to verify that the condition of longer than 30 days is not being violated? [beeping] I have other comments that I submitted in written form, but thank you for the opportunity to speak.

Hales: Thank you. Thank you all.

Michael Meo: My name is Michael Meo and I'm the secretary of the Cascadia chapter of the Green Party of this city. I'm not a member of the southeast quadrant and I'm not a homeless person and I'm not a business owner. What I'm here to tell you the truth about the matter of moving R2DToo. When R2DToo established itself years ago, if Portland city government had the right attitude toward homeless, why, that property owner would have been showered with praise for having provided R2DToo with a place to do its healing of the community. On the contrary, the City government socked that property owner with a \$5000 fee for his civic activity. They said that he was not following various laws. Yes, it's true, the City has an option of how rigorously, how strictly it enforces the millions and millions of lines of code that it requires of every citizen to follow. And that's an option that the City has.

The City has spent now -- I don't know -- hundreds of thousands of dollars and three years finding an alternative location for R2DToo. And as the previous speaker a while ago said, that really shows the attitude of the city. We are moving R2DToo. It's a big deal to move R2DToo because we don't want the downtown area of our city to have a homeless camp in it. And I'm telling you as a politician that if you wanted to demonstrate real community action, you would welcome a homeless camp in the middle of downtown and you would say, "That is how we make a statement about what our community consists of."

Hales: Thank you. Who's next?

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Lighting: My name is Lightning, I represent Lightning Watchdog PDX. Again, I'm impressed with the work of R2DToo. I really like the looks of the camp or what we're gonna call for community service use.

One of the concerns I have on here is that we're always talking about doing more long-term type leases for affordable uses or community service use such as this camp, and I have a real problem with this 10-year lease. Every time you talk about doing your 60 years, I want to see a lease on this agreement. I don't want to see Right 2 Dream Too leave the Burnside location until they get those type of terms.

I have another issue on this agreement. That money given by the developer -- I don't want that used on this project. I want that money to be used by R2DToo in the manner they want to use that money. I want to see this funded by the Portland Housing Bureau -- which, Mr. Saltzman, you seem to have a problem with using funding from the Portland Housing Bureau towards R2DToo. I don't see what your problem is. I don't see why the City does not fund this project and do a one dollar lease to R2DToo and they retain their money that was given by the developer to allocate what they want to allocate that money, not where the City wants that money to go. So, I have a real problem with this overall deal. I want them to stay at their Burnside site, get the terms that they want, and they don't get their terms, say at that site and see if Mr. Naito is going to develop that hotel next to him. If he doesn't, that's your loss. That's your big loss, and you'll have to take it. Again, I do not want them paying their money given to them by the developer on this project. Period. And I want the City to pay their utilities, I want the City to pay their expenses, and I want the City to pay their insurance. All costs paid by the City, or they stay where they're at. Thank you.

Hales: Thank you. Welcome.

Gary Rehnberg: Gary Rehnberg, president of East Side Plating. Thankfulness. Mayor, thank you for the privilege of using your property for our deliveries. Thank you for that.

Hales: It will continue.

Rehnberg: Thank you for the offer of a dollar. Thank you for the kind words that you've made about our operations. And we're proud of who we are and we appreciate that. So, thank you for those things.

I have a huge respect for the Right 2 Dream Too process. The relocation I know has been a challenge. And I serve 129 employees, and their safety is my primary purpose. I do not see this location adjacent to an industrial facility as being good public policy from a safety standpoint. There's a federal agent that works with our firm that counsels us on how to keep chemistries that we offer at our location out of the hands of terrorists, and those individuals aren't allowed to be involved in the public issues or policies. But we have industrial processes, we have industrial zoning, we have industrial activities, and it's just not safe from a public policy standpoint to do anything.

When I first heard of this in May, I approached three different first responders that we rely on for emergency response in the event of an emergency and I just mentioned that the City Council is considering this location, and the comments from each of the parties was, "that's crazy." Aside from what's being twisted in the zoning consideration, please don't consider placing a vulnerable population in an industrial area. Thanks.

Saltzman: Mr. Rehnberg, I signaled I was going to ask this question. I'm curious, does East Side Plating emit any air quality issues related to hazardous air pollutants? Do you have a permit or are there emissions?

Rehnberg: This facility does have an air quality discharge permit. We've done sampling, we've been successful with chromium emissions. Most recently, EPA did a significant

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reduction -- up to like a 90 percent in the permissible exposure level, the PEL, for worker safety. And so we've accomplished that. Most of our exposures are with the solutions and chemistries primarily. They are exposures that are very modest.

Saltzman: Is chromium the only air emission? Is there cadmium, arsenic, lead?

Rehnberg: That has been the dominant piece. Some of the materials that we use -- we use lead anodes in a chrome process, but they're really not emissions that are material, no. Thanks for the question.

Hales: Thanks very much. Go ahead.

Scott Henriksen: Hi, I'm Scott Henriksen, I'm the environmental health and safety manager for East Side Plating. As has been pointed out, we are an industrial facility in an industrially zoned area. We work with corrosive and toxic chemicals on a daily basis. We have worked safely with them as you've pointed out, we've been doing that since 1946, but even so we still have to plan for contingencies. EPA regulations, OSHA regulations, the City of Portland's own codes require us to develop contingency plans.

One of those contingencies is a site evacuation. With the type of chemicals that we have here, depending on what the release was, small or large, we would have to isolate the area around the building up to 150 feet for small spills, maybe 300 feet for large release, and if we go into a night-time situation, those distances increase to a tenth of a mile. We spend a lot of time training our employees on how to work around their chemistry safely. We have a lot of training programs in place and safety programs. We spend an hour with each and every new employee just going over the basics of the programs. We also require that all those new employees have two weeks of on the job training with a supervisor or other experienced operator to make sure that they're able to implement those programs safely while learning before they are allowed to work alone. We do annual refresher training with everyone. Supervisors also get additional hour a month just on the specifics of the programs.

I'm skeptical the City can ensure that a group of people living in tents right next to this facility are going to be adequately prepared to deal with that type of contingency if the worst happens, which we all know could happen. There are earthquake hazards, natural hazards. There are things there that even the Multnomah County emergency management group are starting to incorporate hazardous materials into their contingency plans. For those reasons, I really don't think the City should be undermining the zoning codes for this purpose. Thank you.

Hales: Thank you.

Jeremy Horn: Hi, my name is Jeremy Horn, I'm the technical director at East Side Plating. I just want to reiterate what Scott said. I'm going a little bit off-script here. I heard something about training the population there in terms of the emergency reaction and is things like that. But these people are going to be temporary -- a day, two days, a week. How are they going to get that training, and who's going to do it? I am a chemical engineer. Scott is, actually, as well. So, we have the expertise and we have the education to train people, to train our employees on how to safely deal with these things in case of emergencies. Who is going to train this population living literally right next door? Very concerned from a safety standpoint. I'm a chemical engineer, I know how to handle that stuff. I guarantee you, nobody in those tents would know. I am

So, the nature of our business requires us to handle numerous materials and dispose of the waste the processes generate responsibly. From a chemical engineer standpoint such as myself, I love the chemistry that makes metal finishing possible where customers' parts look better, they're more corrosion-resistant and function more

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successfully. We train our employees on the hazards associated with the business from proper storage requirements to safe handling to the personal protective equipment we use in daily work activities. Occasionally, we need to improve the processes or add the processing capability to offer services to customers. We regularly invest in improving our waste treatment compliance systems. With tent living adjacent to an industrial chemical facility, permitting may be difficult to achieve and might impair our ability in the future to improve our processing services and desire to continually be the best and most cutting-edge metal surface finisher in the Portland area. Please do not move the R2DToo homeless camp next to this industrial chemical facility. Thank you.

