



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF APRIL, 2016** AT 9:30 A.M.

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

Commissioner Saltzman arrived at 9:35 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Jason King and Mike Miller, Sergeants at Arms.

Item Nos. 323 and 327 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 9:30 a.m. and reconvened at 9:41 a.m.

COMMUNICATIONS		Disposition:
316	Request of David Kif Davis to address Council regarding homeless sweeps and civil rights/human rights violations of the homeless (Communication)	PLACED ON FILE
317	Request of Lightning Watchdog PDX to address Council regarding opinion about Public Meeting Law (Communication)	PLACED ON FILE
318	Request of Don MacGillivray to address Council regarding Washington High School Community Center (Communication)	PLACED ON FILE
319	Request of Jeff Cole to address Council regarding Washington High School Community Center (Communication)	PLACED ON FILE
320	Request of Robert McCullough to address Council regarding Eastmoreland zone change request (Communication)	PLACED ON FILE
TIMES CERTAIN		
321	TIME CERTAIN: 9:45 AM – Adopt Digital Equity Action Plan and direct the Office for Community Technology to implement the plan with partners (Resolution introduced by Mayor Hales) 45 minutes requested (Y-5)	37199

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<p>322</p>	<p>TIME CERTAIN: 10:30 AM – Declare intent to initiate local improvement district formation proceedings to construct street, sidewalk and stormwater improvements west of SW 30th Ave in the SW Dolph Ct - Spring Garden St Local Improvement District (Resolution introduced by Commissioner Novick; C-10053) 30 minutes requested</p> <p>Motion to replace exhibit B: Moved by Novick and seconded by Fritz. (Y-5) (Y-5)</p>	<p>37200 AS AMENDED</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>		
<p>Mayor Charlie Hales</p>		
<p>323</p>	<p>Authorize a grant agreement with Elders in Action for Arts Education and Access Income Tax outreach in an amount not to exceed \$25,000 (Ordinance)</p>	<p>PASSED TO SECOND READING APRIL 13, 2016 AT 9:30 AM</p>
<p>Bureau of Planning & Sustainability</p>		
<p>324</p>	<p>Authorize an Intergovernmental Agreement to provide the Multnomah County Department of Health Services \$62,035 in FY 2015-16 for efforts related to the enforcement of specified animal regulations in the City (Second Reading Agenda 297) (Y-5)</p>	<p>187658</p>
<p>Office of Management and Finance</p>		
<p>*325</p>	<p>Pay claim of Jay Silva in the sum of \$25,000 involving the Portland Police Bureau (Ordinance) (Y-5)</p>	<p>187659</p>
<p>Commissioner Nick Fish</p>		
<p>Bureau of Environmental Services</p>		
<p>326</p>	<p>Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites to conduct environmental monitoring (Ordinance)</p>	<p>PASSED TO SECOND READING APRIL 13, 2016 AT 9:30 AM</p>
<p>Commissioner Dan Saltzman</p>		
<p>Portland Fire & Rescue</p>		
<p>*327</p>	<p>Pay arbitration award in the matter between Portland Firefighters Association and the City for Alternate Payee grievance arbitration dated October 26, 2015 (Ordinance) (Y-5)</p>	<p>187661</p>
<p>REGULAR AGENDA</p>		

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328	Strengthen regulations for tree preservation in development situations (Second Reading 315; Ordinance introduced by Commissioners Fritz and Saltzman; amend Code Chapter 11.50) Motion to accept Fritz/Saltzman amendment to 11.50.040.C.1.b(4) Exemption of tree preservation mitigation payments for affordable housing developments: Moved by Fritz and seconded by Saltzman. (Y-5)	PASSED TO SECOND READING AS AMENDED APRIL 13, 2016 AT 9:30 AM
Mayor Charlie Hales		
329	Proclaim April 5, 2016 to be National Service Recognition Day in Portland (Proclamation introduced by Mayor Hales) 10 minutes requested	PLACED ON FILE
330	Amend Code Removing Barriers to Employment to clarify the exemption of volunteers (Ordinance; amend Code Section 23.10.020)	PASSED TO SECOND READING APRIL 13, 2016 AT 9:30 AM
Commissioner Nick Fish Bureau of Environmental Services		
*331	Authorize an agreement with TriMet to allow construction of a building over the Tanner Creek Sewer and grant a replacement easement (Ordinance) 10 minutes requested (Y-5)	187662
Water Bureau		
332	Authorize a Cost Recovery Agreement for \$24,237 to fund an environmental analysis to renew an easement with the U.S. Forest Service for continued operation of Water Bureau facilities at Bull Run Lake (Ordinance) 15 minutes requested	PASSED TO SECOND READING APRIL 13, 2016 AT 9:30 AM
333	Authorize a competitive solicitation and five year price agreement for water works supplies for an estimated cost of \$11,000,000 (Second Reading Agenda 311) (Y-5)	187663
Commissioner Dan Saltzman Bureau of Development Services		
334	Amend Floating Structures Code to add administrative appeal provisions, revise external Appeal Board provisions to conform to the State Building Codes, add term limits to Boards, delete obsolete provisions and make other technical changes (Second Reading 301; amend Code Title 28) (Y-5)	187664
Portland Housing Bureau		

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*335	Change the application requirements and definition of low-income within the Property Tax Exemption for Low Income Housing Held by Charitable Non-Profit Organizations Program (Ordinance; amend Code Chapter 3.101) (Y-5)	187660
Commissioner Steve Novick Bureau of Transportation		
336	Create a local improvement district to construct street, sidewalk, stormwater and sanitary sewer improvements from north of NE Columbia Blvd to south of NE Cornfoot Rd in the NE 47th Ave Phase I Local Improvement District and increase project funding from Portland Bureau of Transportation system development charge revenue by \$315,151 (Second Reading Agenda 312; C-10052; amend Ordinance No. 180970) (Y-5)	187665
337	Vacate a portion of SE Grand Ave between SE Spokane St and SE Tacoma St subject to certain conditions and reservations (Second Reading Agenda 313; VAC-10093) (Y-5)	187666
Commissioner Amanda Fritz Portland Parks & Recreation		
*338	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Matt Dishman Community Center Pool & Spa Repairs Project (Ordinance) (Y-5)	187667

At 12:25 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF APRIL, 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; Heidi Brown, Deputy City Attorney; and John Paolazzi, Sergeant at Arms.

<p>339 TIME CERTAIN: 2:00 PM – Create a Local Transportation Infrastructure Charge to fund improvements to unimproved streets (Second Reading 293; Ordinance introduced by Commissioner Novick; amend Code Chapter 17.88) 45 minutes requested for items 339 and 340</p> <p>a. Motion to accept Novick amendment 2 “clarification of local streets” 17.88.010 to address a drafting error: Moved by Novick and seconded by Fish.</p> <p>b. Motion to accept Novick amendment 3 “clarification on building permits” 17.88.090: Moved by Novick and seconded by Saltzman.</p> <p>c. Motion to accept Novick amendment 4 “clarification of findings”: Moved by Novick and seconded by Fish.</p> <p>d. Motion to accept Fritz new directive c.to direct PBOT to explore the potential for coordination between the LTIC program and efforts to organize Local Improvement Districts: Moved by Fritz and seconded by Fish.</p> <p>Motion to vote on Novick and Fritz amendments a. – d. as a package: Moved by Fish and seconded by Hales. (Y-5)</p>	<p>Disposition:</p> <p>PASSED TO SECOND READING AS AMENDED APRIL 13, 2016 AT 9:30 AM</p>
<p>*340 Amend contract with Eco Northwest for additional implementation work for the Local Transportation Infrastructure Charge project Phase III not to exceed \$340,000 (Previous Agenda 294; Ordinance introduced by Commissioner Novick; amend Contract No. 30004500)</p>	<p>CONTINUED TO APRIL 13, 2016 AT 9:30 AM</p>

At 2:21 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.

APRIL 6, 2016 9:30 AM

Hales: Good morning, everyone, and welcome to the April 6th meeting of the Portland City Council. Would you please call the roll?

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

Hales: We're going to get started in a moment. We have folks signed up for communications and we'll take them in a moment. We'll then have some time certain items and a consent calendar. We have a couple of requests to pull things from the consent calendar to the regular calendar -- namely, so far, item 323 and item 327. Any other requests to pull things from the consent to the regular calendar? If not, then that's how we'll proceed.

Welcome, everyone. If you're here to speak on a Council calendar item, you need give us only your name and let the Council Clerk know that you want to speak on the subject today. You need give only your name, not your address. If you're representing an organization, let us know that. We maintain the rules of decorum in this room, which is that we don't accept demonstrations or applause, but if you want to agree with someone give them a wave of the hand. If you want to disagree with someone and make a polite negative hand gesture, that's OK, too, but we reserve applause for visiting dignitaries, retiring employees, and students, and if you're one or more of those things you might get a round of applause here.

First, before we start, just an update. The Council acted last week on a four-fifths calendar item to temporarily bar City travel to the state of North Carolina because of an anti-human rights bill passed in the North Carolina legislature. I regret to inform us that we have another state to deal with in this question, which is that Mississippi this week passed an even more obnoxious anti-human rights statute which was signed into law yesterday.

Now, these travel bans sometimes are something of a symbolic gesture, but this time there's actually a very specific impact, which is that the first lady and I are scheduled to travel to Mississippi to Pascagoula where the U.S.S. Portland is being constructed for the United States Navy. We will not be taking that trip next month if the Mississippi legislature does not repeal this law, and I would be very disappointed that the Mayor of Portland was not able to be there for the launching of the Portland. But obviously, these travel plans -- if they are to mean anything, it should mean that we will have to avoid going to Mississippi. So unless they take that ship three miles out to international waters or repeal the bill -- the second of those would be better -- then, unfortunately, we'll have to wait to greet the U.S.S. Portland when it comes here. So, I'll probably be coming to the Council with another suggestion that we take action as we did in the case of North Carolina with the obnoxious legislation in Mississippi. So, there we go. With that, let's take on our Council communication items starting with 316.

Item 316.

Hales: Come on up.

David Kif Davis: My name is David Kif Davis, founder of Multnomah County copwatch and also a member of Fight the Sweeps Portland. I was going to talk about homeless issues. One thing that I will bring up you have a storage bin at Hazelnut Grove that's sitting

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there basically vacant. These things were supposed to be used for homeless people as a day storage thing, you only have two. You have one sitting there just basically not being used where people already have a place to store their belongings.

Moving onto the next thing, I'm talking about this police going rogue over their little Nazi Drugs and Vice Captain, which, you know, in itself -- to have a Nazi who erected a public shrine in a Portland park and who is an open Nazi and a white supremacist running your Drugs and Vice unit -- that should be rather disturbing since the drug war is totally racist and then you have an open racist, white supremacist running your Drugs and Vice. You talk about human rights violations in all these other places, well, it's time to clean up your own backyard, Hales -- Mr. Police Commissioner -- and all you people sitting up there.

The latest display of Portland police PPA police union thuggery? The Police Chief Larry O'Dea and police union head Daryl Turner have threatened to not cooperate with the IPR, the Independent Police Review process because some local citizens taunted a Nazi police Captain, Mark Krueger, as the latest CRC meeting. The CRC meeting has been canceled tonight because, oh, they don't want to deal with, oh, community members being a little outraged about having an open Nazi who runs the Drugs and Vice and wages a racist drug war. Come on! I mean, the police technically are supposed to serve as public servants, not a rogue army with no community oversight making up their own roles and policing their own bad behavior!

The overreaction of the Portland Police, the police union, was perfectly timed to coincide with the recent article by Maxine Bernstein in the Oregonian about the U.S. Department of Justice lawyers telling Portland police to drop the "us versus them" mentality of training. So, yeah, this "us versus them," police mentality, threatening to sabotage the Department of Justice, settlement with the City -- and this should be taken very serious. An anonymous survey by officers, you know, that they are doing -- it told them that oh this might be open to the public records request -- [beeping] -- so basically --

Hales: Thank you.

Davis: -- saying shut your mouth and don't [expletive] --

Hales: No, no -- you're done, Mr. Davis.

Davis: But no, no, the police site safety concerns because --

Hales: Mr. Davis, you're done!

Davis: -- [indistinguishable] --

Hales: Mr. Davis, your time has expired. You need to sit down or you'll be excluded from the Council chambers --

Davis: -- [indistinguishable] -- in a respectful manner --

Hales: In 10 seconds, I'll have to exclude you from the Council chambers. Nine, eight, seven --

Davis: -- pepper spraying women and children --

Hales: -- six, five, four, three, two, one, zero. Mr. Davis, you're excluded from Council chambers.

Davis: -- [indistinguishable] -- and they're scared of a little water --

Hales: You're excluded. We are recessed.

At 9:39 a.m., Council recessed.

At 9:41 a.m., Council reconvened.

Hales: Council will return to order, please, and we'll take item 317.

Item 317.

Hales: Good morning.

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Lightning: Good morning. My name is Lightning, I represent Lightning Watchdog PDX. Today, I'd like to discuss the essence of freedom of speech. The free speech being exercised by citizens during a public meeting during testimony is absolutely necessary for the government to conduct its day-to-day business. During a limited public forum, the Supreme Court recognized the dual function of such public meetings to conduct public business and hear the views of the citizens. It has become apparent that for those who cannot afford campaign contributions or lobbyists, public meetings may be the only opportunity to speak face-to-face to elected officials and to try to influence their votes on important issues. Now, what we're getting into is the difference of disruptive behavior or freedom of speech at these meetings. Again, I say City Council in trying to impose speech codes.

These have been challenged by many judges in many courts. Again, we're going to determine what's reasonable. We're going to determine what people had to say -- not their content, not their viewpoint -- and we're going to have a clear understanding on how these meetings can be conducted. Again, I believe in freedom of speech and allowing the citizens to come forward on these issues. There have been other locations that have decided that we don't need freedom of speech in the Council chambers. You can watch a video from another location, you can send us an email, you can send us a letter in writing, and we will continue to conduct our businesses. There have been Mayors that have tried to do that. They're not Mayors any longer. It's a very interesting situation here, but we need to understand that, yes, the citizens do have a right to freedom of speech, and yes, the consequences from that speech -- they are still liable for what they do say -- they have to be very cautious and understand that -- but it is imperative for them to get their ideas and viewpoints out.

Now, another issue that I have is we were talking about the situation on public meetings law. The law itself requires informed public be aware of the deliberations and decisions of governing bodies and information upon which such decisions were made. It is the intent of ordinance 192610, that decisions of governing bodies be arrived at openly. That is my position. Transparency, decisions arrived at openly, the citizen's involvement, and freedom of speech, and remain viewpoint neutral, content neutral. Thank you.

Hales: Thank you very much.

Item 318.

Hales: Others I think on the same subject. If you want to come up together, that's fine.

Item 319.

Item 320.

Hales: Come up as a trifecta and do it in order, if that's alright with you.

Robert McCullough: I didn't want to get between my two colleagues.

Hales: I think you just did. [laughs] Who's on first?

McCullough: With your permission. As it happens, I was already on on this subject, so I am addressing the R7 -- pardon me -- I've never done this before. Robert McCullough, representing Eastmoreland. Good morning. I have a slide for you, and I'm speaking to you today representing the peckerheads. I won't be dwelling on the insult, I've been called much worse. Our land use lawyer advised me it was simply the misunderstanding -- I thought that meaningful public involvement was the phrase. He has actually told me that it was "mean" public involvement. So, the issue here is amendment M74.

M74 pertains to a mix that we made in 2013, submitted detailed studies, Planning Bureau agreed in writing in 2014. In 2015, the Planning Bureau changed its mind. We had filed over 100 pages of studies, only one short letter was filed in opposition. We were ambushed during the hearing, our studies not mentioned, we were not able to speak at the

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time. Originally, every similar request was granted. There are no records of this reversal. No emails, no memos, no studies, no agendas. We're told that they never existed. Over one year of investigation, we have found one email that states, "their methodology is different than ours." In part, because their desired objectives are different. We don't know what the objectives are.

We know that it did not include density because we actually have the density report. You'll notice in the slide that the yellowed section indicates zero. That's simply because a number of lots at issue in Eastmoreland is very, very small.

We do, however, know that other issues prevail. In spite of the land use law, apparently family income was the decision-making issue. We do have the spreadsheet -- you have it there. The spreadsheet indicates that someone was interested to make sure whether West Hills family incomes would be affected. The neighborhood affected was Eastmoreland. Interestingly enough, Reed -- an identical neighborhood, directly to the north -- mistakenly was given the lowest family income on the eastside, and their application was approved.