Hales: Thank you. Welcome.

Tracy Finck: My name is Tracy Finck, I'm the plant manager, again, East Side Plating. [laughs] I'm still the manager. I require all visitors to the facility to sign in and be attended by an ESP employee for their own safety. In addition, ESP has non-disclosure agreements with customers requiring us to secure the view of customer parts and protect the property. In the past, homeless campers have been found wandering the facility unattended, seeking services like tools, electricity, water, restrooms, etc. This has occurred without any formal invitation to homeless campers to sleep nearby. I am worried about controlling and restricting access to our facility.

The perimeter of the building on the west and north sides include four overhead shipping doors that are regularly left open to support lift truck traffic to the production areas. On warmer days -- since it gets hot in the building -- opening these doors improve the work environment for my employees. I'm worried about our ability to control the volume of foot traffic that will likely disrupt our operations if a homeless camp is sited next to us. Although it may be Right 2 Dream Too's intention to avoid disrupting our operations, campers/residents change over regularly, and I doubt the effectiveness of their policies being followed or regarded by the host of others waiting for a space in the camp area. Please do not approve the zoning revision allowing tent camping in the IG1 industrial zone.

Hales: Thank you. Thank you all. Tim, I think you're first.

Tim Lamb: OK, thank you. My name is Tim Lamb. I am the business owner with East Side Plating. Thank you for my second opportunity to able to speak to you, thank you.

I'm very concerned about the homeless problem that we have in Portland and the direction the City is going to resolve it. I want to make it clear, I'm not against the homeless and I'm not against R2DToo. I have a sister that is homeless, too, that lives in a shelter here in Portland. And it concerns me to think that she is going to be living in the tents next to hazardous chemicals. I prefer she not be forced to camp there next to an industrial area. I guess I would like to ask the question, would you place the school next to hazardous chemicals? If not, why? You place R2DToo next to one, and I really see both as vulnerable groups of people. We should care about 'em.

The other thought would be, you know, if the City wants to use Right 2 Dream Too as a national model for the cities, why wouldn't you want to suggest an appropriate setting for them? Do you want the nation to see that they are set next to hazardous chemicals? Even though we're responsible in how we handle our waste and our processes, there's still that exposure. Portland is a large area and I'm sure that there are other choices for Right 2 Dream Too -- because they need to have some place. But putting them next to hazardous chemicals is not one of those. Please don't move R2DToo next to the hazardous chemicals. Thank you.

Hales: Thank you.

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Linda Crossen: My name is Linda Crossen, and I, too, realize that homeless people need a place to live, but I don't think the property next to East Side Plating is the place for them. I have had adverse encounters with homeless living on the property before. I've been afraid of the fighting that has occurred and of the drug use. Safety is my main concern. Other employees and myself are worried about our safety, especially after dark. We don't want to be afraid to come to work and worry about the number of homeless expanding around the general area as has occurred at Greeley. When Portland police cleared the area, hazmat staff needed to help clear the garbage and drug needles. It's my job to talk to customers, and they've complained about when homeless have approached them. I am worried our customers will no longer be willing to pick up or drop off parts for processing at our location. Without customers, East Side Plating will no longer be in business. Please help us to protect East Side Plating jobs. Thank you.

Hales: Thank you. Dan?

Dan Yates: Commissioners, good evening -- I optimistically put, "good afternoon." I'm Dan Yates, property owner in the Central Eastside Industrial District. I'm here not to discuss the inappropriateness of legalized camping in the city, but rather, to propose solid alternatives that eliminate the need for the City to authorize camping. The City has an underutilized public asset in the Governor Tom McCall Waterfront Park that is directly adjacent to the bulk of City services located in Old Town that directly support the homeless community in all stages of their situation. I propose mooring at least one or more vessels to protect dignified housing.

I've tried to interest various City managers in purchasing an ex-Navy repair barge located in Seattle. This vessel has over 6400 square feet of living space, is fully plumbed with restrooms and showers, and could easily house over 300-plus people in two enclosed stacks. The vessel is close -- the cost is \$249,000, less than 900 per bunk bed for temporary housing. It is one-tenth the cost of outdoor camping sites. As men are the vast majority of the homeless, I would use this for the single males.

There are two quarter barges for rental or purchase. The 56 passenger quarter barges will sell for \$700,000 and a 90-person quarter barge is available for 1.1 million. These unites are completely self-contained with temperature control interiors, full galley restrooms, four-person cabins, and a laundry. I would reserve these barges for women.

A real game changer would be buying the catfish bend river boat. This is an inactive casino boat that is about 200 feet long and has a beam of 60 feet, giving her over 24,000 square feet of living potential living area. She is fully plumbed and could have its open decks converted to multiple configurations to allow housing for families on one deck, large bunkrooms on the other. This one vessel could easily house in a climate controlled environment over 1000 people. This vessel is available for less than \$700,000. This one asset can make a significant impact in providing dignified alternative housing for presently homeless. If all four vessels were purchased, the total investment would be about \$3 million, providing for transitional housing for 1500 people.

I encourage the City to look for alternatives that provide real solutions and also protect every citizen's right. The Willamette River is more than a static display and can play an important role in providing transitional housing while the City constructs more permanent housing. I've included additional pages outlining the alternatives, and I'm stunned that the City has not followed up on this. This is has been -- ship housing has been used for Olympics, it's been used for earthquakes in San Francisco, it's -- you are in a state of an emergency. These vessels are available and could have been in place in November or December and kept hundreds of people out of the cold.

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Hales: Thank you very much. I want to make sure that Bob Kieta, who is sitting right behind you, gets a copy of your testimony because we still have about 1500 or 2000 more people to house. So, thank you.

Yates: I have more boats.

Fritz: Thank you very much. We appreciate the constructive suggestion.

Yates: Thank you.

Hales: Michael, I think you're first.

Michael Withey: Great. First, I would like to say, East Side Plating --

Hales: Your name --

Withey: Michael Withey. Sorry. I think that East Side Plating owes us about 50 years' worth of parking. I also think that he should help his sister, the homeless one.

I'm sorry Mr. Fish is not here, because he's speaking for Dan Saltzman, our Housing Commissioner, today. Unfortunately, I don't know why. My question is for you, Mr. Saltzman. Since you're so anti-tent -- and you have been for years -- I think you will admit that. Do you want to admit it now, that you've never accepted --

Hales: Michael, let's go to the subject matter.

Withey: Right. So, this is obvious that we need this place for Right 2 Dream Too. They are not going to be there past October 31st. They hold 70-plus people per night. The City pays \$10,000 per year per homeless person. R2DToo charges nothing. They've charged nothing to the City, they've saved the City millions of dollars, and all we have is one business, East Side Plating, saying they're going to ruin their business, they're going to run them under. They're the only business that's going to be even near this homeless camp, right? And yet, everything seems to be based on their testimony and how it's going to affect their business. Whether a truck can back in or not. They have been using a public parking space -- a beat up old parking lot with holes in it -- for 50 years for free. And then once they find out there's a homeless camp that might go there temporarily, all of a sudden there's half the crew here. Right? I think it's just disgusting.

They need a place to go and this is a place they should go. Not only there, but there needs to be about 20 more. You think this is bad? Wait 'til you tell a neighborhood you're going to put one of these in neighborhood. They'll have the entire neighborhood here. That's just one business. So, you guys got your work cut out for you, I gotta tell you. Mr. Mayor, I've gotta congratulate you on the work you've done. I know that you've stuck your neck out for a lot of people. I know you've probably had a lot of sleepless nights with this problem. So, congratulations on the hard work that you've done, and Amanda Fritz and Mark Lakeman, City Repair Project. Good job

Hales: Thank you very much. Christe, I think you're next.

Christe White: Thank you Christe White on behalf of the CEIC coalition. We can all agree

--

Hales: Sorry, what's the name of that?

White: Oh, Central Eastside Industrial Council coalition. We can all agree that homelessness is one of the great moral challenges that we're facing in our community and it needs a humane and immediate solution. I understand that the objections I'm going raise here to the current solution may be uncomfortable, but I have faith based on my past experience in front of this Council that you'll listen to these concerns, ask me any appropriate questions, and please know that this testimony is not anti-homeless and it's not anti-Right 2 Dream.

The City's land use opinion calls this use a community service use, but not a residential community service use. That City finding is essential to allowing the camp at

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this location. We think there's a fatal flaw in that analysis. The definition of community service use includes two listed examples where people actually reside at the use. Those are mass shelter and short-term housing. The other examples are non-residential. Here's the key to that distinction. The code expressly prohibits the residential community service use on industrial land but expressly permits the no-residential community service use on industrial land. So, the simple question is this: Are the tent campers using the site for residential purposes? I think they are. The use would therefore be prohibited. But the zoning argues the tent camps are less like a prohibited residential mass shelter and more like a non-residential use and they are therefore allowed. Let me quickly address those arguments.

The zoning opinion concludes the definition of mass shelter implies a roof. Because the camp doesn't have a roof, the opinion finds it is less like a residential mass shelter, even though the purpose of the camp is residential. That analysis turns the code on its head. If you have a roof on a residential use, you're not allowed on industrial land. If you take the roof off or the fence off, you are still residential but you're allowed on residential land that. That creates more conflict with industrial uses and more exposure.

The zoning opinion actually acknowledges the use is where people reside for more than 30 days is a residential use and prohibited or arranges tenancy for more than 30 days -- [beeping] -- I'll wrap up --

Fritz: Do you have your testimony in writing --

White: Yes, I do. Can I finish the sentence, please?

Fritz: Obviously, we're going to read it and very carefully digest your comments before we take any votes, so --

Fish: Well, we gave other people up to two or three minutes. I'd like to know the rest of the testimony.

Fritz: Go ahead.

White: OK, thank you. So, campers are allowed to stay here for more than 30 days.

There's an agreement on an arrangement that they're not terminated after 30 days, and there's 14 permanent resident Dreamers. What that means to me is they're staying longer than 30 days. In that case, it's a residential use and therefore also a prohibited use in the code. I was going to turn to a solution and a pledge on that solution, but I just hope you would read that in our written testimony that I'll submit into the record. Thank you.

Susan Keil: Hi, I'm Susan Keil again, chair of the board of OMSI, and I'm someone that's worked hard to help build Portland into a vibrant and successful city. I'm absolutely dismayed that we have come to this -- forcing people to camp on industrial land. Those in the homeless community deserve compassion and respect, not to be swept under a tarp next to freight rails and hazardous materials and away from services.

Our concerns can be boiled down to three points. The move is going to cause irreparable harm to the area, not just to East Side Plating. The perception that this camp poses a public safety threat will undoubtedly deter visitors to the area at a cost. It moves the project forward on an interpretation of the ZCL that is an illegal use. Christie just talked about it. It's going to exacerbate the already overwhelming occurrence of camping in the Central Eastside. Nothing has been done to address the current situation of tents sprawled throughout the area, nor have we been given any indication that with 100 more people living there and people coming during the daytime that anything is going to be done about that.

A lack of enforcement of the tent camping laws means you're choosing to ignore any complaints of your other constituents. We have no recourse once the tents go up. For

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years, the camp on the westside has been in violation of City code -- Commissioner Saltzman tried to deal with that -- and ignored enforcement orders. It undermines the very policies and plans that you've sworn to uphold. That's the zoning code and the Southeast Quadrant Plan. It puts the general fund at risk due to the liability.

You've got a choice here. And I have assumed City Council was in a position to lead. I'd really like to have you do that with a solution that doesn't divide us, that brings us together.

Hales: Thank you. Good afternoon. Go ahead.

Brad Gibson: My name's Brad Gibson, I'm vice-chair of the Right 2 Dream board. I have sitting in front of me the documents for backing into the -- I know, this is an issue. I'm an ex-truck driver with hazmat endorsement, and I could make this hole with one hand tied behind my back. Also, the tankers depicted here is a 10-wheeler and a pup. They did not put that on the visual up there, but see, that was a 53 smooth bore tanker which can easily hit that hole even with the telephone pole there. And with a 15-foot easement? OK. Most holes that truckers get into are 12 foot. You know, you have two foot on each side and the next truck has the same two feet. You walk through any truck stop. I mean, this is an awful thin area there, right? Well, like I said. Then, with the hazmat -- I often got stuck out in traffic backing up into certain holes. And it happens all the time here in Portland. So I don't see anything without a couple of -- one or two spotters -- that they couldn't hit that hole, being as it's 15 feet across. That's an easy one to hit. So, I'm sorry, but I don't agree with that.

Hales: Thank you. Welcome.

Lance Killian: Good evening, Council, my name is Lance Killian, I'm here speaking on behalf of Killian Pacific. We're a local family-owned real estate-focused company who works on enhancing community. Killian Pacific-associated entities have developed are in the process of developing four city blocks close to the SE 3rd and Harrison site. We have invested in the immediate neighborhood in an effort to develop and provide compelling work environments for family wage jobs and supporting services. Just down the street from 3rd and Harrison, we're creating our city's first high-rise heavy timber office building that will house Simple Bank's headquarters, and we restored our city's oldest reinforced concrete office building to become one of its most energy-efficient buildings as part of Viewpoint Software's headquarters expansion. Our City's top job-creating firms have responded and will number in excess of a thousand employees full completion working in a four to five block radius of this site.

We believe the City's decision to locate a homeless camp in this immediate area is counterproductive to the City's goals and objectives related to sustainable economic development, publicly-supported planning and zoning, and long term return on public investment in infrastructure. But most importantly, we're concerned this proposal isn't humane nor is it a viable and long-term solution. We encourage to you address one of the most pressing human topics in our City with inspired empathic leadership. We urge you to set a game-changing higher goal on this topic and utilize the incredible resources we have in this community that are ready, willing, and able to assist you. Draft of off best practices infused with our own Portland way of doing things. We understand there are such bold visions being discussed in your very own City-sponsored organization, A Home for Everyone. Please be leaders we can look up to and desire to follow, and we will rally behind you.

The location of a tent camp on the SE 3rd and Harrison site isn't appropriate for five site-specific reasons. [beeping] There are no services near the property to support the

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people who would be living there. Second, this isn't a residential area, and for good reason. Third, safety. As you've heard a lot already today, the adjacent heavy industrial use uses highly flammable materials and hazardous products. Fourth, public process. [beeping] The City of Portland is known internationally for the integrity and quality of its urban planning. Your own Planning and Sustainability Commission voted to not support this. Why would you disregard that? Last, economic development. Along with established, stable companies, this immediately area is enjoying a renaissance and becoming one of the densest employment areas in the Central Eastside with a high technology cluster of companies such as Viewpoint and Simple. We implore you to not miss the opportunity to set a bold vision that will create a humanitarian, lasting, positive community result for which we can all be proud, not just a continuation of the present in a different inferior location. Thank you for the opportunity to testify.