We're not alone in this. The bureau's own poll shows that their decisions are not popular with the voters. In fact, issues of demolitions, greenery, urban canopy all ranked higher. Also, we're not alone in having the discomforts with the question of public involvement. The chairs and directors gave you a report given a month ago stating the same issues. [beeping] My request is that you be guided by the facts of this matter in reviewing this amendment, and not by any undocumented agendas. Thank you very much.

Hales: Thank you. Who'd like to be next? Alright, Don.

Don MacGillivray: Good morning. My name's Don MacGillivray, I live in the Buckman neighborhood. I'd just like to go over the Washington High School community center proposal.

The proposal for the Washington Monroe aquatics and community center began 35 years ago. This high school was closed in 1981 due to low enrollment. Within a year, the second Buckman community congress was held, where it was proposed that the Washington Monroe High School should be acquired and used for much-needed recreation, affordable housing, and other community activities. To do this, the REACH Community Development Corporation was created. In the mid-1980s, the idea of the Washington High School property to be used for a community center was highlighted in the Parks futures plan. In the 1991 Buckman neighborhood plan, the property was identified as location for recreation and educational opportunities in policy six, objectives five, six, and eight. In the year 2000, the Parks 2020 plan also talked about this site for a new community and aquatic center.

In 2003, Portland Public Schools formed the real estate trust. It was also about this time that this property was added to the eastside urban renewal area. They reviewed all their surplus school properties, and the Washington Monroe property figured prominently by becoming the highest priority for its disposal. A citizen and stakeholder committee was formed to advise Parks about the property, which was soon followed by a second committee to delineate how much of the property would be needed for the recreation center site. It was determined that Parks should acquire 4.5 acres of the 7.2-acre site for \$5.4 million. City Council approved the purchase of the property at the City Council meeting on July 28th, 2004 and SERA proceeded to acquire the property with the unanimous support of the many people involved from the inner southeast neighborhoods and businesses. Southeast Uplift chose the completion of the Washington Monroe community and aquatic center as their highest priority for advocacy. This remains so to this day.

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In 2010, the project advanced further with \$900,000 to do a project development study. In January, 2011, the Portland Parks and Recreation, Washington High School community center, 111-page preliminary design process summary was completed by SERA Architects. Another committee was developed to review the work and make recommendations. The size of the aquatics and community center was put at 60,000 square feet for a construction price of approximately \$40 million in a two-phase construction program.

New businesses, and apartments are being added to the inner southeast like never before. With 1500 new nearby apartments, the Washington Monroe community center becomes much more attractive for everyone. [beeping] The Washington Monroe site is within walking distance of over 18,000 people --

Hales: Need you to wrap up, Don.

MacGillivray: Just a second -- a bike and bus ride for 85,000 residents, or a 10-minute drive for 300,000 people. [beeping] This is a tremendous site in terms of serving people who are currently not served by a community center. It will make the area safer, more attractive to families, children, and everyone.

It is our desire to keep the remaining public land and public ownership in the form of the civic plaza or additional much-needed open space. We wish to thank everyone who has diligently worked on and advocated for this project. We hope that significant progress will be made within the next five years. Thank you.

Hales: Thank you. Thanks very much. Good morning.

Jeff Cole: Good morning, Mayor Hales and Commissioners. I'm Jeff Cole, I live in Sunnyside. I'm a board member of Southeast Uplift -- and our esteemed chair sits to my right -- where we are taking on a renewed initiative to secure our long-promised community center on the old Washington Monroe High School site at SE 14th and Alder. This is really important to me, to us -- that we nurture our legacy as a progressive city, that the real measure of our success is not population growth or gastronomic wonders. Rather, it is the layering of our civic assets that shows our heritage, whether it be our gardens -- Rose, Japanese, Chinese, Leech, rhododendron -- our museums of arts, science, and industry, or our parks that range from deep forest to skateboards. Certainly, the modern community center encompasses the recreation, arts, the gathering of citizens essential to our legacy, essential to our progressive mission. And it can be done.

Vancouver, British Columbia, with the Portland-sized population of 600,000 has 24 community centers while we have 15. Parks Director Mike Abbaté in his January 7th response to our Southeast Uplift letter indicated that he would be delighted to consider a public-private partnership to support the endeavor of building this community center. Mr. Abbaté encouraged us at Southeast Uplift to cultivate these private partnerships, and we will endeavor so.

Today, I'm asking Council to pursue sooner than later purchase of the final 1.3 acres of property from Portland Public Schools so that this land -- this land that has been publicly-held for decades -- will continue to be so, and in turn added to the 4.5 acres Portland Parks already owns at this location. This additional anchorage is a critical element to a program that includes newly-built facilities while also creating the exterior park light ambience that the open space enables.

We've reviewed the ordinance 185561 that references this property, yet we have yet to see the IGA or any other contractual agreements regarding this public property and interested parties. As we grow and densify, our public venues become more important, for they are an essential element of our civic and civil urban life. We thank you for your support as we further develop the civic assets that make Portland truly great.

Hales: Thank you all very much.

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McCullough: By the way, Mary Ann has provided you with an example of a frog --

Hales: I wondered where that came from.

McCullough: That is the frog we offered to eat for you.

Hales: If we kiss it, will it turn into a prince with 40 million dollars?

McCullough: Unfortunately, if you kiss it, it may turn into me, and then you'll be in trouble.

Hales: Alright, thank you. Let's move on, please, to our first time certain item -- unless we want to do consent first. Let's do consent first. Minus the two items that we've pulled to regular. So, the balance of the consent calendar -- roll call on those, please.

Roll on consent agenda.

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

Item 321.

Hales: I'm very pleased to welcome our team of experts to kick off this presentation about how we have become a city where everyone has access to the world. Mary Beth, welcome.

Mary Beth Henry, Office for Community Technology: Thank you, Mayor and Commissioners. I'm Mary Beth Henry with the Office for Community Technology. I'm delighted to be here -- in fact, I'm so delighted that I woke up at 3:45 a.m. this morning. I'm sure that you never have had that experience.

I think that most of us would agree that access to the internet in today's digital world is essential. Jobs, healthcare, education, bill-paying, socializing -- they're all online. Yet, we know that there is a divide between people who have access to the internet -- a device, and know-how to use it -- and those that don't. What does it look like in our region? It's the 15 percent of our households that don't have internet at home. The divide rises to 18 percent for those with income under 30,000, 28 percent for those 65 and older, and 30 percent for Hispanic households. These are statistics, but there are real people behind the statistics.

As author William Gibson says, the future is already here, it's just not evenly distributed. A community coalition called the Digital Inclusion Network, or DIN, formed in 2014 to raise awareness to urge action on digital equity in our region. DIN is made up of schools, libraries, ISPs, the tech industry, local government, and nonprofits. DIN also served as the advisory group for this plan.

The community engagement process began with five focus groups for historically underrepresented populations: Spanish, Chinese, Vietnamese speakers; people with disabilities; and African Americans. Thanks to an Office of Equity grant, the focus groups were conducted in the speakers' native languages, Spanish, Chinese, and Vietnamese. The focus group findings confirmed data from national sources about barriers. The cost of home broadband, availability of affordable devices, and absence or scarcity of culturally-specific training are all barriers to adoption. Other commonly-mentioned barriers were low service in some areas, mistrust of service providers, and a lack of understanding of contract language.

Three workshops were held in the fall of 2015 that brought together a broad cross-section of community organizations. Workshop participants' ideas and dedicated engagement in the process generated the community-based actions that are at the heart of this plan. Participants worked collaboratively to establish goals, set objectives, and identify actions for the next three years. Partnership opportunities emerged in organizations coalesced around specific actions, such as supporting initiatives to assist people from under represented populations to prepare for and find jobs in the technology economy. We're not asking for funding today, but we did submit an item for Council consideration that I hope that you will take up.

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In conclusion, the Digital Equity Action Plan's mission is to bridge the digital divide for excluded members of our community with affordable access, training, and tools. It's our collective job -- government, internet service providers, nonprofits, educational institutions, businesses, and our citizenry -- to address the digital divide in a meaningful manner so that anyone who wants to be online can get online, have a device, and know how to navigate.

I want to call out a special thanks to Commissioner Fritz and Saltzman, who led the development of the broadband strategic plan where digital equity was first identified as a critical need in Portland; and Mayor Hales for his leadership currently on digital equity. As Alan Kay said, the best way to predict the future is to invent it. We have inventors in our community today who can create a future of digital equity.

Hales: Thank you very much. Thank you. Who'd like to go next?

Cindy Gibbon: Good morning, Mayor Hales and Commissioners. I am Cindy Gibbon, the access and information services director for Multnomah County Library, and I want to thank you for the opportunity to come before you today with this Digital Equity Action Plan for Portland and all of Multnomah County. It has been a real pleasure to work with Mary Beth Henry and her staff, with other colleagues, and with so many committed community partners to bring this plan into being. I ask for your support today, and I'll be asking for the support of the Multnomah County Board of Commissioners and the Multnomah County Library district board next Thursday, April 14th.

Digital equity and inclusion work has been a long-term commitment for Multnomah County Library. We've been providing public internet access and technology training in our library since 1996. This year, community members will use library public computers to get online about a million times, and they will log on to our public Wi-Fi about a million times -- another million times -- as well. We provide technology training and assistance, including classroom training, public labs, one-on-one appointments, and general assistance in Spanish, Russian, Chinese, Vietnamese, and Somali in addition to English. That's wonderful, right? And yet, it isn't enough. That does not accomplish full digital equity for our community.

Imagine what it's like to have to go to the public library every time you need to work on a job application or a tax return, do homework, apply for college or for a scholarship. It's a huge cost in lost opportunity and time for individuals and families that are already marginalized by economic hardship, disability, language barriers, aging, and other challenges. The Digital Equity Action Plan is about bringing together a broad coalition of partners from government, education, community-based organizations, and the private sector, combining our collective resources to achieve the digital equity and inclusion for our community. Through collective action and shared commitment, we can make sure that everyone in our community has access to affordable broadband internet at home, a device that allows them to complete essential online tasks successfully, and a training to use both with confidence. In today's world, digital access is essential to educational and economic success, to full participation in our digital economy, and in community life -- even to better health outcomes. Thank you for supporting this important work. We look forward to coming back to you regularly to report on our progress.

Hales: Thank you, Cindy. Good morning, Matt.

Matt Timberlake: Hi, I'm Matt Timberlake, I'm the IT portfolio manager for Multnomah County and Multnomah County Library. I want to thank you for this opportunity to talk with you about the Digital Equity Action Plan, which I've had the pleasure of working to develop with the Library, the Office for Community Technology and other organizations around the county.

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Plans like the one before you are being formulated across the country. There's a growing national dialogue about digital equity. It has become recognized as a basic requirement for a society in which all people can thrive and contribute. Cities and counties across the country have found that fostering digital inclusion has direct impacts on workforce development, economic growth, educational status, and civic participation. We believe that the City of Portland and Multnomah County should join in this national effort and that adoption of the Digital Equity Action Plan is an important step towards increased digital access for all of our citizens.

The most recent numbers show that nationally, less than half of Americans in the bottom 20 percent of income have access to the internet at home compared to 95 percent of households in the top 20 percent. The degree of urgency around digital equity was highlighted by President Barack Obama's announcement last month of Connect All, a national project to deliver broadband and access to technology for all Americans. The program calls for nonprofits, businesses, technology experts, and local governments to join a national effort to reach the Connect All goal of connecting 20 million more Americans to broadband by 2020.

The National Digital Inclusion Alliance -- of which the City and the Library are both members -- is the first national organization of its kind, consisting of schools, libraries, local nonprofits, and local governments, and it works for affordable home broadband service, public broadband access, and local trusted technology training and support -- all of which are in our Digital Equity Action Plan. In cities and towns where local government has taken the lead on bridging the digital divide, there have been tangible social and economic benefits, as highlighted by the recent Council of Economic Advisors report issued just last month. In Kansas City, Chattanooga, and Cedar Falls in Seattle and Nashville, through both private and municipal investment in broadband access, there have been efforts across the nation to bridge the digital divide. These communities have improved the lives of their citizens while enhancing their areas' ability to compete in the 21st century economy. We look forward to joining these efforts, and we greatly appreciate your support of the Digital Equity Action Plan. Thank you very much.

Hales: Thank you all. Questions for this panel?

Fritz: Yes. Thank so very much. I really appreciate the plan and how specific it is, the outcomes, and the fact you're going to report back. Mary Beth mentioned the budget request that's coming to the City, and I'm going to ask her about that in a moment. I just wonder, has the Library -- have you put in a request to the Library board and to the County Board of Commissioners for funding, and if so, how much?

Gibbon: The Library already makes a very significant investment in digital equity work, and we have added a number of positions to our budget recently. For example, our East County Technology Coordinator, which is a position that's been in the budget for about a year or so now, is making a huge effort in East County providing training in both Spanish and English. We just applied to NTEN, the nonprofit technology association, for a grant that will allow us to bring on a coordinator who we hope will be able to coordinate some of the work of implementation of this Digital Equity Action Plan. Matt -- I think --

Timberlake: Yeah. So, yes, the Library does a tremendous amount, and the County through their process of providing information technology among much else to the Library is also very engaged in providing digital inclusion and digital equity now. Multnomah County actually funded the plan -- the creation of the Digital Equity Action Plan -- with you, and we shared those costs. We have not put forward a specific funding request around the Digital Equity Action Plan yet. We are going to be presenting -- as Cindy mentioned -- the plan on April 14th to the County Board for adoption, and there's tremendous commitment

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to see it through and to see what funding opportunities and what areas the County can fund going forward. There is not a specific request yet.

Fritz: Well, I would -- I do appreciate that it has been a triple partnership and the investment that the Library has been making. In order for us to be able to justify the allocation in the City's budget, which is very constrained this year, I would want to see a similar amount from the County. And, Mary Beth, exactly -- well not exactly, but generally, what would the \$199,000 be used for?

Henry: Thank you, Commissioner Fritz. We're hoping -- quite frankly, we've been so busy putting together the plan and the process with all of our partners that our next step is to move on and possibly look to Seattle and Nashville as a model. In those two communities, the city, the internet service providers, and local philanthropic organizations all contributed money to jumpstart their program. What I'm hoping is that we could do the same here. If the City could say, well, we'll put this in and ask some other entities to match that amount - - and keep in mind that this is a three-year plan, and so what I'd like to do is get a budget, you know, get the budget together, get our partners -- we have a lot of community nonprofits -- and come back and report each year. It's really a three-year commitment at this point in time because we want to be able to show tangible results. We can't wait and have a 10-year plan, you know, where we might produce something in the future. So, we purposefully put ourselves under a very extreme time crunch to make something happen.

In terms of the actual budget package, it would be a position to help secure grants in funding but also to provide seed money to some of our local nonprofits who are doing incredible work and you'll hear from today, but who need additional capacity because currently, for example, Free Geek can't meet the demand for all the devices that are needed in the community. And it's only through dedicated resource that we're going to be able to make something happen and move this needle.

Fritz: Thank you. Obviously, I've read the plan, the Council members have. Could you just summarize for folks at home some of the key pieces of what exactly -- what is going to be done? Because what the presentation said -- told us how you got there and that there is a plan, I just -- I was really impressed with some of the particular pieces, and maybe others can address that.

Henry: Sure. And yes, we will have other speakers who will be addressing those things, but, for example, we'd like to expand free Wi-Fi from some of the schools into some of the lower income neighborhoods. There's a lot of interest in mid and East County with that particular plank. I mentioned one of the other ones is to help underrepresented populations be trained for jobs in the digital economy. We also -- what we found is that there are excellent programs -- the libraries, Free Geek, Portland Community Media -- but there's no overall strategy. And so, by having an overall strategy, we're going to be able to focus resources and really make a difference.

I think that I focused on the process because this plan is really community-driven, and I think that highlighting the process was very important so that the viewers at home and the Council could understand that this was not top-down, this was bottom-up.

Fritz: Thank you.

Hales: So, I have maybe not so much a question, because I think you addressed it, but there's some cities that we learned from -- Seattle, Nashville, you mentioned, in particular. And I assume that's an ongoing process, right? There's sort of a virtuous spiral here of people doing more and learning from each other. Some other takeaways maybe from that interaction with other cities because we're not always first?

Timberlake: Yeah, I'll be going to the National Digital Inclusion Alliance get-together in May. All of us attended -- oh, there was a very large contingent from Oregon, including Mary Beth and I and many others who went to the Gigabit City Summit last year, which

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was really -- we wrapped up the summit when President Barack Obama gave his speech about the connected cities. So, there is this ground swell of organizations, and local governments talking to each other, and we are very much part of that dialogue and plan to continue doing so.

Hales: I'm really happy to hear that, that's the way it should be. Cities are good about learning from each other. Commissioner Novick's bureau, PBOT, is leading an effort right now in which we're a finalist for a project at the U.S. Department of Transportation for smart cities using technology to improve access and equity. So, it seems to me there's some internal and partner connections that we ought to polish up and make sure that Maurice Henderson and your bureau is fully integrated with not only this plan, but the brain trust that you assembled to work on it.

One of the things that I think is a great opportunity for Portland in that competition is that the competition is about who can use technology in the smartest, most creative ways, but then who can teach other cities well. And we already do this quite a bit in transportation and land use in other areas, but it would be great if coming right out of the gate in our application we could show some ways that we would be immediately transferring value to other cities as a good partner, just like we've received good values. So, I want to plant that seed because that, frankly, is our strategy -- hope those other cities are not listening -- but that's our strategy for how we are going to win this is that Portland already teaches other cities, it's not a new thing for us to do this. And so, this might be one more way in which we -- you know, past is prologue. We're already a good partner, and here are more ways that we will do that. So, I want to make sure that discussion is underway because that application gets finalized in June right after you come back from the national meeting.

Gibbon: Could I take just a second to make one other response to Commissioner Fritz's question? Because I want to plug our Rockwood library makerspace. We just had the grand opening for that on Saturday, and that is a great example of collective action for digital equity very much in the spirit of this plan. We started that project with a grant from the Mt. Hood Cable Regulatory Commission. Our library foundation is raising the majority of the money to support that project, but the library is also committing around \$300,000 to the project as well, and then the ongoing support and funding. And that's a place where kids and one of the most underserved communities in Multnomah County will have access to current technology that allows the creation -- something that everybody in our community really needs to have access to and that we hope to really promulgate this idea of creative, connected learning in our libraries throughout Portland and Multnomah County.

Fritz: Thank you.

Hales: Thank you all very much. I want to call another panel who's here to inform our understanding of this document, Kofi Dessou and Carol Studenmund and Michael Armstrong. Come on up, please. Good morning.

Koffi Dessou, Office of Equity and Human Rights: Good morning, Mayor Hales, good morning, City Commissioners. My name is Koffi Dessou, I work for the Office of Equity and Human Rights, City of Portland. I also serve as president of a nonprofit called Togo Community Organization of Oregon. As a community leader, I am deeply involved in community work, and I learned a lot about the needs in our communities in regards to the digital access, and also the expectations the cities have for the City government. And I bring that information back to my office, share with my colleagues. I want to share a little story.

Two years ago, a woman, a neighbor 85 years old, knocked at my door asking me to help her connect her computer to the internet. Her husband used to do that, but her husband got ill and transferred to a nursing home. The woman told me that the computer became her only companion. And my wife, my daughter, and myself worked to help her

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every day, taking turns. So, it is touching. For one year, we have helped her and she moved to another residence. If you ever go to Africa House, you will see how much the elders in our community are excited about learning how to use their computer to connect, you know, to the world. You'll see a lot of young people using the internet there to do their homework with the help of other community members. So, the digital access has become a necessity.

The technology has become a powerful tool that we know that we can't do without it, and we are inviting technology to every service that we deliver to our communities. So, this is to tell you that this digital action plan is not an isolated thing. You know, a few weeks ago, the business solutions from the Bureau of Technology Service here invited Judith Mowry -- the acting director of my office -- and myself to come and discuss the role of technology services in equity. It was encouraging to see that the Bureau of Technology Services has updated their mission statement to include, to focus on internal stakeholders and external stakeholders, meaning the community that we serve. That means that we are doing something in Portland, and it's very encouraging.

I wanted to testify that this digital action plan is a very good thing and that we value the success through the outcomes that the implementation will yield. And your leadership is very critical in this -- and I already applaud your leadership, but I am asking you to empower the teams that will be working on the implementation and provide the appropriate resources so that we can make this happen. That means closing the gaps in terms of digital access and also achieve the equity outcomes that we want to see in the community.

I want to congratulate Mary Beth Henry for leading this, coordinating, and I've seen how many community members' businesses have been involved in this process. So, again, thank you for your leadership, and I would like to ask again to empower the teams that are going to be working on this implementation. Thank you very much.

Hales: Thank you. Thank you very much. Good morning, Carol.

Carol Studenmund: Good morning, Mayor Hales and Commissioners. I'm Carol Studenmund, chair of the Mt. Hood Cable Regulatory Commission, and I'm pleased to say that the entire commission is very excited about the Digital Equity Action Plan and any role that we can play in that.

The MHCRC is proud to be a collaborative partner on digital equity, and we urge you to adopt the resolution and plan and include funding in next year's budget. The MHCRC already plays an important role in digital equity through our grants programs. Through the TechSmart initiative for student success, we provide funding for technology, curriculum, connectivity, and training to students in all the school districts in Multnomah County to positively impact academic outcomes for all students. The initiative provides grants to school districts for technology and teacher support in order to innovate and transform teaching strategies and practices made possible by the franchise agreement with Comcast.

Let me cite a few of the exciting grants we've made. Parkrose School District received nearly \$400,000 to fund a robust wireless network at Parkrose High School and teacher training to support staff in learning how to use the digital content to create effective learning environments. And one of the features of that plan was to make sure the Wi-Fi covered the entire campus so that students could come on nights and weekends and connect to the Wi-Fi to do their school work. David Douglas School District received nearly a million dollars to fund iPads for all preschool students, Chrome Books for the kindergarten to third grade students, and smartboards at the Earl Boyles Early Learning Center. When the students move up to kindergarten, they graduate to using Chrome Books so they can begin working on their keyboarding skills. Isn't that cool?

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Portland Public Schools was awarded \$5.1 million for third grade reading, a five-year pilot project focused on improving K through three student outcomes, and closing the achievement gap for students of color and other historically underrepresented student populations. The grant funds instructional technology, infrastructure, related digital curriculum assets in addition to critical teacher-training and support in order to effectively use the instructional technology and digital assets in the classroom. The culture is truly changing in how students are learning to read.

Reynolds School District was awarded \$1.3 million for the Reynolds transformation to constructivist classrooms and secondary math project. And that's a mouthful, but it's a great program. The four-year project focuses on transforming math instruction at the middle school and ninth grade levels, and improving ninth grade credit attainment in math. Studies show that if kids don't earn those credits in ninth grade, they don't move on to graduate from school. It's really important.

The project also focuses on closing the achievement gap for students of color and other historically underrepresented student populations. The grant funds instructional technology, infrastructure, and digital curriculum assets in addition to critical training and in-class teacher supports in order to enable hands-on, project-based learning in technology-rich classrooms.

These grants provide the digital part of the Digital Equity Action Plan. In order for the equity part of the plan to be in place, our community needs for these students to have access to broadband internet at home so they can do their homework with equivalent devices and connectivity as they have at school. The Digital Equity Action Plan before you today will ensure that happens, and I urge you to support the Digital Equity Action Plan. Thank you.

Hales: Thank you. Good morning, Michael.

Michael Armstrong, Bureau of Planning and Sustainability: Mayor Hales and Commissioners, good morning. My name is Michael Armstrong, and I'm the sustainability manager for the Bureau of Planning and Sustainability. Also part of a still-forming cross-bureau effort to coordinate Smart Cities initiatives across all the bureaus, which you referenced earlier and is an important need that's becoming clear.

The Bureau of Planning and Sustainability strongly supports the Digital Equity Action Plan. We really appreciate the leadership of the Office for Community Technology, partnership with Multnomah County, the Library districts, and the community organizations in developing this. Digital equity is a key piece of the Portland Plan, which include actions specifically around broadband equity and around providing universal access to high-speed internet, devices, and training. Those are the pieces that are spelled out explicitly in this new plan. It details how we're going to do it and with whom, and those are both key pieces to success.

Digital equity is also essential for us to succeed with this emerging set of Smart Cities initiatives. For making real-time data available about transportation, about air quality, public safety events, we have to make sure that information is reaching everyone. That's the organizing concept of the Portland Plan, we're following that through in the Climate Action Plan, now through the update to the Comprehensive Plan. Success with all of those plans depends very importantly on success with the Digital Equity Action Plan. The goals are solid, the actions are sound. It won't be easy, but we certainly are interested in being a part of supporting its implementation and participating in the Digital Inclusion Network. So, the Bureau of Planning and Sustainability is very eager to see this move forward. We look forward to partnering on its implementation. Thank you.

Hales: Thank you all. Questions for this panel?

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Fritz: I have a question for the chair of the Mt. Hood Cable Regulatory Commission. You mentioned some of the grants that you're giving. Given the constraints of the City's budget, is it a possibility that the commission could allocate funding -- the amount of funding that's being requested from the general fund?

Studenmund: I'm not the person to talk to because our contract with our cable provider is very complicated and fixed. So, I don't believe that our funds can do that, but I don't think that I'm the correct person to ask.

Fritz: OK. So -- yes, I should have framed that in terms of just generally, before we are voting on our budget, I want to be looking at where the appropriate -- whether that source of dedicated funding which does go to the same kind of things could be used to fund the things that Mary Beth is asking for. But thank you very much.

Hales: Worth finding out.

Fritz: It's not a "right now" question because obviously this is a great plan and we do need to figure out how to fund it.

Studenmund: I'm looking to my friend, Ben Walters, to my right. He knows a lot more than I do about that.

Hales: OK. Other questions? Thank you all very much. I know we have a number of community partners that are signed up to speak. I want to ask you to briefly come up and do that. So, let's call on those that are signed up, please.

Moore-Love: We have 16 people signed up.

Hales: Good morning. If you could try keep it to a couple minutes, it would be helpful, because we have a lot of you and a lot of other things on our agenda this morning. I know Chris is always succinct and to the point.

Chris Smith: I'll try to be. In fact, I have to dash for another appointment, so as soon as I'm done I'm going to run away. Chris Smith, vice chair of the Planning and Sustainability Commission and testifying as an individual this morning.

The internet is incredibly important to me. I earn my living helping my employer talk to the customers on the internet. That gives me the income and the flexible schedule to be able to do my civic activism. In the nonprofit sector, I have a project that uses the internet to help people find when the buses are coming so they can make -- you know, make using transit easier. Very, very aware that the internet is increasingly the gateway to opportunity. I was pleased to work on some of the Portland Plan policies that Michael talked about. Adding broadband equity is an important principle in the Portland Plan. I wholeheartedly endorse today's agenda item.

I want to preview for you the same issue in the comp plan. So, the Planning and Sustainability Commission carried the concept of broadband equity from the Portland Plan into the comp plan. We know we're on the cusp of widespread fiber to the home adoption, and we think that just as important as the comp plan cares that every home in Portland have good water service, we believe that every neighborhood in Portland should have good fiber access to the neighborhood and to the home. And we placed policies in the comp plan that will help the City stay focused on that. Unfortunately, there are amendments pending that would significantly weaken those policies, so in addition to passing today's item, I would urge you to inject comp plan amendments P68 and P85. Thank you.

Hales: Thank you. Good morning, Dwayne.

Dwayne Johnson: Good morning, Mayor, Commissioners. My name is Dwayne Johnson, I am a partner at ScaleUp Partners which works on the economic inclusion regionally across the state -- I mean, across the country. I am also the deputy director of Innovate Oregon, which works on essentially connecting the entire community to the digital

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economy. So, I actually have another list of things that I do, but in this case I'm speaking as an individual contributor, so to speak.

I look at this personally. I've been in technology for most of my life. And the only reason that I had that my whole life is because I got access when I was relatively young. I literally was in a bungalow in my junior high school. I walked in and I saw an old teletype. And I asked what was that, and they said, "don't touch it" -- which meant that I had to know what that was. It turned out that it was a terminal that was connected to the San Diego city schools, and they had a Star Trek program on it that me and my friends fell in love with and we wanted to know how it works. So, by the time we graduated from high school, this small cadre of friends -- we learned how to program, we taught ourselves multiple languages, we were writing programs for the school, we actually talked to our time share coordinator at the schools and were writing programs for them.

I ended up following that into a career and have started several companies because of that. And that opportunity is what's missed when we don't give access to people in multiple communities. So, the idea is to be able to set that platform that they can't have that we can -- in other words, making that access possible -- and using that as a framework to build that into our future.

Hales: Thank you very much. Good morning, Skip.

Skip Newberry: Good morning, Mayor and members of Council. My name Skip Newberry, I'm president of the Technology Association of Oregon and also the chairman of the board of Technology Councils of North America. Just wanted to take a minute to thank the City and the County as well as the library system for their leadership on this initiative.

Last year -- to give you a sense of the impact that technology has in the state -- the region added 10,000 tech jobs. By comparison, Austin added 4500 and Seattle about 7500. And the average tech wage is about 110K now in Oregon. Now, career pathways into the technology have never been more accessible and clear -- that is, assuming you have some familiarity with how to access the internet, it's affordable for you to do so, and you know what to do when you get on the internet. It's also never been more accessible or clearer in terms of how you can access health-related resource, government services through the internet. But again, it assumes that one has access to the internet. And yet, 15 percent of the Portland's households do not have access to the internet.

As a community, we definitely have an obligation to ensure that economic opportunity -- whether in tech or in other sectors -- is open to all. And I think that the proposed Digital Equity Action Plan does a clear, thoughtful job of laying out a strategy for how we can connect the dots across all of our community partners, many of which are doing great work but the resources are diffuse. This helps to address that and focus resources in a way that I think will be really impactful for the region.

And to the Mayor's point and Michael's point, this plan -- having it in place really only strengthens the City's USDOT Smart Cities challenge proposal. Equity is a big part of that. And then, I think in general, the association that I represent really thinks that because of those points, this plan should be adopted, and we encourage Council to provide support for it. So, thank you.

Hales: Thanks very much. We appreciate your partnership. Thank you.

Betty Dominguez: Good morning, Mayor Hales and Commissioners. My name is Betty Dominguez, I am the director of policy and equity at Home Forward, which as you know is a housing authority that serves the county. Home Forward first became involved with the Digital Inclusion Network in the fall of 2014 and have followed this work because we believe it is so important to the residents and clients we serve.

You've heard previous panels describe the underrepresented populations -- many of whom live with us. We know how important it is for children to access broadband to do

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their homework, for their parents to be able to do job applications, pay their bills, and for our seniors to be able to renew prescriptions and keep in touch with their families. We have 9000 Section 8 vouchers that we administer in the county and another 6000 hard units that we own and operate. That's 15,000 households and thousands of children who we believe strongly will benefit from the digital access and be an opportunity for them to reach some level of self-sufficiency and to increase their quality of life. You heard the folks from the library mention a little bit ago that they had applied to NTEN for a grant. We have also applied for a digital fellow to help us implement our digital plan. We're awaiting word, hopefully, that we were successful, but if we unfortunately were not, we intend to move forward with this work.

And if I may, I have a statement to read from Michael Buonocore, our executive director, who couldn't be here today because he's out of town. So that counts as two testimonies, right? [laughs] OK.

Home Forward is excited to support the Digital Inclusion Networks digital equity access -- I just spaced out -- action plan, thank you. In our forthcoming strategic plan, we will highlight our intention to increase access to technology for our residents, participants, and to create more avenues for the community to interact with us via technology. Our strategic plan will also continue to emphasize the importance of alignment with our systems partners. In other words, we want to make sure whatever we do in this arena supports efforts of the larger community like these of the inclusion network. As the action plan points out, communities of color, seniors, people with disabilities, immigrant communities, and people with low incomes are among the most digitally excluded, and they are exactly who Home Forward serves in great numbers. Last summer, a focus group was held in our New Columbia property by the inclusion network, and it's a small example but a great one of how we can support each other's work. We applaud the network's recognition that having the action plan informed by the community is a critical early step, and we look forward to collaborating to support what comes next.

Also, I want to put in a plug. I want to applaud the library system for the Rockwood makerspace. We have a number of properties in Rockwood, and that space is going to be really valuable for the children and their parents. So, in conclusion, we would like to urge the Council to adopt this Digital Equity Action Plan and any funding requests that may come afterwards. Thank you.

Hales: Thank you very much. As I inadvertently demonstrated exactly on cue, I need to renew my allergy prescription. [laughter]

Dominguez: See?

Hales: Good morning.

Patricia McLean: Good morning. I'm Patricia McLean, I'm the administrative coordinator of programs at Human Solutions, and we're a community development corporation and anti-poverty organization serving East Portland and east Multnomah County.