Hales: Thank you. Welcome. Go ahead.

Wade Verner: My name's Wade Verner with Homeless Against Homelessness in America, or HAHA as we're known to our friends. I personally know as the a son of a 46-year teamster that you're required to be able to back 250 feet in a 12-foot hole before you get your driver's license, so there's no problem at all with backing into that small of a place. I personally lived under the over ramp of 405 here where the old plating company was right across the street and it doesn't seem to have done anything to me. [laughter]

Hales: I'm sorry, let me interrupt you for a second. Mr. Davis, this is not OK. You're going to need to have a seat and let people come participate in their City Council meeting without being harassed. Go have a seat, please. Go ahead, sorry. There are seats, we'll make sure one's available to you. Go ahead.

Verner: As somebody who is homeless or living in a van for 21 years and finally got off the streets through the VASH program because I'm a disabled veteran, we need to find places in neighborhoods where you can do it. They found it in Chicago. When they tore all the things down, they built 20, 25 housing unit units in the neighborhoods of the area and they found out the crime and the gang rates dropped like by like 75 percent. We need to do that with the homeless population here. Get them out among the folks, let them know what's going on, get them in a camp where they can be supervised and allowed to be able to have a phone and other uses for the -- and as far as over there for toilets and stuff like that, I've been saying this for years. Take a 40-foot container, you can put showers and toilets inside those. The nice part of that is you've got three intakes, three outlets -- or one intake and three outlets where you can put it and then you could put them on a trailer and move them to someplace if it becomes undesirable for that location, which it's going to be, because sooner or later there are going to be condos built on it because it's the only place close-in where you can build condos anymore.

You know, 20 years ago, when I was homeless living in northwest -- I mean, I can't believe what it's done. It's great. But if we do not take care of the poor people in this town, which is why we have the thing -- I sat there and watches thousands of units of low income housing in the old hotels be demolished for all these new buildings, and yet we're not building replacements for these thousands of people. [beeping]

Hales: Thank you.

Verner: So, the containers and everything else -- those things can work and will work and they have worked in other cities. Please, do not stop looking at every single thing that we can do to do this. Thank you.

Hales: We won't, thank you.

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Sarah Carlston: My name's Sarah Carlston. I just wanted to say that I support Right 2 Dream Too and everything that they do. They helped me and my husband stay together and to find housing and to find jobs and go back to school. It's a great thing to have when there aren't any other options at that time. I think that them moving to this area isn't going to cause all the problems people think. I think that's mostly ignorance and fear. And I think that once it's out there, the people will realize that it's not going to draw all this crime and it's not going to draw a bunch of homeless people that are going to crawl in your doors when they're open in the summertime just to see what they can find. I think focusing on a truck backing up is a ridiculous way to deal with a situation. And Right 2 Dream Too isn't a permanent solution, but it's one that exists now and it works now, so it should still be accessible to people until something else can be done. That's all.

Hales: Thank you. I'm really glad to hear you and your husband are doing better.

Carlston: Thank you.

Hales: Welcome.

Katie Bretsch: My name is Katie Bretsch and I've lived in Southeast Portland since the '70s and been active in land use issues there. I've served on the Southeast Uplift land use committee, land use chair of two different neighborhood associations, and was the chair of Sunnyside's land use when we did the last neighborhood plan in 1996. All of that said, the biggest, most spectacular ass I ever made of myself was right here in one of these chairs talking about homeless issues. So, I'm here to try to, you know, recapture some dignity by offering you something useful -- hopefully -- this time.

Three things I want to bring. The first is from my experience with the land use business is that throughout all of that activity, inclusion, inclusion, inclusion was always the theme in every survey that we did, every conversation we had with neighbors -- all through all those many decades, southeast has been very dedicated to the economic justice component of housing and keeping the lowest income people with us throughout all that time. So, that I think is a really important finding for your process here.

The other two things I want to offer are what I think are evidence-based things that might help mitigate some of the resistance. One of those is when I was here making an ass of myself, it was over what was going on over in Sunnyside at the time. A bunch of us were head up at the time and had the misconceptions like the attraction theory and all of that with the problems we were having there. And when the Police Bureau ran their tired-of-tweakers missions, suddenly all these things we objected to disappeared. And I'll send some notes about that.

The other thing is that there's a huge evidence base for big deciduous trees being positive, both environmentally and for community acceptance of facilities that might otherwise be rejected. [beeping] And again, I'll send some notes on that but those are all evidence-based things I would hope you consider.

Hales: Thank you very much.

Fritz: And yes, we are hoping to look after the big trees that are currently on the site. Thank you.

Hales: While he's getting settled, go ahead, please.

Tim McCormick: OK. Good afternoon, Commissioners, Mayor. My name is Tim McCormick and I run a project called Houselets which is exploring and typing low cost housing solutions for low income and homeless populations. For the last couple of years, I've been researching homeless and low income housing around the country on the west coast. And I'm in the area just recently -- I'm a Portland native living here part time.

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We've heard a lot of testimony and issues about the risks and the downsides, and I want to acknowledge that's legitimate and this may not be the ideal site. I'm struck by the thought of how comfortable would I be living next to this facility. But the truth of the matter is every site has issues. Every place you go to is going to be a battle and there will a bunch of people will come out. In the meantime, if you don't do something, a whole community of people will be left on the street at risk of death. And, you know, I'd like to think of this as a great positive potential of this project.

From my perspective -- I've been looking at things all over -- it's become clear to me that Portland stands out in the world. It's looked to around the world now as a leader in pragmatic, innovative solutions. That includes Dignity Village, Caravan, Tiny House Hotel, and Right 2 Dream. And cities all over the world and country have the same problems that we have, but virtually nowhere are people being as pragmatic and down to earth as Portland and saying, "You know, this isn't perfect, this is not the ideal site, but we're not to go to kick this down the road for a couple years. We're going to do something now, learn from it, and really improve upon it." So, I really want to urge you to not let the perfect be the enemy of the good and realize that people accommodate it now -- it is more important than perhaps some fine point of the planning process you'd like to have on the east side. That can be worked out, but someone dying on the streets tonight can't be worked out.

Hales: Thank you. Good afternoon.

Joe Levesque: I was there a couple of weeks ago, you weren't there.

Hales: Oh, well, I'm back.

Levesque: You were there, you were there.

Fish: We remember you.

Levesque: You remember me? I sent you some stuff through Susan. Did you guys get copies of it? Did you read that stuff?

Hales: When you start tonight, put your name in the record again.

Levesque: The name is Joe Levesque. I'm an old builder, developer. I built affordable homes, I built a lot of affordable homes. You people here are doing the best you know how to do. You're the victim of what's going on.

What's going on has been going on for a long time. There's nothing new with the housing problem, there's nothing new with the affordable problems. What he's talking about here -- we were thinking about that 60 years ago. I sent you a copy of a home that was built in 33 hours. Did you get a copy of that? Should have got that. I want to get involved with that one there, but I don't want to talk about it right now.

This morning when I got up -- you know, I live with this stuff. When you do this for a living -- and I'm not doing it for a living right now. I don't like what's happening. I don't like what's happening to my country. I used to know this country when it was a free country. Free. People think this is a free country. It's not a free country like it used to be. When I got up this morning, I made a list. I ended up with 24 notes concerning housing. Here's one. And then I picked up The Columbian. There's a picture of politicians making a big dog and pony show out of this thing. This is 30 units that caters to the homeless, just like these guys around here are. \$6 million. That's \$200,000 a unit.