Most of us take technology for granted. We get upset if it doesn't function the way that we want it to. We become annoyed at having to upgrade our equipment. But for families experiencing poverty, most of this is out of reach. Yes, there are public spaces with Wi-Fi, and yes, the library is doing an amazing job at providing access to the technology. It is not enough for families living at or below the poverty line.

People who struggle to provide nutritious food and shelter for their children, who want the best for them, are truly unable to provide them with the tools that they need to succeed academically. There is no room in their budgets for all their basic needs, much less the tech equipment and the internet access needed for them to complete the homework and communicate with teachers, to become skilled enough to stay current with the tech trends enough to hope to leave poverty.

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Hope drives up for many reasons, and when it does, it impacts us communitywide. Families living with very limited incomes need access to technology, and we need for them to have it. I encourage you to adopt the Digital Equity Action Plan as a first step to providing access for all. Thank you.

Hales: Thank you. Good morning.

Colleen Dixon: Good morning. My name is Colleen Dixon, I'm the director of development and public services at Free Geek. We are one of the nonprofits involved in the Digital Inclusion Network. We take used technology and transform it into opportunity for folks in our community. In the last year, we gave over 5000 devices to folks in need in the community, and we have a huge waiting list of people who still need computers and just as part of that kind of three-legged approach of needing devices, education on how to use them, and then access to the internet.

Doing that work, Free Geek has been around for 16 years, and we've done that work in relative isolation. It's very exciting to see a local movement growing for digital inclusion and digital equity work, to be a part of that planning group and that process, and connecting it to a national movement that's underway. The power of that and just having support and resources to connect our work to each other, meeting different organizations, seeing where we can align and create the plan has been incredibly powerful. And we absolutely are excited to see where we go with this and resources that can further that work, and encourage you all to adopt the plan.

Hales: Thank you. That 5000 number is up a bit from the last report I heard from Free Geek.

Dixon: Yeah. Hopefully every year, more and more if we can.

Hales: That's very impressive. Good work. Thank you. OK, let's take more folks that are signed up. Good morning.

Promise King: My name is Promise King, Executive Director of League of Minority Voters. Ten years ago, I worked for Commissioner Saltzman. He said, you have to ensure that we have -- that the community has assets to utilities that -- [indistinguishable]. During that process, I understand an expectation that the Portland citizens have of their elected officials. They expect that when they turn on the light, the light will light up, that when they turn on the water faucet, the water will come out. They also expect that when they have the digital access to digital is available. Those expectations, Mayor Hales, are not unreasonable.

Today, we come because as part of the infrastructure, there are communities that have no assets. Imagine a community that is wanting for electricity, that is wanting for water. That's where we are, that's the situation where we are as it relates to digital equity. This is why, as the League of Minority Voters, four years ago, we started -- [indistinguishable] -- express. This program was forced to involve science, technology, math -- [indistinguishable] -- we took up a bus instead of waiting for these poor kids to come to a place where they have transportation challenge, we drove a bus to their neighborhoods. That will require a lot of bandwidth, which we don't have. We believe these efforts, an effort to take science, engineering, math, and technology, direct to those communities. Thank you. We urge you to support this bill.

Hales: Thank you. Great idea. Chris, good morning.

Chris Taylor: Good morning. Thank you, Mr. Mayor and members of the commission. My name is Chris Taylor, I'm the head of the business operations for Google Fiber here in Portland. As you know, Google Fiber has been working with the City of Portland, surrounding communities, and others to explore bringing Google Fiber to the Portland area. We've very excited that deploying gigabit-speed internet could bring to our

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community, and we're excited about the progress we've made in recent months towards making that a reality.

I participated in all the public meetings leading to the development of this plan, and we commend the City and County for their inclusive process in developing this plan and seeking input from the people you heard from today and others. I would just highlight that Portland relatively speaking is a relatively low level of digital divide compared to some other cities we've worked in where the numbers are 30 some odd percent, but we have a very high level of political commitment as you've seen today, and buy-in from the community and leaders such as yourself to solving this problem. My point there is I think we can make a difference on this issue in our community because we've got a high level of engagement and a problem that is serious but potentially solvable, and I think that this is a great first step.

At Google, we talk a lot about the importance of super-fast internet speeds and how it can move communities forward. You've heard today from others about the importance of this issue, so I won't go on and on but school children, applying for a job, doing your homework -- I've got two kids in public school, their homework is on the internet. It's not a nice-to-have; it's a necessity today. And we're very committed to that at Google Fiber.

To address the digital divide will require a variety of strategies. I think everybody has highlighted that today. You don't just need access to the internet, you need a device and you need to know how to use it. We think those three components are what we've learned in our work in other cities, and we think it's reflected in this plan. And we very much support that.

I would also agree with what others have said that the process to develop this plan has already had good results in terms of bringing these people together and identifying what's happening and how we can leverage that and do better. The two pieces that are particularly relevant to us that I'd like to highlight are the focus on providing affordable access to the internet in public housing. It's something we're very committed to. We've partnered with Secretary Castro at HUD to provide free gigabit speed internet in the housing communities we connected, and we hope to do that in Portland and are in conversations with Home Forward about that. You heard about the digital inclusion fellowship, which is actually partnership between Google Fiber and NTEN, and we're providing approximately a million dollars a year in funding to support that program. We're glad to bring that here to Portland and look forward to good results here.

In conclusion, we applaud the City for developing this plan and the broader commitment it represents to addressing this important issue. We look forward to working together to achieve this vision. Thank you.

Hales: Thank you very much. Good morning.

Gary Schuh: Good morning. This is the first time that I've ever addressed the City --

Hales: Well, welcome.

Schuh: Thank you for the opportunity, Mayor and Commissioners. My name is Gary Schuh, I'm an instructional technology integration specialist with Reynolds School District and I worked as a participant in this whole action planning process. I'm here as a representative of all of the teacher participants in that process as well.

We all believe that regular and consistent access to the internet is essential to every student's success. I believe that our community should never allow for things that promote any division of our communities' members, especially when this involves our most important human capital investment -- our community's children. The digital equity plan accomplishes this.

In schools, basic technology skills are dependent on regular access to the internet. Basic technology skills, which are dependent on regular access to the internet, should

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always be a byproduct of every student's educational experience. Now it is. Right now, this only happens for students whose situations afford them this kind of access, and this is not something that any of us in this room likely are missing from our lives. I don't want to see this basic access missing from any person's life.

It's a consensus among educators that internet access is an essential component to every student's success and should not only be available to those who can afford it. This access is what it will allow every student the ability to reach their goals in education, work, and positive community contributions.

Existing programs that have reduced access cost are not really sufficient and won't ever guarantee consistent access to the internet for our students. I have students -- [indistinguishable] -- regularly support -- along with some of my colleagues -- that their families sometimes prioritize this kind of payment. Sometimes they don't. And that creates inconsistency for our children. Educators all over the region share stories of students sitting on a curb or fence line at schools, working on their homework into the dark, rainy, and often cold evenings. This shouldn't be the only option for our children as they see to their future success, and we should do better for our children. Our community holds the responsibility to invest in our human capital, and I thank you for your time and consideration in all of this understanding and compassion regarding what is best for our children and their futures.

Hales: Thank you very much. Other folks that are signed up? Come on up. Good morning.

Samuel Pastrick: Good morning, Mayor Hales and Commissioners. My name is Sam Pastrick, and I'm here today as a representative of the Citizens Utility Board of Oregon. As you folks may know, CUB represents the interests of the residential utility ratepayers in front of the administrative, judicial, and legislative bodies. We've done so for our 30 years now. I was also a participant in the public process to create the DEAP before you here today, and now am continuing the participation with the regional Digital Inclusion Network.

While broadband internet is largely unregulated -- at least at the state level -- fast, reliable, and affordable access for consumers is something of particular interest of myself, but also CUB. Fair inclusion in the digital world is critical for anyone needing access to employment, education, medical services, as well as wanting to participate civically in really any meaningful way. Broadband has become essential to daily life -- you've heard this already -- so much so that it's akin at CUB to flipping a light switch, adjusting a thermostat, turning a tap. It's just -- it's critical, and we believe that Portlanders and county residents should also enjoy equitable access to the internet.

So, why DEAP and why now? You've heard these statistics, but I do want to recite them again. I think that they are worth repeating. Fifteen percent of Portland area households do not currently have access at home. Folks of color, immigrant communities, older adults, people with disabilities -- these are all communities that sorely lack access to broadband internet. Forty-two percent of non-internet users report -- [beeping] -- oh, I'm going to have to move quicker here. OK.

I want to go over a few things real quick. Economic outcomes, medical outcomes, education outcomes -- again, you know, we have heard this before.

Really, in closing, CUB supports this work, and we really do look forward to participating in local action to address the digital divide. What's good for consumers is also what's good for the community, what's good for Portland, and what's good for the county. And the Portland area is both a regional and national leader in a number of policy fronts -- namely transportation, climate action. Equitable broadband options should really be no different. And with recent changes to the federal lifeline program, we believe that the time is now to adopt forward-thinking policy aimed at bridging the digital divide. So, you know, we hope that you all support this platform.

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Hales: Thank you. Appreciate that very much. Welcome.

Josh Klein: Thank you. Portland City Council members, my name is Josh Klein, and I am in the chief information officer for Portland Public Schools. Prior to coming to this school district, I spent 11 years with the Oregon Department of Education, the last four as chief information officer. I'm a certified information systems auditor and have worked in the information technology industry for 19 years. I'm here today to speak with you in support of the recently published Digital Equity Action Plan that seeks to eliminate the divide that exists in our city.

Portland Public Schools believes that access to reasonably-priced high-speed broadband for all students and families is a requirement of the modern learning environment. Open and ubiquitous access to the internet supports racial equity, social justice, and digital citizenship. Today, students will be the future leaders, and it is critical that we provide them with the necessary tools to succeed. When properly empowered, Portland students will create the technology assistance and services that our city and country need to compete in the digital economy in a connected world.

Research shows that citizens who possess digital literacy skills will have greater access to education, housing, employment, healthcare, news, and other services, while those who do not are falling behind at an ever-increasing rates. The mission of Portland Public Schools is to prepare students for college, career, and participation as an active community member regardless of race, income, or zip code. We see the elimination of the digital divide as an essential step in achieving this mission.

Portland Public Schools looks forward to continuing and deepening our involvement in the Digital Inclusion Network, and the Digital Equity Action Plan identifies PPS as a supporting partner for several proposed strategies, including partnership in a computer repurposing program and an expansion of access of the school district's free public Wi-Fi network. I am truly excited about the intent and the promise of the work, and ask that you appropriately adopt and fund this three-year action plan. Thank you for this opportunity to voice my support for digital equity.

Hales: Thank you both. Anyone else on the list? Come on up.

LaQuida Landford: Good morning Mayor and Commissioner, good to see you all and haven't seen you in 2016 except for at other meetings, but there's three things that bring me here today --

Hales: Just put your name in the record, LaQuida.

Landford: LaQuida Landford. There's three reasons that bring me here today. One was I participated in the focus group for African Americans in New Columbia last summer. And what I realized in that focus group is that the women of color, single moms, grandmothers and women from the disabled community felt unrepresented and wasn't confident about being able to help their children or their grandchildren or themselves with navigating the system because they had no access. There is a couple different places that they can go in New Columbia to get on the computers and stuff, but they don't know how to navigate the system.

The second step I took there was a grant that social justice fund had put out, and I rallied some women together for us to -- from hearing those women's testimony and my own testimony, saying that there's something that needs to be taken care in this action and what I can do as a community organizer, what I can do as a leader to bring women together so that we can figure out a way to utilize the resources in our communities. So, we applied for a grant, successfully got the grant. It was a small amount of seed money to start this conversation.

I also participated in the digital equity planning of this, and so I'm really excited about all of the information I heard before and the steps that we can take forward as a

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community. And working with the women, what we saw and what we were inspired by were women from Africa and women from India. And they were doing this model in their communities going forward, and I really believe this is something that we can do and create hub spaces so our community of color and people can just drop in and get these tools and these resources that they need and not just have to be going to the library and only having an hour to be able to dig into what it is that they need. And also, if we are creating a mindset of STEM education, our kids are unable to practice those and don't get those hands-on experience if they don't have those at home. So, I would really appreciate it if you would endorse this for us and our community because it's really a need. Thank you.

Hales: Thanks very much.

Nancy Newell: Thank you, Commissioner, for mentioning money. I have a suggestion. Google is extremely wealthy and they can provide it for our city. Google is planning to come in -- I don't know if anyone has heard John McPherson's [spelling?] lecture at Powell's Books -- a book just recently came out -- but they are planning automated robots that will replace most management systems in the city of Portland. And they're planning to build those in the Portland area. Now, what does that say? Unemployment. All the things that the balance of the rest of the people working and trying to keep their homes, trying to keep their water, trying to keep their electricity have to pay for everything else. With a pretty much tax-free major corporation.

Will this really help our society? There's a doctor that will disagree with you that proved that high school students coming out of Hillsboro -- if they took his course with handwriting, they would be able to write at a college level in three weeks. And he proved it. They were not ready at college level, and they had been on the computer systems throughout their careers in the high schools. And I am saying to you, this is a proven fact that human beings need a connection to have complex ability to analyze problems that our society with global warming, with corporate control in this country -- to analyze some of these critical problems.

So, for them to come in and market and promote this, I would suggest you take time to get some real reports in about what the true facts are of the actual results of this kind of program would do and a better way to do it. And if they're not willing to give the money, you wonder why, if they want a better future and they got the money, what are they going to do with all that billion dollars that they have? Why don't they spread it around a bit? What's the problem here? Thank you.

Hales: Thank you. Good morning.

Charles Johnson: Good morning, Commissioners. For the record, my name's Charles Johnson. And I certainly hope -- I think it's Chris Taylor that's here from Google -- I hope he won't be replaced by a robot soon. But I do hope that they will fund accurate research for you. I'm not saying there's misinformation, but we know that this program from our franchise to monopoly exists, but we don't know what research we have that shows what percentage of people on free and reduced lunch have been able to successfully engage on the \$10 Comcast plan. So, I hope that as we have Google and we talk about Comcast and CenturyLink -- which also has gigabit fiber running onto 73rd Avenue on Mt Tabor -- I hope that we can get more publicity that actually presents charts which show us which neighborhoods are succeeding at connecting their most disenfranchised and poorest people and which ones aren't so that we'll have the most effective Google Fiber rollout to the least connected areas as soon as possible. I recently saw that the permit is in for the first Google Fiber hut, so I'm very optimistic that they'll have a lot of business and customers to manage soon, and I trust that y'all will work very hard to create a mechanism that does make them just tax-free, even if they are doing good work connecting low

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income citizens. It's a little disappointing that Apple, which employs a lot of people over on Yamhill and has about \$198 billion in cash liquid assets, hasn't stepped into this conversation. And I hope you can find some public pressure to make that happen with y'all. Thanks very much.

Hales: Thank you. Thank you all. OK. Very good testimony. I think it's time for us to take some action on this resolution.

Fish: Mayor, can I -- can we have staff up for one second?

Hales: Sure. Mary Beth, come on up.

Fish: Mary Beth, a question for you. One of the causalities of the internet these days is that there are people that are using the internet to target other people. And I've even noticed that the City -- despite all of our filters, we daily get appeals of money from people from other countries claiming they're in distress, we get phishing, we get spam, we get fake websites, we get quarantined emails where we're not supposed to open the attachment because it has some sort of virus in it or whatever. I've noticed even on my Apple at home, people have gotten really sophisticated of getting around the firewall. And we know that the most unscrupulous people target the people that are the most vulnerable. So, I guess the question I want to pose to you is as we're moving toward this goal of attacking this divide and creating more opportunity for people, how do we also make sure we're not putting people in harm's way?

Henry: Thank you for that question, Commissioner. That actually came up in the focus groups and in the workshops identified as an issue, and we would propose to address that through the specific training that people talked about. People who don't understand how to navigate the internet and the importance of really strong passwords -- that was all part of the discussion, and it needs to be incorporated into the curriculum. I know the library already does some of that work. In terms of actual phishing and spam emails, that is an IT issue that our IT people and at the County as well are struggling with, but there is training available that we could provide that could help people secure as much as possible their home internet service.