For your information, years ago -- now I go back a long time -- we built these things. And there's a problem with those kinds of units. When people move into a studio apartment, 400 square foot, they get tired or they get a girlfriend and they get married and they get a one bedroom, then they have a kid and get a two-bedroom. Then after they get a two-bedroom, they want to get a house. That's the place it should be. [beeping] I'm down nothing here.

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Hales: We appreciate it. Make sure you send us copies of that, if you haven't already.

Levesque: I was going to say more thing. I'd like to have you people write a letter to Washington State University based on the information I gave you and let them know to have them look into the all-American financial aid relief program. No one has ever told me this can't work. There's five laws that have to do with housing, whether you know it or not, and I'm going to try to educate you here.

Hales: Not now -- [laughs]

Levesque: No now?

Hales: Thank you, though.

Fritz: Mr. Levesque, I really appreciate you coming in a second time. You've really been helpful. Claire Adamsick on my staff is here, she's going to give you a card. If you have time to come in and talk with me, I'd love to hear more of your advice.

Hales: Thank you all.

Mike Summers: Now it's my turn. I'm Mike Summers, I'm with Right 2 Dream Too. Within the last two or three weeks -- maybe a month -- I've heard the argument about how inhumane sleeping in a tent is. Well, is it humane to see somebody sleeping on the sidewalk or in a doorway with no protection over their head? Is it humane to see some homeless person going through the garbage can to get their next meal, or panhandling to get a couple bucks to go up to McDonald's and order off the value menu? I mean, this is -- I may have a warped sense of what humane is, but that ain't it.

And as far as, you know, the guys from East Side Plating -- I've worked in a company for 15 years that does have an anodizing line that anodized 25-foot pieces of metal. So, I do have some understanding of if there's a spill what to do. You know, if we do move over there -- and by the way, I do support the move -- I could do it very easily. I could learn it very easily because I've had some experience with it. Other than that, I'm all for the move. I want to see us be able to help, just a few more people. You know, maybe lift them up and see if they can get their lives turned around. Thank you.

Hales: Thank you, thank you very much. Come on up. Could somebody move the chair out of the way for you? Come on up. Welcome, go ahead.

Lisa Fay: Good evening. Thank you, Mayor Hales and Amanda and Josh Alpert and Mark Lakeman and the host of myriad of other people that have helped to support Right 2 Dream Too and support this move.

Hales: Just put your name in the record, too.

Fay: I'm Lisa Fay, I'm chairperson of Right 2 Survive, former board member of Right 2 Dream Too, and helped to establish the model that we have now.

It astounds me that we have been at 4th and Burnside since October of 2011. We've been in chambers every month, sometimes every week discussing Right 2 Dream Too and the need for more Right 2 Dream Toos and the need for more low impact, low barrier affordable housing units. And no, 3rd and Harrison is not the ideal spot. But that is the location that is on the table for us. And no, we will not be bringing more houseless people into the southeast. They're already there. Incredible. We will not be bringing people that are going to be vandalizing cars. Parking our company vehicles or using private property -- or City-owned property for a thoroughfare for our hazardous waste trucks to come in. And we will not be parking RVs on there that are hindering your trucking from getting to your building. They were already there.

What I'm saying is, we come in good faith with hopes of a good neighbor agreement. If you ask the neighbors in Old Town/Chinatown, we have done nothing but enhance the neighborhood. We've helped police the neighborhood. We've brought down

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crime. You even said earlier today that you have heard from the Police Commissioner that we have been upstanding citizens. We plan to do the same thing in southeast. Thank you.

Hales: Thank you. Welcome.

Mike Jenkins: Hi, Mayor, my name Porkchop aka Porkchop's projects. I've called you out in the newspaper to say come down and sleep with me at Right 2 Dream when I first moved here three years ago. I've got stage four cancer. I've got an amputated leg because of it. I was homeless on your streets. I went through tent city. Know what? It saved my life. Now I'm in a place call Bud Clark. It's a heroin house. We've got people dying in there right now and we're worried about people coming down, about plating and all this other stuff. I ain't got time for all that. I ain't got time to listen all afternoon at these people -- I'm going tell you what's going on in this city.

What's going on in this city is we need help with people out there on the streets. We need a safe place to go. You know, I've been a truck driver, I've been working with asbestos, I know all of that. I'm dying because of asbestos right now. I'm not dying because of heroin. Right 2 Dream was a place for me to get off the streets and be safe when I got to town. If you take that away from us, what are you going to give us? We can't go indoors. I'm indoors right now. You've got a bigger problem indoors of these heroin houses. Now, I'm probably going back on the streets, and I'm probably going to live over there because of that. I've got stage four cancer, my leg's been cut off, I'm sitting with Bud Clark in a facility that's supposed to helping me but it's not because it's letting drugs go on in there.

Now, Right 2 Dream Too does not let drug goes on. And I can vouch for that because I'm part of the system that keeps it out of there. We work with cannabis people there. I go Christmas Eve three years in a row -- I don't see these clowns out there feeding the homeless, but I was out there in my wheelchair feeding them food, putting shirts on their backs.

I've gone up to Seattle, and I just got out of the jungle. I spent a week up there. I talked to the mayor up there. The mayor up there's got more than problems than what you've got. [beeping] I hope you will stand up and do something -- I don't care about that buzzer, I'm here and I'm homeless and I don't care now. I want you, Mayor, to call the president up and ask for the same thing Seattle did. You need help, you need it now because we've got more problems than this. You've got a heroin house here, and I want to meet with you and discuss that. And I want you to really say about Right 2 Dream Too and stick up for them. They have saved my life. And I keep clean and sober because I can take other people there to get help 24/7. To sit here and listen to these people say -- I drove a truck. I can back out a truck. I can put a triple in that hole, alright? I can put four trucks -- and you know what? I worked for hazmat, I hauled government shipments. You know what? There's proper codes. For them to come in heaven and tell you all this stuff, I'm no genius -- get a flagman. \$15 an hour. Do it. The other doors? They can find a way and a solution to pipe that chemical through their shop. If it's going to cost them a few more dollars, oh well. The guy's sister out on the streets right now? Well, good, I hope I find her and get her off the streets and not be sitting here in front of Council. That's all I've got say. [applause]

Hales: Thank you very much. Tammy, I think you're first if that's OK with you. Go ahead.

Tammy Moody: I'm Tammy Moody. I want to thank Right 2 Dream Too for saving my marriage, saving my life. Almost four years ago, I was homeless. And Ibrahim -- my sister-in-law brought me up to the Right 2 Dream Too and they took us off the streets and they showed me what homeless was all about. They helped me get off drugs. So, that's why.

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Hales: Thank you very much.

Earl Moody: Earl Moody. My wife -- as she said, four years ago we came to town. My sister was in clean and sober housing and couldn't house us. They introduced us to Ibrahim and Right 2 Dream Too. We were three months into them opening up. It did save my life and our marriage. Methamphetamines got the best of us. Within four months, we were in a place in Northeast Portland, 77th and Killingsworth. My business started to flourish, so I moved to Idaho to that. I lost the business because of drug usage again. I was living on social security. Rent increase got us back to where we're at now.

We've traveled 400 miles to come back home to a place we could be safe. I moved in with my sister in her new apartment. She strictly nothing but methamphetamine usage all day long. I couldn't do it no more. My wife ran across Ibrahim one day when we were trying to figure out what we were going to do, he says come and talk to me. I'm back home, Right 2 Dream Too. It saves marriages and saves lives. Me and my wife Saturday will celebrate five weeks clean from any type of drug because of Right 2 Dream Too and because of what it's all about. This move I think is a good solution to the problem from downtown and these people talking about, well, you're going to ruin this, you're going to ruin that. I'm sorry you're more worried about your wallet dying than human beings out there. Let us all live in your houses for a while. I bet you'll get rid of us real quick and get this stuff going real fast. Thanks.