Fish: I'm just flagging this as an issue that I have an ongoing interest in this because I may be the least technologically competent person up here. But the other day, for example, at City Hall, I got an urgent email telling me my bank account had been compromised and asked me to click on and verify all my data. And, you know, I might have thought of doing that except I didn't have a bank account with Chase. So, I was smart enough to realize that that probably wasn't a good idea. But the level of sophistication and appropriation of other websites -- I get stuff from other websites with emails that are all connected where somehow I pop up and they want me to bite. They somehow want me to bite, and it's clearly a fraud and a scam. And if I'm having trouble with it, I worry about someone that is more vulnerable and is being preyed on. So, I would just ask that we continue to look at that. If I'm a test case, I'm not sure more education and training is going to help me over the hump on that. I think I'm going to have to have a firewall, I'm going to have to have software that blocks, I'm going to have to have other systems in place. And I don't know what the answer is, I'm just stating an ongoing interest in how we protect people from negative consequences of being on the internet.

Henry: It's an important challenge that we will do our best to address.

Fish: Thank you.

Fritz: And I would suggest maybe engaging the Multnomah Youth Commission and establishing a buddy system. I know my parents-in-law call my son to install their printers and such, and I also forward stuff and say, "Should I do this?" And he says, "Oh, mom, no." So, I think that there -- you know, the youth of today are much more aware than those of us who have learned later in life. And so, if there is some mechanism to encourage

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those -- kind of like the foster grandparent program, the foster grandchild program so that, you know, there's somebody to ask at five o'clock in the afternoon --

Henry: Great suggestion.

Fritz: Thank you.

Hales: Questions? Mary Beth, thank you very much. Let's take a vote, please.

Item 321 Roll.

Fish: Thank you for an outstanding report. I really like the way it's laid out, and I particularly like the action plan goals and specific items that you've highlighted. So, it's easier for us to follow and we'll look forward over the next three years to watching your progress. Thank you also, Commissioner Fritz, for raising the questions about funding. It's now on my radar where that's going to potentially come during the budget process. I think this is obviously a very important issue, and I appreciate particularly the way you've engaged the community in crafting this plan. Aye.

Saltzman: Thank you, Mary Beth, and your Office for Community Technology, and for everybody who engaged in working on this plan. It looks like a great action plan and certainly it's always very important that we overcome the digital divide and try to do it better here than anywhere else. Aye.

Novick: Thank you, Mary Beth. Thanks to your office. I'm just so impressed by the wide variety of individuals and organizations that have been involved in developing this plan. I mean, Free Geek, Human Solutions, Street Roots, the County library, City of Gresham -- it's just remarkable. Thanks to everybody for testifying today. Aye.

Fritz: Thanks to Mary Beth Henry and your entire office, which I continue to think should be an independent office with a bureau director. I want to credit Tim Crail in my office, Brendan Finn in Commissioner Saltzman's, and Skip Newberry when he was part of Mayor Adams' office in putting together the broadband plan initially and structuring it so it did include a lot of community engagement, which you have taken to new heights in the partnership with the library and with Multnomah County. Thank you very much for all your work. I'm very proud to support this plan. Aye.

Hales: I'm stealing a page from Commissioner Novick who's constantly quoting musical lyrics or musicians and in this case quote Dolly Parton who said you should find out who you are then do it on purpose. I think who we are is a tech-savvy city, and we're also really good at building partnerships and collaboration. And that's what we're doing on purpose with this plan. I just want to really commend the work itself and the partnership that you've built not only to produce the plan but then to make it real. Great work. I look forward to immediately putting it to use in lots of good ways, including that competition that we're going to win at the national level. Thank you for great work. Aye.

OK, now we have some folks here on a number of items. We're going to take 322 next, which is the local improvement district, and then we'll move to the proclamation about national service. So, we'll call on everyone to come forward and be ready and ask you to read 322.

Item 322.

Hales: Commissioner Novick.

Novick: Andrew Aebi.

Andrew Aebi, Portland Bureau of Transportation: Good morning, Commissioner Novick. Karla, I think I switched on 322. Thank you. Good morning. I'm Andrew Aebi, local improvement district administrator. Joining me today is Lauren McGuire from Portland Parks and Recreation. We'll try to be brief this morning. I know you have a very busy agenda.

I just put up the map there where the project is. On the left, you can see the area of improvement is very close to Barbur Boulevard where we're planning future high capacity

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transit. On the right is a more detailed map of the LID, and I gave copies of the presentation to Karla to pass around to you in hard copy form.

Just to give you a sense of the infrastructure deficiencies in this particular project area which is in Multnomah and SWNI, we have a significantly higher proportion of streets that are paved without curbs or stormwater drainage or sidewalks in Multnomah and in SWNI. You can see the numbers there. We've got over three times the rate here that we do around the city as a whole. You can also see that we have much lower sidewalk coverage in this area. So, we have about 61.4 percent sidewalk coverage citywide but we only about 19 percent Multnomah and about 24 percent SWNI, and SWNI has the lowest sidewalk coverage of any of the seven neighborhood coalitions. With that context, I'll turn it over to Lauren to tell you about the park that is the impetus for this LID.

Lauren McGuire, Portland Parks and Recreation: Thank you. Mayor Hales and Commissioners, my name's Lauren McGuire. I'm the capital projects team manager for Portland Parks and Recreation. We've been asked by our colleague, Andrew at PBOT, to provide a brief overview of the exciting new Spring Garden Park development project and to report on the successful public involvement process recently completed for development of the park.

The rendering shows Spring Garden Park, which an existing 4.65 acre park located between SW Spring Garden to the north at the top of the slide and SW Dolph Court to the south. The Spring Garden Park project purpose, as established in the 2003 master plan, is to further the development of the existing park with a new playground and sitting area along SW Dolph Court and an ADA-accessible connection through the park to a gathering area and on to Spring Garden Street. The project will also add a picnic shelter picnic area, a loo, and will improve the hillside area with native and northwest adapted grasses and plantings to protect and enhance the habitat value.

The primary goals of the park design are to maintain and enhance existing character of the park, which has broad vistas and open areas; to provide recreational opportunities with facilities that are consistent with those found in other neighborhood parks, including pedestrian connectivity within the park; and to protect and restore the natural resource areas.

In February of 2016, we completed seven months of public engagement process that included three public open houses and five project advisory committee meetings. We received tremendous input from the neighbors and we have heard there's also a need for increased pedestrian access along Dolph Court where there are currently no existing sidewalks. As part of the park development process, we learned from PBOT -- I mean, with PBOT -- that we require frontage improvements. Those improvements include a dedication of property five feet on Dolph and seven on Spring Garden, and the construction of sidewalks, stormwater improvements, and street trees on both the park frontages. Understanding these requirements, we're now working with our colleagues at PBOT to create an LID in which these improvements can be completed.

This LID resolution by PBOT seeks to incorporate additional frontage improvements from the park east to SW 30th Avenue. Without this expansion of the LID, the sidewalks in front of the park will stop at the property lines of the park. The expansion area of the LID includes sidewalk east to the SW 30th, which provides access from the mass transit located on Barbur Boulevard to the park because there are sidewalks in that area. This is a positive development, as it helps Parks reach its goal of providing increased park access for neighbors within a half mile walking radius. Additionally, based on community feedback, we have every indication that the expansion of the LID will have widespread support.

Spring Garden Park will serve 1359 households, 128 of which are not currently within a half mile walking distance of a developed neighborhood park. So, with that, we're

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excited for the opportunity to deliver another developed park to Portland and this community to long enjoy into the future and support the approval of this LID to allow people to walk to the park safely. Thank you.

Aebi: Thank you, Lauren. I also wanted to recognize the great partnership with Travis Ruybal in Parks, who couldn't join us today.

I'll just briefly explain the LID and move on to the testimony. So, the planned improvements are partial street improvements along the park -- so, reconstructing the street along the park -- but along Dolph Court -- so, when we reconstruct the street, we're talking both Dolph Court on the south side of the park and Spring Garden Street on the north side of the park. We also are proposing to widen Dolph Court and put in curb, drainage, and sidewalks to SW 30th Avenue.

You can see from the slide that we have two assessment zones dividing up the park contribution and non-park contribution. The park contribution of the LID would not change irrespective of whether we move forward with extending the sidewalks and the drainage. And all single family homes would be exempt from the LID. Those responsibilities for frontage improvements would be deferred but not eliminated.

And then, this shows an example of what we're trying to avoid on the left with Spring Garden Park. We don't want to set up a situation where we build a beautiful new park and then Parks has to find money in their operating budget to keep up with maintaining the frontage. What we really want to do is to emulate the success last year we had at K^hunamokwst Park at 52nd and Alberta where we had a very well-integrated PBOT capital projects and Parks capital project.

These pictures here were taken on the right December 8th of last year and on the left a little bit later than that -- January 17th of this year. If you look at the picture on the right I've drawn a pink circle around where people are discharging stormwater into the right-of-way from their private property. Part of the scope of this LID will be to provide better connections for stormwater disposal. You see from that picture on the left that we have some rip rap armor scouring and some ditch erosion. You can see the cracking in the pavement. We're at a pretty critical point right now where we can salvage this pavement if we put in the curbs and drainage, but if we don't act now, then the property owners in the absence of this LID might be looking at a much more extensive reconstruct of the roadway in the future if they ever wanted to pull a building permit or otherwise redevelop.

So, part of PBOT's Vision Zero objective as you can see on this next slide is we're trying to be sensitive to people with disabilities, and we're also trying to build an infrastructure that provides safe places for pedestrians to walk. And while Dolph Court is not going to be like 82nd Avenue, in the top picture, it does afford us the opportunity on a very steep slope up to 10 percent grades and a narrow roadway, as you can see from this picture. Just provide a much more comfortable walking environment for people of all ages and abilities to get to the park. So, really, our objective here is not to spend a lot of money on building a wonderful park, but as you can see from this pictures, in the absence of sidewalks, it would be very hard to get to unless you drove there. Parks is not planning an off-street parking lot, so they will be relying only on on-street parking and we will only have a finite number of parking spaces. So, we felt it was important to provide other ways for people to get to the park

Finally, just to wrap up, this is a slide of some frontage improvements that were done at the bottom of the hill. Very high quality. You can see that this is what works really well in this area is to have good sidewalks, stormwater infrastructure that for example benefit kids waiting for the school bus. These sidewalks would provide a way for the kids to get to the new park when it's built. I'm happy to answer any questions you have. Otherwise, I know we have people here to speak with you.

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Hales: Questions for our team? Thank you very much, great project. OK, let's hear from folks who want to speak on this item.

Novick: I have three people signed up.

Hales: Come on up, please. Good morning, Sue. Would you like to be first?

Suzanne Stahl: Good morning. Thank you all for being here and letting me talk. My name is Suzanne Stahl. I'm here today representing the Accessibility in the Built Environment subcommittee, which is housed under the Portland Commission on Disability, to show support for this project.

The Accessibility in the Built Environment has been working with the City over several years to improve infrastructure such as streets and sidewalks to make Portland more accessible for all individuals regarding age or ability. And I feel this project supports our mission as well as the mission of the City. Installing sidewalks on SW Dolph will make it easier to access the park and to add an important piece of connectivity to the community and to those using transit. Currently, an individual is forced to walk in a ditch and wait at a poorly-designed bus stop. By improving the sidewalks, not only is the City protecting its pedestrians but it's also furthering the ADA transition plan. I'm glad that the City has listened to the community and stakeholders and developed a plan based upon feedback. This is what the neighborhood wants, and we must respect that.

Finally, I'm pleased that this project involves collaboration of two bureaus, Parks and PBOT. This type of collaboration does not happen often enough, and I'm excited when the City engages multiple bureaus for a project. This project is a win-win, and I urge you to support it. Thank you.

Hales: Thank you very much. Mr. Winkler, good morning.

Jim Winkler: Good morning, Mayor Hales, Commissioners. I'm Jim Winkler. I'm the president of Winkler Development Corporation, which developed the headwaters project immediately located at SW 30th and Dolph. I want to commend the collaboration but also this LID.

The headwaters project was driven by the desire to balance the needs of both the built and natural environment and named for the fact that it is at the headwaters of Tryon Creek. The stormwater improvements that are part of this LID are critical to keeping that creek as functional and healthy as it can possibly be. Moreover, the safety that Sue and others have talked about is critical -- the slope is 10 percent, it is too steep. But in addition, I think that one of the things I'm most proud of -- there were two things I was most proud of with the headwaters. One we were able to work with then-City Commissioner Francesconi and the Parks Bureau to dedicate our Parks system development charges to begin the planning for the Spring Garden Park, and it's personally gratifying a decade later to actually see the park starting to come to fruition. Secondly, we went to great effort to get a traffic signal at Barbur Boulevard so that people could safely traverse that street and get to mass transit. Providing a safe way to walk to mass transit seems to me a very good idea if you want people to use mass transit.

All in all, I think this is a terrific idea for the environmental benefit, the public safety benefit, and the fact that this very park-deficient area will have a park that people can actually get to safely. So, I want to lend my support to it as somebody who has spent a number of years across the street and developed the city lights project which I think you want through the Portland Housing Bureau, the village of headquarters, which is a low income elderly project, and then also the condominium project adjacent there, too, so we have a mixed income, multi-generational, mixed project adjacent to a park and with mass transit access, now with public -- with sidewalks on the other side of the street makes a lot of sense to me. Thank you for considering it.

Hales: Thank you for your partnership. Appreciate it.

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Fritz: Mr. Winkler, your project was not without controversy at the time, and so I really appreciate you coming back to both note the success and the partnerships which have gone on over a decade or more. Thank you.

Winkler: Thank you.

Hales: Thank you very much. Anyone else want to speak before Andrew wraps this up? Thank you, Suzanne.

Aebi: Donna Rhode [spelling?] just indicated she would prefer not to testify. I neglected to mention that we do have an amendment to the map. I would like to move that amendment to substitute exhibit B, if you could take a roll call on that before we vote on the underlying resolution.

Hales: OK. Commissioner Novick moves the amendment to exhibit B.

Fritz: Second.

Hales: Discussion? Let's take a vote to adopt the amendment, please.

Roll on amendment.

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

Fritz: Just a clerical amendment. Aye.

Hales: Aye. And now a vote on the resolution as amended.

Item 322 Roll as Amended.

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

Fritz: I'm sorry, I have to give a small speech because I'm so thrilled about this. I lived on Dolph Court for five years when I first moved here and so walked on that street a lot. Was part of that Jim Francesconi acquiring that property from the school district when the City gave money and we got those properties in return during the aftermath of Measure 5. So, it's really exciting to see this project coming. I'm delighted to hear how much collaboration there has been between the bureaus and with the community. I know there's a lot of excitement in the community.

This is dedicating \$725,000 in Parks system development charges to the street improvements, several million more in the park improvements. And this is construction fees that help pay for new capacity. And it's new capacity in multiple ways. And it's -- I appreciate you noting, Andrew, that southwest has the highest level of lack of sidewalks and also have several park deficiencies. And yet, the community there is very supportive of my direction in this, the citywide direction to continue to focus most of the system development charges in East Portland. Since I've been Parks Commissioner, we've dedicated \$76 million to East Portland through a combination of system development charges, the bond measure, and general fund with the Council's support. And so, although that's where the greatest inequities are and everybody is supportive of directing most of the money there, it is good to see that everybody benefits in some ways from growth as well as the from challenge of -- having to experience the challenges of growth. So, thank you very much for your work on this. Aye.

Hales: Well, I have a similar history and similar perspective to Commissioner Fritz having started my civic life as a neighborhood activist trying to get sidewalks built in Southwest Portland. It's great to see more of them. So, this is good work, and as you pointed out with your statistics, we have many more miles to go. But I just want to commend again this particular presentation. Andrew, you just bring these minor political miracles on a regular basis where we have bureaus cooperating intelligently and figuring out how to solve problems and enlightened property owners signing up to tax themselves and neighborhoods getting things done. And that's how it should be, but we appreciate the enact you make it so. Aye.

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Novick: Mayor, if I may -- I apologize. My mind wandered for a second and I forgot we were about to vote on the main matter. I just wanted to thank everyone involved and also all who testified today.

Hales: Good work by you and your bureau, Commissioner. Well done. Thank you all. OK. Yeah, I think we can violate the rules and clap for good work, a good City employee -- [applause] -- a couple of them. Thank you very much. OK, let's move, please, to our proclamation.

Item 329.

Hales: We have a group of people here to celebrate this and three I want to call up as I get started. Take your places and I'll talk about this resolution. We are very happy to have all of you here about this. You know, there is a law that requires public officials to declare a conflict of interest, and so, in this case, I have to declare a conflict of interest -- but not really -- and that is, I met the love of my life because she moved to the northwest as a VISTA volunteer years ago. So, I have a special place in my heart for what you all do, and that's why this proclamation is a lot of fun. So, let me read the proclamation then turn it over to our panel.