Hales: Thank you. Good evening.

Ibrahim Mubarak: Good evening. My name is Ibrahim Mubarak, co-founder of Dignity Village, founder of Right 2 Survive and co-founder of Right 2 Dream Too. I've been in a houseless community in Portland, Oregon for about 16 years and always face these adversities with people speaking on things they don't know and fear. And if they did their homework, they would know that Right 2 Dream Too is a houseless community but it's a houseless community where people come and try to get back into the mainstream of things. We figured out the first thing that a houseless person needs is rest, and that's why we call it a rest area where people come get rest. And as Trish stated before, our statistics speak for itself. We did our homework.

And for the plating company next to us, I wonder how many people of color work that there, how many women that work there, and what they are afraid of. You all wasn't concerned about us before we decided to move over there, why you playing like you're concerned about us now? You didn't come help us out. I was an aerospace technician and quit my job to help out the homeless community. What are you all doing but trying to ridicule us and saying how bad and nasty and ugly we are? We should be afraid of you all, because we're doing what we need to do to become productive while you keep putting negativity on us.

We've asked the City for no penny. We've been operating Right 2 Dream Too by teaching the houseless community how to write grants, how to do public speaking, we sell our souvenirs, we get in-kind donations, and people that find work come back and give money to us and that's why we're not working in getting money from the housing committee -- Commissioner Fish. But we are willing to work with you all so when people do come to Right 2 Dream Too, maybe you all can put them in housing and we can keep on utilizing it as a transitional spot where people come to Right 2 Dream Too to get housing.

We know that we need each other and we're trying to connect things in that intersectionality where we can help each other. Again, we can educate houseless people since we do a two-block radius and keep the crime level down. We can train people how

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to be flaggers for the trucks that come in. We have people in the community that did all kinds of things in their life -- even truck drivers, as two have spoken here -- and they know how it is to drive trucks. And you're talking about people with experience. Again, that's that negative thought that shows me you don't know what you're talking about because everybody in the houseless community was something before they became houseless.

The move is needed because the land is sold. And everybody says it may not be the ideal place, but it's an in the meantime temporary need for the houseless people that's utilizing it right now. That's all I have to say.

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

Leo Rhodes: My name is Leo Rhodes and I'm a homeless advocate, also co-founder of Right 2 Dream Too and a board member. Mayor, we had a conversation when you had this emergency for the homeless. My comment to you was the working homeless people are asking, why are they rewarding homeless people that have vices, drugs, alcohol, mentally ill with housing? Where's my housing at? A lot of these homeless individuals are like that. Right 2 Dream Too gives people a chance for these individuals to have a spot and to keep on working. Instead of trying to fight the system, fight the cops that keep taking away their stuff with the -- what's the word I'm trying to think of? -- the sweeps, yes, thank you.

Also, Right 2 Dream Too started October 10, 2011. I got housing, and I believe I was the first person that got housing out of there, which was December 7, 2011. It took me 10 years to get housing because I didn't want to play the system like the system is, which is you have to be on drugs, alcohol, or mentally ill in order to get housing. I have none of those vices, and I couldn't get any housing because of that. So, I was considered chronically homeless person. People consider somebody like me that's been out there 10 years -- oh, well, he likes it out there, that's why he's doing that, he doesn't want this. It wasn't that. It was just that I wasn't going play that system and say that yeah, every homeless person is on drugs and alcohol. No, I'm not going do that and I didn't do that. December 7th of last year was my four-year anniversary. Now, I've been keeping my place clean, I've been keeping up on bills and other stuff.

I know there's a lot of people that talk about the -- [beeping] -- shoot, wait, just a minute -- OK, well, Right 2 Dream Too is just a temporary place until there's enough affordable housing for everybody. It's not a permanent solution. This is what's happening right now is what we're talking about and what I believe Amanda Fritz is talking about -- getting people together. That is my goal, and I would like people to get together and understand that not every homeless person is on drugs, alcohol, mentally ill. When you talk about mentally ill, also, you're talking about sleep deprivation. Sleep deprivation is when homeless people don't get that chance to sleep at night because of the sweeps. Now, they're walking around like zombies, they don't make good decisions, and when they react to that kind of stuff, then people start to point their finger and say, look, that homeless person on drugs. Oh, look, that homeless person is mentally ill. No, sleep deprivation. It's big out there, and this is why it's needed. Right 2 Dream Too. It's just a temporary thing.

I heard a lot of other suggestions, which is great. We need to start doing this, putting more stuff out there other than affordable housing -- ways of getting homeless people inside a safe, secure place. Thank you for this.

Hales: Thank you. Good evening.

Suh Stahl: Good evening Commissioner and Mayor, I'd like to start with a quote. Whatever you do to the least of my brothers, that you do to me.

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My name is Sue Stahl, I'm the vice-chair of the Portland Commission on Disability and a member of many other community groups, but I'm here today as a human being supporting fellow human beings who have the same basic rights to services as all of us do. We also have the right to access these services without barriers. We have the right to be accepted as part of society without being ostracized and swept into a corner. I'm talking about the community that is the Right 2 Dream Too, and the City's plan to uproot it and move it to a place that is further from social services, further from their community, and from all outward appearances, it's in a corner of Portland society.

Currently located at 4th and Burnside, there are many crucial services within only a 10-minute walk. You have Outside-In which addresses changing needs of the homeless and low income youth. You have women's centers that provide safe and affordable planning. You have the Old Town Clinic and then you have Hooper's detox center, which is about a 20-minute walk. But City Hall uses the argument that each resident of Right 2 Dream Too will be given a free transportation pass so that buses and MAX will take these individuals to a place they need to go. However, it is not as simple as that. Right 2 Dream Too has to ask for grants to fund these free passes. As a grant writer myself, I know how arduous and time-consuming this process can be. You can wait anywhere from three to six months to get the needed funding. So instead of helping residents fight through addiction or finding services, it's working on grants. [beeping] This is barrier number one.

Fritz: Sue, thank you very much for your testimony.

Stahl: Ah, OK.

Robert Jackson: My name is Robert Jackson, again. A bit of history of Oregon -- my great-grandfather signed the Oregon territorial documents in his living room in Champoeg, Oregon. He married my Chinook great-grandmother. I take the position that that created apartheid. The first laws of Oregon said if you're Black, Hispanic, Native, or Asian, you could not testify against a white person or sit on a jury. And of course, we created reservations that were called apartheid. Now, we're in an era where we have certain people the community want to continue apartheid. We have apartheid in Israel. When I went to is really in 1972 my Palestinian tour guide was an archeologist. He drove me buy a house in Bethlehem. He said, "Robert, do you see that house there?" "Yes." "My family lived there for 300 years. Menachem Begin came in with his army and moved them out of that house and moved an Israeli family in. So, I want to remind you -- I said, yes, we have 500 years of apart. So Israel is doing apartheid, South Africa is doing apartheid, and now we have a community today that is looking at apartheid. Just go someplace else, go Greyhound.

My position is I have a couple of concerns about your agreement I just sat down and read. You have a current Council that is supportive of this initiative. It's been several years to put this together. But what happens when there's a new mayor? What happens when there's a new Council member? This is a 10-year agreement, but there are no checks and balances. Virtually, a new City Council can come in and throw this organization out of door. The billion dollars of the east side real estate of commercial and industrial areas can bring a lawsuit against the small nonprofit, spend hundreds of thousands of dollars on frivolous lawsuits, and there are no protections in this agreement that the City Attorney as well as others in the community would support this organization. [beeping] You also only have mediation without the provision of a lawsuit and due process. I would ask that you actually incorporate that into this agreement to give protections to this simple nonprofit working on a shoestring. I appreciate your work. I've worked with homeless people since 1990. They're --

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Fritz: Thank you for your testimony. If you could send the rest in writing, that would be helpful.

Jackson: Finally, one final thing is that --

Fritz: We're actually running out of time. We're going to lose a quorum. Thank you very much.

Hales: Thank you all. How many do we have left?

Moore-Love: Five more.

Hales: OK, we'll take those. If you're here, come on up. I'm seeing two of those. Anyone else in that group still here? Go ahead, David.

David Kif Davis: I'm David Kif Davis with fight the sweeps Portland, and also founding member of Multnomah County copwatch. I just wanted to say that R2DToo reduces crime, reduces homelessness, and does a service to the community in ways that no other City agency or County agency or other community agencies have provided. And I not only endorse them getting this spot, I endorse them getting 10, 20 more spots since they've shown themselves to be such a great organization that actually does put a serious dent in the homeless problem. You know, there's a lot of different people here that have argued all this various stuff about City codes and all this other stuff. Well, you want to know what? The homeless state of emergency overrides all these various City codes in a lot of ways, so you guys, you yuppies out there and you business owners who think business overrides human rights and human survival -- you just need to shut up and take it, OK? And deal with it. This is the new deal, OK? All you yuppies are just going to have to deal with the new deal and realize that the City is finally going do a few things for homeless people, so you guys just need to shut up and do something yourself or come with some better plan, since no one else has stepped up other than Right 2 Dream. And you know, this is all about human survival, and all these BS arguments are just -- you know, I can't even believe some of the stuff I've heard here today. And this guy is talking about apartheid, you know. Homeless apartheid a huge reality everywhere. And you can go look at a video on YouTube by mike blue hair, film the police Portland that I helped film, it's called homeless apartheid. So, I endorse Right 2 Dream in all sorts of ways. They are one of the best community organizations, and no one else is doing the job they're doing. I endorse you guys to give them 10, 20 more spots or other City properties to take over and replicate this role model.

Fritz: Thank you very much.

Hales: Thank you. Marion, you're next.

Marion Haynes: Good evening, Mayor Hales, members of Council. My name is Marion Haynes, I'm with the Portland Business Alliance. We couldn't agree more that we as a community need to be doing more to help those experiencing homelessness on our streets, so we very much agree about that. I will limit my comments -- it's getting late -- but I just wanted to really focus on the issues around the zoning confirmation letter and would agree with the comments by Christe White that we think there are some flaws in the analysis that put this into a community service category and yet not be mass shelter and short-term housing that are prohibited in an industrial zone. I think those provisions in the code are there to avoid potential conflicts in industrial zones between residential uses and industrial uses, and my reading -- so, this is not necessarily about R2DToo. I think it's a unique organization and what they are doing, but if this zoning code is adopted, this confirmation letter is adopted, this will essentially open up this type of use as an allowed use in industrial zones all over the city. They become nondiscretionary permit applications and so these types of encampments -- which are challenging and bring out a lot of

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different points of view -- won't necessarily have the opportunity to come back before Council if they, you know, still have under 3000 square feet of structures and things of that nature. So, it's a bigger issue that the zoning confirmation letter brings up, and just wanted to raise that. Thank you.

Hales: Thank you. Good evening.

Ptery Leight: Hi, my name is Ptery Leight. I think the last time I was here testifying was before Paris, and I've come back from Paris. I look forward to Portland having a Right 2 Dream Too in a neighborhood so it has a neighborhood association to have a dialogue with. I don't think R2DToo is a solution yet totally. It is a place where people can rest, hold their belongings, be among peers, find energy and rest to get up and work to get inside. And they've shown a record of getting people inside.

There necessarily needs to be more conflict and dialogue, that's all part of understanding our condition as human beings and where we're at at this moment in time. We are a time where we really need to have some drastic change in the way we have society, and a big change we have to do is how we have our social contracts. We are not making success all by ourselves. We need each other. And those relationships and qualities of relationships define how we can succeed or not succeed.

I've seen a lot of recovery from R2DToo, people getting their minds together after having loss of sleep, maybe even traumas they've had. The people there help each other in ways that shelters cannot because people providing help in shelters are in a shelter system and have those limitations. And finally, I want to say system thinking says you cannot have solutions if you do not have people experiencing problems have central in finding those solutions. R2DToo has shown they have a voice and they are the reason we have a state of emergency here in Portland, because of their voice. Thank you.

Hales: Thank you all. Oops -- sorry, one more.

Moore-Love: One more. Trillium Shannon was the last person who signed up.

Hales: Ms. Shannon, are you here? OK. Mr. Johnson, you get the last word before we deliberate.

Charles Johnson: Thank you. Good evening, Commissioners. I usually don't say it that way, but good evening, Council members. I'm Charles Johnson. What we have here -- obviously we have some people from East Side Plating, a little bit of a contentious issue for them regardless of how they've run wild in the neighborhood there before. But what we have is an absence of highly paid poverty pimps. The executive director of Transition Projects is not around. The executive director of Central City Concern is not around. They are doing something else with their \$100,000-plus salaries right now. But they're not coming forth about a better solution. Nobody's come forward -- well, there was a brilliant idea with the ships. Let's get somebody to ships and barges. Other than that, nobody's given you a better option, so you have to vote yes. Thank you very much.

Hales: Thank you. I think we should proceed to take action on these two resolutions. We still have a majority of the Council here. So, if there are no further questions --

Fritz: Could I get a clarification from Kathryn Beaumont, please?

Hales: Mm-hmm.

Fritz: Kathryn, would you mind? The assertion has been made that this is a land use proceeding and we are required to give a seven-day continuance to hold the record open. Would you comment on that, please?

Kathryn Beaumont, Chief Deputy City Attorney: The statute that was cited applies to quasi-judicial land use decisions. In my opinion, this does not satisfy the state law definition of quasi-judicial. Yes, it does concern a piece of property, but this is not a

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process where you are applying preexisting criteria nor is a process where you have to make a decision. So in my sense, no, that statute doesn't apply.

Hales: Thank you very much. If there's no further discussion, then --

Fritz: Do you have questions, Commissioner Fish?

Fish: I have a bunch of questions.

Hales: Oh, sorry. Go ahead.

Fish: Could we have staff come up? So, under the -- and thank you for your earlier presentation. Under the terms of this resolution, what's the process for establishing the terms of exhibit E?

Kieta: I'm sorry, I don't have that in front of me. Exhibit E?

Fish: Users code of conduct for the property.

Keita: The users code of conduct is what exists currently with R2DToo, as well as we'll work with them on -- as you pointed out earlier, like the age -- or I'm sorry, Commissioner Saltzman -- that we include things that are not included that we want to have included. We worked with them on the lot 7 site and started the process but never finished. We're continuing that process.

Fish: Paragraph seven of the user agreement -- space use agreement, rather -- has another set of general conditions. Who enforces those conditions?

Kieta: I don't have that --

Fish: They have to do with behavior on the site and --

Kieta: The site is self-managing. So, the R2DToo board and members actually manage the actual site. We take care of the buildings -- what the City owns as far as buildings and structure and we manage to the use agreement and make sure those are met.