It says, whereas, service to others is a hallmark of the American character; and whereas, the nation's mayors and cities are increasingly turning to national service and volunteerism as a cost-effective strategy to meet City needs; and whereas, participants in AmeriCorps and Senior Corps address the most pressing challenges facing our cities and nation from educating students for jobs in the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and whereas, AmeriCorps and Senior Corps participants serve in more than 180 service locations in Portland bolstering civic, neighborhood, and faith-based organizations; and whereas, more than 790 national service participants of all ages and background serve in Portland, improving the quality of life in our city; and whereas, national service represents a unique public-private partnership that invests in community solutions and leverages nonfederal resources to strengthen community impact, including more than three million dollars' worth in Portland; and whereas, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities and is joining with the National League of Cities, city of service and mayors across the country to recognize the impact of service; now, therefore, I, Charlie Hales, Mayor of the City of Portland, city of roses, do hereby proclaim April 5th, 2016 to be National Service Recognition Day in Portland and encourage all residents to observe and celebrate this day. Thank you all very much. [applause] Welcome. Who would like to go first? Tell us about this program.

Loehn Morris: Good morning, Mayor Hales, Commissioners, and fellow AmeriCorps, my name is Loehn Morris and I would just like to share a brief story of my AmeriCorps service and my organization and our Portland community.

For the last seven months, I have been serving at Macdonald Center, a small nonprofit that believes that no one deserves to live in social isolation. Macdonald Center builds community through relationships that nurture the mind, body, and spirit of those living in Old Town Portland. With a focus on outreach and assistance, we lessen social isolation and help our community members to live healthier, happier lives.

As a VISTA, I work to strengthen collaboration and partnerships between McDonald Center and prominent service providers in our community. These partnerships have helped the center improve the lives of nearly 500 people in 2015. And we also couldn't have done it without the 190 volunteers that donate nearly 10,000 hours of community service to these individuals.

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With a little hard work and luck, my service will help Macdonald Center increase the impact of the marginalized members of our community it serves. And like many people, I once regarded Old Town as one of the scariest parts of downtown, as I'm sure many who walk through at night will feel a little uneasy with all the activity that happens. However, due to my VISTA placement, I have been privileged to catch the tenderness, mercy, and compassion that exists there alongside the illness, misery, and indifference. Our community is fortunate to have wonderful organizations like Macdonald Center, and I'm thankful that AmeriCorps supports our organizations, our communities, and our country. Thank you.

Hales: Thank you. Well said. Good morning.

Marc Czornij: Good morning, Mayor Hales, Commissioners. I'm Marc Czornij. I'm a member of the Confluence Environmental Center AmeriCorps team. On behalf of my team, I thank you for proclaiming yesterday National Service Recognition Day in Portland. I joined AmeriCorps because I want to dedicate my time and energy toward work I believe in and feel inspired by. Thank you for the opportunity to tell you a little bit more about myself.

Confluence AmeriCorps team includes 20 members serving with a diversity of regional partners to address critical environmental needs in our most under-served communities. I serve next door with the Bureau of Environmental Services' tree program. Since 2008, the tree program has planted more than 40,000 trees in the city, 87 percent of which are under-served communities. My mission with them is to aid in increasing that number, particularly in areas and communities that need it most. As you may know, Friends of Trees is a great ally and partner of the BES tree program, so I have been spending my Saturdays since January leading volunteer community planting crews in neighborhoods like Cully, Hazelwood, Powellhurst-Gilbert, and Lents. In that effort, I've had a hand in personally planting more than 70 trees and working with over 130 community members. It's been an amazing and incredibly fun way to work alongside neighborhood stakeholders.

Taking part in these community plantings positioned me to develop my own planting project in East Portland, collaborating with Lincoln Park Elementary's Schools Uniting Neighborhoods educators. We knew additional trees on the school property would benefit the students in a number of ways, particularly providing much-needed shade to a series of notoriously hot south-facing classrooms. And so, yesterday, myself, one of my AmeriCorps teammates, and two members of the tree program joined 30 second, third, and fourth grade from the elementary's after school garden program in planting and welcoming their new tree friends to the property. They even named some of the new trees, including a Jefferson elm -- now known as "Awesome Tree" -- and two big leaf maples named Snowcone and Cone. [laughter]

I have learned, however, that planting trees doesn't always meet the direct, immediate needs of a community, so I've developed additional ways to engage communities. This has required some thinking outside the box and certainly a great aptitude for flexibility. One of the partnerships I'm most excited about is with a local organization called People, Places, Things, which teaches free adult language classes that focus on cultural connection and navigation over the traditional academic style of English language classes. By working with this program, a number of very important goals are being addressed in one place. I fulfill my goal of working with the community that is historically underserved in terms of City services -- the immigrant and refugee community - - and they fulfill their need of practicing their English skills with real world materials, like tree species identification cards, Portland watershed maps, and guided walking tours of green infrastructure.

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Recently, I've been thinking about the opportunities for change that would be lost if the tree program didn't have an AmeriCorps member. It would mean an absence of the projects and relationships I just mentioned. No tree planting with East Portland elementary school students yesterday afternoon, and no real world environmental education for that same community's immigrant and refugee population this evening. I know how incredibly important our service is as AmeriCorps members, so again, on behalf of my team, I'd like to thank you for honoring this work with your proclamation and for allowing me the opportunity to speak about how to make a difference as a Confluence Environmental Center AmeriCorps member.

Hales: That's great, thank you. Good morning. Welcome.

Shirley Givens: Good morning, Mayor Hales, Commissioners. My name is Shirley Givens and I'm here to represent Albina Head Start, and Ron Herndon and Elaine Harrison, and we're speaking on behalf of the foster grandparent program, which we appreciate and thank you guys for allowing them to come into our classroom daily to work with our children. Because some of our children didn't have that access to a grandparent or the nurturing, and grandparents come to the classroom -- they are there to support the children as well as families that we serve. We serve over 1000 children as well as families, and they play a big part in of the program. They are there daily to make sure the children's needs are met by supporting the teachers as well as the children. A lot of the children don't have the opportunity to have one-on-one time in their homes or whatever so the grandparents bring their love and nurturing relationship into our classroom. And we're excited about them making an impact on our children that we serve. Without the foster grandparents, we would be at a loss. So today, we brought some foster grandparents with us because they are so committed, they wanted to come and -- could you guys just stand up, please? Is that OK?

Hales: Of course. Welcome. Thank you. [applause]

Givens: Thank you. They're on their post every day. We just thank you for the opportunity that the City has given us to have that program be a part of our program. Thank you.

Hales: That's great. We appreciate you all. And this is an opportunity each year for the City Council, for us as community leaders to just acknowledge the amazing work that all of you do. It's a privilege for us to be able to do this and to thank you and to recognize this work. I'm not sure if there are other comments -- there might be -- but we just want to take a photo with this group.

Fish: Mayor, I just want to -- I know we have other groups that are not represented on the panel. Can we just go around the room --

Hales: Yeah, yeah, which programs -- [speaking simultaneously]

Fish: -- I know you're here with College Possible. Do you want to stand, the College Possible folks?

Hales: Ah, there you are. Thank you. [applause] Other programs?

Fish: VISTA people wanna stand? [applause] AmeriCorps? [applause] Who did we miss?

Hales: Who did we miss?

*****: Habitat for Humanity.

Hales: Habitat, alright. [applause] Excellent. Good idea, Commissioner. Who else? Hey -- [applause] -- excellent. Thank you all. We'd love it if you all would come on up and take a picture with the Council --

Novick: Actually, Mayor, I'd like to give a shout out to President Bill Clinton who created AmeriCorps, although there were a number of organizations like this that preexisted him.

Fish: Steve, thanks to AmeriCorps, my brother got his first job out of college.

Hales: Come on up, everybody. [photo taken]

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Hales: OK, it's going to be hard to top that I realize. Do you want to move to the items we pulled first?

Moore-Love: We could do those.

Hales: Or shall we do tree code first?

Fish: Let's do 328 since we got tree here.

Hales: But apparently there are some folks that have to leave on 335, so do you want to do that first?

Fish: We did 322, Council. We just did it.

Hales: Let's do 335.

Item 335.

Hales: Commissioner Saltzman.

Saltzman: Thank you, Mayor. The Portland Housing Bureau administers the nonprofit limited tax exemption program, which assists eligible nonprofit organizations in providing affordable rental housing to low income tenants. And tenants' eligibility is annually confirmed. And last year, a number of community organizations, including Portland Community Reinvestment Initiatives -- and Maxine Fitzpatrick may show up any minute to speak on behalf of this -- but they lobbied the legislature to adjust the 60 percent median family income to allow people -- tenants who already living in a development -- to make more money and not have to move out. So, the legislation increased the amount of median family income to 80 percent.

As I said, this became state law, and this code we're asking you to approve today simply conforms with the new Oregon revised statute. Dory Van Bockel is here to answer any questions -- or I don't know if you want to add anything, Dory, if I left anything out? As I said, Maxine, who is one of the leading advocates, may show up any second.

Dory Van Bockel, Portland Housing Bureau: I was just going to mention that there are over 40 nonprofit organizations providing around 14,000 units that benefit from this program annually.

Hales: This doesn't change the entry threshold -- you still have to be at 60 percent -- but if you improve your circumstances -- which is one of the ideas of making sure housing is affordable so people can focus on work and make more money -- you don't have to move out.

Saltzman: Exactly right.

Van Bockel: Hopefully allowing for the stability of being in-housing to occur and that once the family is reaching that 80 percent of median family income level, there are easier access at that point then to either enter homeownership or have -- be able to find housing hopefully without the resources of the nonprofit agency.

Fish: Dory, does the matter before us simply adopt what state law requires, or are we exercising any discretion in how we're drafting our rules?

Van Bockel: We did actually just adopt directly the wording that was changed through the statute.

Fish: Thank you very much.

Hales: Other questions? Thank you very much. Do you have some panel members?

Saltzman: Uh, no. Maxine Fitzpatrick was the only invited person and I think she's having a busy day.

Hales: Alright, so, this is fine. Anyone else want to speak on this item? If not, it is an emergency ordinance. Let's take a vote, please.

Item 335 Roll.

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

Hales: Good work. Thank you. Now, I think we should go to -- what's that?

Moore-Love: The pulled items?

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Hales: Pulled items? OK, let's do that, please.

Item 323.

Fish: Karla, who pulled this?

Fritz: I did, so I would like to make an opening statement. Thank you. Thank you, Mayor, and thank you to Thomas Lannom and your team from Revenue. I pulled this 'cause it's a great thing and I wanted everybody to know we're supporting inclusion and access for Elders in Action to provide information about this, and secondly, to make sure that everybody is reminded that April 18th is coming up -- apparently it's not the 15th, it's the 18th this year that taxes are due. And so, we wanted to make sure that we just outline again what Portlanders' responsibilities are for paying the arts tax.

Thomas Lannom, Director, Revenue Division, Bureau of Revenue and Financial Services: Thank you very much for that, Commissioner. Again, I'm Thomas Lannom, Director of the Revenue Division. Joining me is Scott Karter, our audit and accounting manager, and also JoAnn Herrigel from Elders in Action.

In brief, what Portlanders need to do by midnight on the 18th is to pay their tax. It's \$35, it's due every year, and they can do that by visiting our website at portlandoregon.gov/artstax. Sixty percent of people over the years have chosen to actually pay their taxes that way, and we're very happy that they've done it that way because it actually saves us a great deal of money in terms of the administration of the tax.

I'll highlight a couple pieces about outreach generally and then turn it over to Scott to speak about this particular grant to Elders in Action. We just completed mailing over 40,000 Portlanders tax forms and so those were all received in mailboxes by April 4th. We actually started a month before that or so. We've also e-mailed 140,000 Portlanders that had previously provided their email addresses to us, and many of them have already chosen to pay the tax. In fact, we've already collected \$3 million this year. We're well ahead of where we were year to date last year, which broke the previous year's record. So in short, collections are up. Compliance overall is over 70 percent. We believe that if we take some additional collection actions this summer, we could see the compliance rates rise to over 80 percent. And so, I'll be proposing resolution for Council's consideration in June to achieve that.

And then I guess the last piece I would highlight is that we just inked a deal with U.S. Bank for a lock box service. So, the vast majority of the checks are being processed through that lock box service at U.S. Bank. That means that the checks are being deposited very much more quickly than we could have achieved internally at a very good price. And so, instead of waiting for weeks for checks to cash for the arts tax, it's now a day, two days, three days at the outset. So I'll stop there unless there are questions and turn it over to Scott.

Hales: That's great.

Scott Karter, Revenue Division, Bureau of Revenue and Financial Services: For the record, I'm Scott Karter, Revenue Division. This outreach project funded by a grant from OMF Business Operations as use of their dedicated public involvement funds and as such, technically it represents a general fund subsidy of the arts tax. The outreach focuses on low income elders, but it's also directed toward immigrant communities, disabled individuals, and communities of color. This partnership was successful in its first year, which was a year ago which was the 2014 tax filing season. Both parties are interested in having it continue for one to three additional years. And that's as long as there's a funding source and it's the best use of those funds.

The funded activities include educational materials, designing those materials and printing them, partner training and information -- Elders in Action reaches out to partner organizations such as IRCO and Urban League, and they'll train those folks to provide

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training to their -- to the people that they serve. Elders in Action provides housing and facilities training, which is on site at low income facilities and senior centers. They perform something they're very good at, the age-friendly review. Information outreach to tax preparation sites. They lead elders and other clients to places where they can have their taxes prepared and then they actually help those preparation folks get them up to speed with the arts tax. They do media, which is e-blast, Facebook, etc. And for 2016, they're having a focus on the disabled community.

In 2015, the project reached nearly 800 older adults with face-to-face contact and information about the arts tax and assistance filling out the forms. 217 people with information shared over the phone, 1018 people with a direct mail piece from Elders in Action, and between another 2000 to 6000 through print newsletters, e-news, and Facebook news. Now, JoAnn will speak more about what they're experiencing.

JoAnn Herrigel: JoAnn Herrigel with Elders in Action. Thanks for letting me come today. I just wanted to give you one example of the increased outreach that we've been able to do with this grant. A couple weeks ago as a result of information that we put in the disability newsletter as well as information that was put out by Impact Northwest, we had a call from an Asian community elder who asked us to come to the site of a health clinic and have our volunteers and one of our staff people meet directly with the Asian community. The community offered translation services for us, and we were able to handle inquiries and information -- sort of just like some confusion about the arts tax and whether you had to pay it or not, or if you did have to pay it, how should you do it. This was for between 15 to 20 people. The organization was happy with it and we got some very good partnership opportunities out of it, and the people that we spoke with were very relieved that they would stop getting overdue notices. So, it's just an example of the extra work we can do with this kind of additional funding.

Hales: Great. Questions, comments?

Fish: I have comments. One is very Portland elementary school now has an arts teacher, thanks to the arts tax. Every Portland elementary school. So, thanks to voters for that. Second, I want to thank Elders in Action for another role they play in the City, which is helping us redesign all of our publications so they're accessible to older adults. The Water Bureau gives every new homeowner a brochure, and we gave it to Elders in Action to look at and of course they told us the hundred ways it fell short, mostly because the print was too small and information was too hard to read. This is the re-branded brochure certified by Elders in Action. I hope all my colleagues take advantage of this resource, because there's a lot for us to learn about how to make sure our materials are accessible to older adults. So, thanks to our friends at Elders in Action.

Hales: Great. Other questions? Thank you all very much. Anyone else want to speak on this item? Come on up, please. Good morning.

Joe Walsh: Good morning. My name is Joe Walsh, I represent individuals for justice. I was very glad you pulled this item. We need to celebrate these things. And do it under consent agenda, I know it's easy and you can get it through, and you had a lot to do today looking at the agenda, but these people deserve recognition. You need to tell them, hey, you're doing good stuff. Commissioner Fish and I disagree on a lot of stuff. We are in agreement today. People that come up with creative ideas like the printing that most of us would not think about, except us older people think about it a lot. So, those kinds of things. And again, Commissioner Fritz, I commend you and that you pulled this item because often individuals for justice pulls items to criticize them. And we like it when you pull items to praise them. You know, it's not one-sided with us. And the citizens and the people that are watching this have a right to know that Elders in Action are really good people. And we

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need that right now. We're not doing so good on a national level or a local level. We need to praise each other when we can. Thank you.

Bruce Broussard: I'm Bruce Broussard, and I, too, would agree with the gentleman that it's really neat. I think it's a good thing. Some years ago, when I was on the board, and so I think the idea the fact that the tax is working, because I think people had a number of oppositions -- even I had some issues early on, but my wife pays it, so that's OK. But also, since we're thinking about this, we need to be even more creative. I'm thinking , Commissioner Fish, when you made the point about the schools and whatever. You know, we don't have voc-ed in our schools. We might consider doing some things in regards to voc ed. Because when I was going to school, I did some stuff in art, if you will. We did wood shop, we did auto mechanics, painting cars, things of that nature. Maybe that may give some consideration and then we might be able to get voc-ed back in our public schools, which will help a lot of young folks falling in the cracks -- you know, the gang members and things of that nature -- get them to the point where they will find reading, writing, arithmetic and that sort of thing. So, that might be something hopefully you might want to consider maybe at looking at doing voc-ed in the public schools here in Portland. Thank you very much.

Hales: Thank you. Thank you both. Anyone else on this item? Then let's -- this is not an emergency ordinance, so let's have that move forward to second reading next week. And then we'll take item 327.

Item 327.

Hales: Good morning.

Brendan Finn, Office of Commissioner Dan Saltzman: Good morning, Mayor and Commissioners. Brendan Finn, Commissioner Saltzman's Office. I'm joined by Lory Kraut from the City Attorney's Office and Jay Guo from Fire and Rescue. We're here to answer any questions. Lory is prepared to give a brief background on the case, if Council so desires.

Fritz: I have a question.

Hales: Go ahead, please.

Fritz: So, the ordinance directs the general fund to pay this settlement, and it's silent on whether the fire and police pension disability fund is going to pay it back and who's going to pay it in the future. And so, I just wanted to have on the record that there is going to be that discussion and that it's not determined that the general fund is the appropriate fund to pay this. We're doing it because it needs to be paid quickly, and this is the quickest way to get the money to those who deserve it. I want to make very clear that I hope that discussion happens and the matter returns to Council for a decision as to which fund pays it in the long run, both on this one and in future.

Lory Kraut, Office of the City Attorney: Commissioner Fritz, that is the purpose of this ordinance. It's a stopgap measure so that we comply with our obligations under the -- [indistinguishable] -- we do not risk an unfair labor practice charge, and it allows Council to have those discussions in whatever time period it needs.

Fish: Lory, are we in agreement that if Council can't agree as to whether it's general fund or FPD&R, it will come out of Dan Saltzman's budget?

Kraut: I report to this Commissioner, so I better have no comment.

Fritz: Do we have a timeline for when that discussion will happen?

Hales: We're going to be having some executive session discussion between the Council and FPD&R board on matters of litigation shortly.

Fritz: Good. Thank you.

Hales: I think it's already scheduled.

Finn: Next Thursday morning.

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Hales: Any other questions for our team on this issue?

Fish: Brendan, what's up with the Timbers? I have to ask you.

Hales: Irrelevant.

Finn: We'll see -- give them time. Remember what happened last year.

Hales: Thank you very much. Anyone else want to speak on this item? OK, come on up.

Joe Walsh: My name is Joe Walsh, I represent individuals for justice. I pulled this item because I wanted that question that Commissioner Fritz asked. And I wanted that on the public record because we were confused when we read this. This is only \$138,000. And a \$6000 that goes on for an undetermined amount of time. So, we were a little confused how the general fund gets involved in this and why there's no insurance involved in this. And the other question we have is this. Do we ever win an arbitration?

Fritz: Yes.

Hales: Yes.

Walsh: Do we know what the percentages are? Because it seems like we're losing them a lot. I mean, we have a person in the police department -- everybody wants to get rid of him we and can't do it because of an arbitrator. Some of you know that I used to be chief steward for the IBEW. And we selected arbitrators. If the arbitrators were terrible, we got rid of them. So, it's the selection of the arbitrator that's very important. And I don't know if this Council is aware of that. I think maybe Commissioner Fish could help you on that because you have a labor background. We need to do better with the arbitrators, or we have 40 lawyers and 10 paralegals and 10 legal associates -- whatever that means. I don't know what that means. That's 60 people, and we can't win arbitrations. I mean, significant arbitrations we have lost. And this one here is irritating to an ex-union steward because the arbitrator ruled a year ago -- or eight months ago -- and we're fighting it from somewhere. Why did it take eight months to pay these guys? These are firefighters. We like firefighters. They risk their lives for us. If we get an arbitration award, either make a decision you're going to appeal it. And if you say, no, you're not, pay them. Please. Don't make them wait eight months. Look at the dates on this stuff. That's what an ex-union steward does, we look at the dates. We say, "why are we doing this?" We love firefighters. That's our objection, and also I think Commissioner Fritz is obviously in agreement with us that there needs to be some discussion about this general fund. I know you go down into the basement and find money there.

Hales: I wish.

Walsh: You keep finding money someplace. But anyway, would you pay these guys? We're not here to object about the payment. Pay them. But then look at the process. There's something wrong with the process.

Hales: Thank you very much. OK, it's an emergency ordinance. Let's take a vote, please.

Item 327 Roll.

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

Hales: OK, now we'll move on to regular agenda at long last.

Item 328.

Hales: First, an apology for a procedural misunderstanding last week. We need to give Commissioner Fritz the opportunity to officially change her vote on Commissioner Saltzman's amendment and say let's give it another try to get it right. And therefore, I'll make a motion to reconsider the vote to Commissioner Saltzman's amendment.

Fish: Second.

Hales: Further discussion on that motion to reconsider?

Fritz: I don't think that's what -- of you could just ask the City Attorney, I don't think that's the appropriate -- [inaudible] --

Ben Walters, Chief Deputy City Attorney: So, Mayor, in conferring --

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Hales: I'm making another procedural mistake, so, let's get it right this time. I'll slow down.

Walters: In conferring with Commissioner Fritz's office, it would be appropriate for her to ask the record reflect that she would have intended to have voted no on the amendment.

Hales: OK. I thought she made that clear.

Fritz: My understanding is, by unanimous consent, the Council can allow me to change my vote in the record.

Walters: That's correct.

Fritz: It's not a motion to reconsider.

Hales: Is there an objection to allowing Commissioner Fritz to change her vote in the record? Hearing none, by unanimous consent, that is approved.

Fritz: Thank you.

Hales: Now, let's move forward.

Fritz: Given that the amendment passed against my objections, I have a further amendment which was circulated to your offices by my staff with your staff and entered in the Tuesday Memo, and that is to clarify the amendment that has passed. And I intend to support this amendment should this one pass. The clarifications are that the Council's intent is that affordable housing should be exempt from the stop-gap mitigation payment requirements. So, I'm proposing to delete the sentence in the City Code 11.50.040 C 1b4 - delete the sentence that says, "To be exempt from the mitigation requirement in b2, the applicant must demonstrate that the retention requirement of b1 and the Tree Protection Specifications of 030 cannot be met with the proposed development."

The reason for that part of this amendment is that to have the applicant have to demonstrate that would require hiring an arborist, it would require City staff going to verify that, it would delay the process and ultimately result in the same end. Because as we have had discussions, affordable housing developers are aware that trees are good for their developments.

And then the second part of this amendment is just to clarify at the end of this section, "The Director of the Portland Housing Bureau may adopt administrative rules for the administration of this section" deleting "and enforcement of exemption of tree preservation requirements" because the Housing Director is not responsible for enforcement of the tree code.

Hales: OK. So, Commissioner Fritz moves those further amendments. Is there a second?

Saltzman: I'll second.

Fish: Does this reflect the agreement between the two sponsors?

Saltzman: Yes.

Fritz: My understanding is all the offices have reviewed it and are in agreement with it.

Fish: I know, but since you read in the record Dan has an amendment that reflects the amendment you hammered out?

Saltzman: Uh, we're fine with this amendment.

Hales: Alright. Any further discussion? Then we'll take a vote to adopt that amendment please.

Walters: Was there a second?

Hales: Yes, there was.

Moore-Love: Commissioner Saltzman.

Hales: Commissioner Saltzman.

Roll on amendment.

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

Hales: OK. Now, the whole thing passes to second reading. Correct?

Fish: Is there a reason to adopt it today, in which case I would propose an emergency if there was?

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Fritz: I believe Commissioner Novick is not supporting it.

Fish: Therefore I will not propose that.

Hales: It will pass to second reading next week.

Fish: May I just say for the record, Mayor, I appreciate at this point the collegial work that led to the amendment. I also want to acknowledge we've had a very busy schedule as a Council the last two weeks. And I have found myself going beyond the sort of normal weary boundary. I can't imagine what it's like on top of that be running for office and also handling the responsibilities of the job. So. There are from time to time kerfuffles on this body that happen because we're all working extremely hard and sometimes also a little run down. But I also -- 99 percent of the time, I appreciate the collegial spirit of this body as well. So, thank you.

Hales: Thank you. I do, too, appreciate everyone's indulgence and I'll plead side effects from allergy medicine. Thank you. [laughs] Alright, let's move on. We need to move on, please.

Item 330.

Hales: Rachael Wiggins is here -- and maybe Judy Prosper?

Rachael Wiggins, Office of Mayor Charlie Hales: Rachael Wiggins, Mayor Hales' Office. When the City attorneys were reviewing code in order to do the administrative rules, they noticed a contradiction in that volunteers were listed as exempt but when defining employee, we included the language "with or without pay." So, this is asking Council to clarify the intent for moving forward with administrative rules.

Hales: OK.

Saltzman: So, we're maintaining volunteers are exempt -- that's where we're going.

Wiggins: Correct. And making sure that the language reflects that.

Hales: Alright. Judy, anything to add to that succinct explanation?

Judy Prosper, Office of the City Attorney: No, and I'm sorry I'm late. I think she did a great job.

Hales: OK. Questions? Thank you both very much.

Fish: I just wanna say thank you, Rachael. That sets a record for succinct, clear -- and plus, since you're a big favorite in my office, I'd be loath to go against everything you're recommending.

Wiggins: Thank you.

Hales: We'll use that again. [laughs] Thank you both. Anyone want to speak on this item? Is that yes or no? [laughs] OK, then it passes to second reading. Now let's move on, please, to 331.

Item 331.

Hales: Good afternoon and thanks for your patience.

Elisabeth Reese Cadigan, Bureau of Environmental Services: Good afternoon.

Fish: Elisabeth Reese -- Cadigan?

Reese Cadigan: Cadigan, yes.

Fish: And I have some introductory points. I think you're probably as capable of making them, so I'll defer to you.

Reese Cadigan: OK. Thank you. As Commissioner Fish said, my name is Elisabeth Reese Cadigan, and I'm the systems development manager with BES. Also with me today in the audience are representatives from TriMet if there are questions. Today, we are bringing you an agreement between the City and TriMet that will allow redevelopment of a surface parking lot over the Tanner Creek sewer and grant BES a larger replacement easement.

TriMet owns a piece of property on SW Salmon between SW 17th and 18th across from Providence Park and the Lincoln High School track. The property was utilized by

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TriMet for construction of the west side light-rail and has been surplus property for a number of years.

The Tanner Creek sewer was built in 1891, and in this location is a round brick sewer 72 inches in diameter. It crosses the northeastern portion of the site in question. In 2004, the City and TriMet entered into two agreements to allow construction of a mixed use building by a third party over the sewer and on this property. Due to the downturn in the economy, the property was not sold and the project is not completed.

TriMet currently has multiple parties interested in purchasing the subject property to develop a transit-oriented development. This agreement, which replaces the 2004 agreements, will allow such a development over the Tanner Creek sewer subject to rehabilitation, relocation, or replacement of the sewer through a public works permit. This agreement will transfer to the new property owner. In addition, a new 20-foot easement over the sewer will be granted to the City at the time of the property sale.

While BES typically does not allow construction of buildings over sewers, we recognize that the location of the site in Goose Hollow near community attractions, Providence Park, and on public transit lines makes its redevelopment an overall benefit to the city. In addition, the rehabilitation of the sewer prior to building construction will improve an aging City asset and reduce the risk of an emergency failure on this 100 plus-year-old sewer line. At this time, TriMet and I are available to take any questions you might have.

Hales: Questions for her or for TriMet staff who are here?

Saltzman: Well, I guess I'd like to ask TriMet staff a question or two.

Hales: OK. Come on up, Dave. We both want to raise this issue.

Saltzman: Oh, OK. I'll defer to the Mayor.

Hales: We both wanna raise this issue. I met yesterday with Neil McFarlane to discuss this project and we have an understanding from TriMet that this project will meet the City's goals for affordability. Obviously, if we move forward with inclusionary requirements and or an impact fee and this project is developed after the rules are in place that will take care of it, but even if the development happens prior to that, it's important that TriMet -- as you were doing on other projects -- reflect the overall housing strategy of the City as we develop these projects. So, just wanted that on the record and get any response or concerns that you might have about that.

Lance Erz: Good afternoon, Mayor and Commissioners. My name is Lance Erz, I'm director of real property at TriMet. First of all, I'd like to say that TriMet is very supportive of the City's affordable housing goals. As you alluded to, we're currently working closely with the Housing Bureau on a piece of property we're getting ready to develop out in Kenton on the Interstate MAX line, requiring affordable housing on that site. We're also interested in understanding the new inclusionary zoning laws and how those are going to affect development, and working with the Housing Bureau to understand how it would affect this site as well. Frankly, due to the quick turn-around between your conversation with the GM and this meeting today, we haven't really had a chance to touch base with him on exactly what that conversation was all about, but I do have a meeting with him tomorrow to get some clarity on that.

Hales: Yeah. And the City has two actions we have to approve in order to facilitate the development of this project. One is this agreement that Commissioner Fish has brought forward on the sewer easement, and the second is the parking agreement that deals with the previous parking arrangement that was negotiated and codified 20 years ago, now expiring. So, that's really the place where, if we need to attach a condition to the City's approval, that we could do that. Not necessarily --

Fish: Mayor, may I just -- may I have a colloquy with you at this moment?

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Hales: Please.

Fish: Just so I understand this. My understanding is that the action that the Bureau of Environmental Services has brought to Council is a discretionary action.

Hales: That's correct.

Fish: Therefore, the City can place a reasonable condition on a discretionary action. That led to your conversation with the GM. If this item passes, BES is now a party to this transaction because we're securing the easement. What I understand you have placed on the record as a condition of Council acting on this is that there -- this -- any development here will in fact conform to the City's affordable housing goals, including inclusionary housing guidelines to be developed.

Hales: That's right, and that --

Fish: That's my understanding.

Hales: -- threshold is codified in state laws at least 20 percent of units affordable at 80 percent.

Fish: Right, and that would be my understanding in voting for this matter. It would be the condition of my entering in to this easement. Thank you, gentlemen.

Hales: Any other questions or concerns you have with that? Obviously, we have more of this to work out over time and formalities, but it's really important that we have on the record an understanding between the City and TriMet that both public agencies are gonna be committed to our affordable housing goals, as you are in other projects. So, that would apply in this case as well. And those goals are set and now in state law with the inclusionary zoning standard that we have still to process into our own regulations. But regardless of where we are in that regulatory development process, this is an agreement between the City and TriMet that that's gonna be the policy regardless of what the formalities are yet in the City in that ordinance development work.

Erz: Right. Understand your position. Again, I need to touch base with our General Manager and make sure that's TriMet's understanding --

Fish: Mayor -- so, this ordinance if adopted today then directs the Director of the bureau -- authorizes the Director of the Bureau of Environmental Services to enter into the agreement.

Hales: Yes.

Fish: If adopted today, we'll hold off entering into that, just to get further confirmation from you as to the agreement.

Hales: Yeah, and we may bring those two things back together because we still have the parking to do.

Fish: Thank you.

Hales: Thank you all very much. Thanks. Further questions by Council members? OK.

And this is an emergency ordinance, so let's act on it so you can start planning your project. I'm sorry, anyone else want to speak? No. OK. Let's take a roll call vote, please.

Item 331 Roll.

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

Hales: Yeah, it's great that this project is finally gonna get done. Parking lot was not the highest and best use for this site, so I appreciate the work you're doing to queue this up for development. And obviously, it's possible in this market to make it a very successful project and make it an affordability component. So, best of times to do the right thing, and we look forward to being a partner with you and getting it done.

Erz: Thank you. We're excited about it, too.

Hales: Looking forward to it.

Item 332.

Hales: Commissioner Fish.

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Fish: I'd like to introduce "the" Edward Campbell.