Fish: Under this agreement, Bob, who is responsible in the City for overseeing this contract?

Kieta: That has not been determined yet.

Fish: That has not been determined?

Kieta: That's correct. The use agreement is still draft --

Fish: Mayor, do you have a thought on that?

Hales: It's still draft, I think that can be determined.

Fish: You're the Mayor, do you have a view as to who should have oversight of this particular development?

Hales: You mean who on the City side?

Fish: Well, it's an agreement between the City and a nonprofit. We have -- Dignity Village is overseen by the Housing Bureau. You said earlier that you are interested in moving the homeless services of the City to the County. You are running camping for the City.

Hales: Or it's running me -- [laughter]

Fish: If this thing is agreed to, who is responsible for it?

Hales: I think that's up for us to determine when we write the agreement. But what's before us today is a zoning confirmation letter and a resolution of intent. I'd like to act on those in turn and determine those other questions later after we've decided the questions.

Fritz: If you'd like to us to bring the use agreement back, we could do that.

Hales: Yeah, bring it back to Council.

Fish: So, the questions -- I'm taking a cue here from Commissioner Fritz, who is usually the one who burrows into the details. We have an agreement in front of us that doesn't specify the cost. It doesn't specify the rules. It doesn't specify who enforces. It doesn't define some of the key terms. So at some point, we have to flesh that out. What's the intent?

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Fritz: So, I appreciate your attention to detail --

Fish: I learned it from the master.

Fritz: -- and we're trying to do one step at a time. I know that there's concern in the community about the good neighbor agreement -- having the City be a party to it and having it be somewhat more enforceable than good neighbor agreements often are. So, I'd be very comfortable returning to Council with a final use agreement and the good neighbor agreement at a further time.

Hales: We can direct whatever staff whatever staff we choose to direct to follow up, whether it's Mr. Keita or someone else.

Fish: We have almost a full-time person at the Housing Authority, as Ibrahim knows, who works on the success of Dignity Village because it's a complicated relationship. Have we determined where we think this will be housed in terms of oversight?

Fritz: We're looking at the Office of Management and Finance, to OMF --

Fish: And that's primarily because --

Fritz: -- facilities manager.

Hales: Because we own the property.

Fish: Well, is that also because Commissioner Saltzman has said he didn't want Housing Bureau money involved?

Hales: No, it's because the Office of Management and Finance has been managing this property since we purchased it.

Fish: The Office of Management and Finance, Mayor, has never managed a homeless housing or camp or program to my knowledge. And we do -- I appreciate the flexibility that we are operating under, but we do have a Housing Bureau.

Hales: Well, we have an agreement with the nonprofit organization in the case of this property that drafted --

Fish: As we do at the Housing Bureau on almost every project --

Hales: If the Housing Bureau wants to volunteer to manage this, then I think we should take that into consideration.

Fritz: As I said, we're just trying to do one step at a time, and we'd be happy to come back with more details including cost, including final site plan, including revised use agreement.

Fish: Oversight, rules, liability issues?

Fritz: Absolutely.

Fish: And so -- OK. Alright.

Hales: Further questions for staff? OK, then let's take a vote -- I'm sorry.

Novick: Mayor, actually, I would feel more comfortable if we waited on a vote until next week. There's just some conversations I'd like to have with staff before casting a vote.

Hales: OK.

Novick: Is this going throw an irreparable wrench into the monkey?

Hales: I don't think so. No time like the present, but again, these are both resolutions, they are not ordinances. One is to accept the zoning confirmation letter and the other is to affirm our intent to proceed. If either of those would benefit from more deliberation, that's always a possibility.

Saltzman: I also had an amendment I want to offer to 163.

Hales: OK --

Fritz: You just missed the conversation which I think addresses your amendment, which is --

Saltzman: Oh, really? OK.

Fish: In absentia.

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Saltzman: I apologize, I was talking to Salem, but --

Fritz: Oh --

Fish: How is Salem?

Hales: Always important.

Fritz: Yes, thank you for doing that. We heard your concern about minors on the property and that we would come back at a future date with a revised use agreement and a good neighbor agreement and a final site plan with the costs and such.

Saltzman: Those are all coming to us?

Fritz: Yes.

Saltzman: OK.

Fritz: I heard from Council that that would -- and I know members of the community would be more comfortable with that, too. Does that address what your proposed amendment was?

Saltzman: That was it, yeah.

Fish: Mayor, would you describe the effect of passing 163 is? I've raised a set of issues about the details, but what is your understanding of what was before us?

Hales: The effect of passing 162 is to say we agree with the Bureau of Development Services' interpretation of the code and confirm that this is a use that is legal to place on this piece of property per our zoning code. Correct? The effective resolution -- of item number 163, the effect of that resolution is to instruct the Office of Management and Finance to continue the process and to make all preparations necessary for the Right 2 Dream Too nonprofit from its current location to this piece of City property. There are -- as we have just discussed -- there are mechanisms and documents that have to be completed in order for that to happen, like a use agreement, and those can be brought back to Council, as Commissioner Fritz indicated. But the effect of item number 162 is to state our intent to move Right 2 Dream Too from its current location to this one.

Fritz: 163.

Hales: Sorry, 163. That's it. It's a statement of intent to proceed. Because we need to proceed. We've been talking about this decision for years and in my opinion, it's time to decide whether we're going move forward or not. So, Steve, if you'd really like to wait another week to decide, I'll respect that, but I think it's -- again, I would not overcomplicate the question before us. Is this legal? Yes or no. That's the vote on 162. Should we move it here? Yes or no. That's the decision on 163.

Novick: I understand your sense of urgency, Mayor, but I would like another week.

Fritz: I'm comfortable with that.

Hales: I'm comfortable with that. I will continue this item until next Thursday at --

Moore-Love: This is the only item next Thursday. Did you want to --

Hales: 2:00 p.m.?

Moore-Love: Actually, you'd have to do a four-fifths again because --

Fritz: Right. But you closed the public hearing, correct?

Hales: I am closing the public hearing --

Fish: Continuing it.

Hales: I'm continuing our discussion and vote on these two items.

Fritz: Right.

Fish: What do we have on Thursday --

Fritz: Regardless of whether or not this is a land use -- [speaking simultaneously]

Saltzman: What about Wednesday afternoon?

Hales: It doesn't have to be a week, it could be six days, perhaps.

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Moore-Love: There's nothing on Wednesday afternoon.

Fish: How that is possible?

Moore-Love: Something canceled.

Hales: Moment of weakness.

Moore-Love: It'll be a four-fifths item.

Fish: What?

Moore-Love: It'll be a four-fifths agenda item.

Fritz: Because the agenda is already done.

Saltzman: Yeah, let's do Wednesday afternoon rather than Thursday.

Fish: Does that change -- if it's four-fifths, Commissioner Fritz, does that change the vote?

Fritz: No.

Hales: No, it just changes how many people sign the document --

Fritz: We have to sign to say, yes, we want --

Fish: I got lost the last time. So, four-fifths puts you back to -- this would be a four-fifths to put an emergency provision back on the calendar?

Hales: No, it's a resolution --

Fritz: Just to schedule it.

Fish: OK.

Fritz: And it's a resolution that actually only requires three votes.

Fish: Three votes.

Fritz: Yeah. Thank you.

Hales: OK.

Fritz: So, thank you, everybody --

Hales: Thank you, all --

Fritz: To be continued, but only for a short time.

Hales: Wednesday at 2:00 p.m.

At 6:08 p.m., Council adjourned.