Edward Campbell, Portland Water Bureau: Good afternoon, Council. Edward Campbell, resource protection and planning director for the Water Bureau. Today, Water Bureau is requesting authorization of a cost recovery agreement with the Forest Service. This is for the purpose of the Forest Service conducting an environmental analysis of the City's proposed renewal of our long-term easement at Bull Run Lake. The analysis is required under the National Environmental Policy Act, and it is the first step in our process of renewing our current easement which has run for the past 20 years. The renewal will take our easement forward another 30. So, following this process of conducting the environmental analysis, we would actually draft a new easement agreement that we would bring back to Council for approval.

Just to close out, I think most of you are aware Bull Run Lake has been part of the City's drinking water resources since we began using the Bull Run River for drinking water in 1895. It continues to play a role in our supply sources as a supplemental source. And with your approval, we will move forward to continue using that resource over the course of the next three decades.

Fish: Thank you.

Hales: Yeah, that's a very important piece of work. Questions? Thank you very much. Anyone want to speak on this item? If not, it passes to second reading.

Item 333.

Hales: Roll call vote, please.

Item 333 Roll.

Fish: Colleagues, as Director Stuhr likes to note publicly, 80 percent of our pipes in our system are older than Mike. There are more than 2000 miles of pipes stretching from the Bull Run watershed to every meter in Portland. This ordinance will allow the bureau to purchase various parts and supplies needed to keep the system running. I thank you for your support. Aye.

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

Hales: I just have to note that I think it's a fairly weak argument, Commissioner Fish. Mike is not that old. Aye. [laughs] OK, let's move on to 334.

Item 334.

Hales: OK, Commissioner Saltzman. You've got your team re responding to the questions I think that we had last hearing.

Nancy Thorington, Bureau of Development Services: Good afternoon, Mayor, Commissioners. Nancy Thorington with the Bureau of Development Services.

Mitch Nickolds, Bureau of Development Services: Mitch Nickolds, inspection services division manager.

Thorington: The question was raised about whether an electrical and plumbing permit were required when moving a houseboat from one slip to another in the same moorage, and the answer to that question is yes. Actually, if you look in the ordinance itself on page three, it talks about there's an exception that's specifically called out for electrical permits. It says electrical permits are required for connection of a reelected houseboat. And then also in the plumbing code section 103.5.5.2 requires that any moved structure -- requires that a plumbing system be completely tested and the permits are required for that. So, the answer is yes. I don't know if you want to specifically include plumbing in that same section in the existing language so it would say electrical and plumbing permits are required. I think that's belt and suspenders because the plumbing code already requires that.

Hales: If it's in the code, that's fine with me. Anyone else have a concern about that? Yeah, no -- I appreciate you clearing that up. Thank you very much. Let's take a vote to approve that, please.

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Item 334 Roll.

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

Item 336.

Hales: Second reading. Vote, please.

Item 336 Roll.

Fish: This is a terrific project, Commissioner Novick. Kudos. Aye.

Saltzman: Yeah, I agree. Great project. Aye.

Novick: I really have to organize the parade in honor of Andrew Aebi. Aye.

Fritz: Very proud of Parks for continuing collaborate with Transportation and providing much of the funding for this project, completing a sidewalk in Northeast Portland on the same day that we authorized funding for the Southwest Portland project. Aye.

Hales: Yeah, I thought the testimony on this particular LID was really great. That's another great effort and cooperation. Good result. Aye.

Item 337.

Hales: Roll call vote, please.

Item 337 Roll.

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

Item 338.

Hales: Commissioner Fritz.

Fritz: Thank you. This is another of the projects in the \$68 million Fix Our Parks bond, and manager of the program Mary Anne Cassin is here to present.

Hales: Good afternoon, Mary Anne.

Mary Anne Cassin, Portland Parks and Recreation: Good afternoon, Mayor Hales and members of the Council. Thank you. I am pleased to be here once again with another very deserving project.

The intro is that this is part of our bond program and that the bonds are the way we do this kind of work. We are so grateful to voters for providing their support, and out of the seven focus areas, this one again has to do with pools. In this case, we're talking about Matt Dishman Community Center pool. I appreciated the photo I found there on the left. It's from the 1968 opening of the outdoor pool. That's Mayor Ivancie in the middle diving into the pool, and it's Miss Portland cutting the ribbon there. In 1968, it was an outdoor pool. In the 1990s, we were able to convert it to an indoor pool. But the 1990s was a while ago, and today we would like to replace the deteriorating pool with a more state of the art quartz aggregate and we would like to rebuild and expand an existing whirlpool. The existing whirlpool fits about 10 people in it. If we partner up and use some of the SDC funds -- a very nominal amount -- we'll be able to double the size of that spa and replace some of the very, very in-need grouting and we basically have to completely rebuild that whirlpool. It basically leaks about 1000 gallons of water a day. The other thing we're doing as a result of this work is replacing pool filters. We're going to go to a high efficiency pool pump and save ourselves a lot of efficiency and utility costs.

Once again, you'll be seeing more of me. Later this month, I'm going to bring three projects all at once. Community center in North Portland, St. Johns is getting a roof. We say one roof but it's actually seven roofs. That building is a complex one. Sellwood bath house and our Mt. Tabor Yard and Urban Forestry headquarter maintenance projects. So today, we are just here for Dishman, but you'll be seeing more of me soon.

Hales: Great. Looks like a great project. Questions? Thank you very much, Mary Anne. Anyone else want to speak on this ordinance? Doesn't look like it. Let's take a vote, please.

Item 338 Roll.

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Fish: This is a chance to once again thank Commissioner Fritz for leading the effort to secure the bond and the voters for supporting it, and this is a great project. Aye.

Saltzman: Aye.

Novick: Aye.

Fritz: In case anybody in the community is wondering, one of the goals of this project is to complete construction within eight weeks, which will minimize the impacts on the swimming and community center areas, and the community center will be open to the public six of the eight weeks and we'll coordinate closely with the community center. I also want to note that the whirlpool is extensively used for therapeutic purposes and is a -- was a promise that I made on the bond circuit to make sure that this project got done as one of the first ones. So, I'm very pleased to be able to support this motion. Aye.

Hales: I appreciate that project schedule as well, because this is a very popular facility that we are filling up with lots of people and lots of teenagers now in the summertime. So, appreciate figuring out how to get that done quickly with the least disruption. Aye. And we're recessed until 2:00 p.m.

At 12:25 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.

APRIL 6, 2016 2:00 PM

Hales: Welcome to the afternoon meeting of the Portland city council. Please call the roll.
[roll call taken]

Hales: Would you please read the two items on the calendar, 339 and 340.

Item 339.

Item 340.

Hales: Commission novick.

Novick: Colleagues I think maybe we should begin with I have an assortment of amendments to 339 and Commissioner Fritz has one. Perhaps we should start by putting those on the table.

Hales: Let's do that.

Novick: We approved one amendment last week already. Second amendment is city code section 17.88.010 should be modified as follows: Unimproved street means any local street without a curb other than a newer, local street that has been formerly accepted by the bureau of transportation [inaudible]

Fish: Second

Novick: Next is city code 17.88.090 should be modified as follows. An applicant for a new single family residential building permit for incentives a single family home, a project of two or more units -- sorry. One or two units or approval to create multiple lots as part of the subdivision --

Saltzman: Second.

Novick: The final is to clarify the ordinance's findings and renumber them. Number 2 in November 2012 Portland city council through ordinance 185759 --

Fish: Second.

Novick: Paragraph 3.

Hales: That's seconded as well.

Fritz: These are not new paragraphs?

Novick: Yes they are.

Fritz: Respectfully they should be read into the record. Folks at home may not --

Hales: Go ahead.

Novick: In November 2012 Portland city council through ordinance number 185759 accepted the Portland Bureau of Transportations report that adopted the cities residential shared street standard. Number 3, the city efforts to collect fees require infrastructure improvements from developers on property on unpaved or unimproved streets has had mixed success. Instead such a developer will typically be allowed to provide a waiver of remonstrant a legally binding agreement that requires future homeowners to participate in any local improvement districts or lids for infrastructure improvements.

Hales: Okay. Now those are all made and seconded. You didn't move amendment 1 because you have a different version that we're going to talk about. Is that right?

Novick: Amendment 1 we approved last week.

Hales: So those four amendments are all before us.

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Fritz: I have an additional amendment to item 339 with commissioner novick's concurrence. This is to address the concern about property owners who may subsequently be involved in a local improvement district. So the new directive c will state as part of the next phase pbot shall explore the potential for coordination between the ltic program and efforts to organize local improvement districts in order to ensure maximum efficiency and equity in use of public and private funds for unimproved and under-improved streets.

Fish: Second

Hales: Those are all before us. Are those all the amendments to 339?

Saltzman: I want to have some dialogue about geographic equity concerns brought up last week in testimony. I would like assurance from the bureau or from commission novick that when you come back to us with a product that there will be some -- where the funds come from and where they get spent.

Novick: Absolutely. That's one of the things we're going to explore in the next phase. People have suggested various ways of dealing with geographic constraints. For example one would be to say the money shall all be kept within the neighborhood coalition area. We might wind up in fact recommending that. Think about it for a while. Might have a situation where the most obvious place to spend this kind of money near the place where the fee was paid is actually a quarter mile away just happens to be across the neighborhood coalition boundaries. That maybe we'll conclude there's no other way to do it but we want to have some discussion about what the appropriate geographic constraints should be.

Saltzman: Those will be explicitly discussed and recommendations --

Novick: Absolutely.

Fish: Commissioner novick are novick amendments 2, 3, 4, and the Fritz amendment have been cleared with both of you?

Novick: Yes.

Fish: Mayor, I don't think there's an objection.

Hales: I think we can take action --

Fritz: No, We have already put them on the table. We hear testimony then we vote on them after the testimony.

Fish: I move to reconsider.

Hales: Way too much parliamentary stuff here for some reason.

Fritz: I want to just put out for consideration on the emergency ordinance for 340, commissioner novick going to just hold that over for voting on next week. My concern is that in the scope of work with eco northwest, the public outreach is pretty limited to people who live or own property on problems streets as defined in the process. There are wider neighborhood concerns beyond people who live on streets without curbs including people that live on streets with curbs but no sidewalks. I have discussed this with commissioner novick. His intent is to amend that scope of work whether it needs to be done by next week or that's just something that you can direct the bureau to do.

Novick: I think we can direct the bureau to do that. I just talked with bureau staff and ecoNorthwest. This was inartfully drafted. The intent is as you suggested, so we can either when we vote next week direct the bureau to do what we intended to begin with or -- well. Let's do that.

Fritz: We can add that next week. It's an emergency anyway. That can also clarify that it's going to take into account previously adopted plans like the Cully Concordia plan, like the east Portland in motion, the various southwest neighborhoods prioritization lists that the council has already accepted. That needs to be part of going into we already know

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this, we don't have to re-explore what are the priorities of the arterial in the southwest because there's been a process to do that.

Hales: We have at least one person who would like to speak on these amendments.

Moore-Love: Martha Johnston and Tom Karwaki.

Hales: Come on up, please.

Martha Johnston: Good morning or good afternoon, Martha Johnston, 9509 North East 13th Avenue, Portland, 97211 again, I'm representing myself as a person in the neighborhood that is directly affected by this. The huge amount of the fees is worth more than my property, and the other option that's paying the fees. The other option is to build but we're in a zone that the drainage district amendment put forth by our neighborhood association as a request did not appear today, and that disappoints us as a neighborhood, but what that does is leaves us no option but to pay into the fund unless we develop an area that is very precarious on the flooding issues and has a huge amount of recreationalists, bicyclists, horseback riding, joggers, that use the wide shoulders. We're flatlanders in our drainage district. It's a bowl as you probably all well know. We don't have a lot of hills and dales, mostly flat land and we need our drainage systems to be working and functioning. This is a detriment and will add additional costs to this project. I asked that you vote no on these amendments and send it back for reconsideration and announce to the 7,000 affected property owners that this proposal is being done which it was never done. Thank you so much. Any questions I can answer for you?

Hales: Thank you.

Tom Karwaki: Tom Karwaki. I'm here to apologize for my inartful comment last week that when I said that nobody trusts pbot. What they don't trust is the idea of having a tax or fee and not knowing what it's going to be used for. No one would like to have an idea wait 18 months. That was the concern. I hope that solves that issue and concern. I think it's an issue of equity that we have raised. If a drainage system or some area is not allowed to have these improvements, curbs, streets, sidewalks, there's a question as to whether they should be from an equity point of view whether they should be forced. I think that's something that should be studied a little bit more.

Hales: Thank you both very much.

Fritz: Could we have staff up to address that question, please?

Hales: Sure.

Novick: I think part of the answer is we currently can require site specific improvements anywhere in the city. There's no exemption for the drainage districts. I'll leave it to staff to articulate it more thoroughly.

Kurt Krueger, Portland Bureau of Transportation: Good afternoon. Commissioner, Kurt Krueger with pbot. Commissioner you're correct, title 17 allows staff if an applicant were to come in with any property in this city staff until the Itic is proposed, would be subject to title 17, which would say if you're on an unimproved or under-improved street you're obligated to make the improvements per title 17, which are build street improvements.

Hales: To me that's pretty critical point. We're not increasing the level of burden, just changing the method of payment and construction. Right? Net result for a property owner or developer is you're responsible for the street in front of your property, but we might make this more fungible and focus on other local transportation needs in the same neighborhood that will benefit more people than you building your sidewalk.

Krueger: The Itic simply would make the process less bureaucratic and time-consuming by allowing a developer to opt into a fee rather than going through the permitting process to make the improvements.

Hales: Okay.

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Fritz: The only place where it would actually make a difference is where you— transportation says you have to build it and the property owner currently can appeal and get a waiver. The proposed process has no option for that. So has that been considered as to whether there is any kind of an appeal process?

Krueger: That was debated early on in the process and what we didn't want to do was recreate a new process that wasn't going to work similar to the one in place today. We didn't want to move the appeal process to whether or not someone should pay the ltic fee or reduced ltic fee. We said no, we're not going to entertain an appeal over the fee any longer.

Novick: We're planning on looking at whether there should be a variation of the amount depending on the cost of these improvements and various regions of the city. I think we'll have a geographic disparity as discussion in the next phase, but for right now, yes, everybody, wherever they are, would have to pay the fee.

Fritz: Do property owners who are planning to develop currently pay all of the system development charges with the building permit?

Krueger: Yes.

Fritz: Are any of them financed? Is there a financing mechanism for those?

Krueger: There is if it's a low income -- there's a low income waiver and a financing program that I think is a five or 10 or 20-year option. That's universal through all the infrastructure bureaus.

Fritz: Again In the second phase that's something we should look at as to whether we have those options or this. The reason i'm going to support this when we vote next week is because of the amendment we made last week, the money is going into a separate fund, locked up securely so it can't be used until the methodology for apportionment comes back. So if something like this does come up there's a possibility on a case by case bases you could come to council and we could say -- whatever. We could make a change in it. It's merely starting to collect the fees and trusting in the process to then figure out how to then use them. If it turns out we can't figure out how to use them appropriately we can say, thank you, here's your money back, you can either build your street or here's a waiver. I do trust the staff who put this together and the leadership and the community organizers and activists who have been so engaged in this process. I can see who is getting to a good outcome and it's a necessary first step.

Hales: Other questions of staff? Thank you all very much. So we're going to need to send this forward to second reading, right? We have not yet voted on the amendment. Thank you. I hope this allergy attack is over by next week.

Fish: May I propose we first vote on the novick amendment and then the Fritz amendment.

Hales: Um ok, I was going to take them as a package.

Fish: They came a package, I move the Package.

Hales: Let's do that. I'll second the package. Let's take a vote please on the package of all the amendments I described were steves amendments 2, 3, and 4 and new directive C as articulated by commissioner fritz.

Fish: Thank you to my colleagues for doing the hard work of working out the issues and the differences so that we have consensus amendments. Lot of hard work went into this. I will reserve my remarks on the merits until next week. Aye.

Saltzman: Aye.

Novick: Thanks very much to Kurt and Christine, bill, eco-northwest, Marianne Fitzgerald and all the community members who have worked on this issue for a very long time. Really, really appreciate it. Next week we can have a big, fat celebration. Aye.

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Fritz: Be happy to take part in that celebration. I will also note that the connecting door between my office and commissioner novick's has been opened and closed many times more times more this term than in my first term. Indeed I greatly value the amount of collaboration and communication between your staff and mine as well in getting to this point. Aye.

Hales: Good work. Aye. Then item 340, any amendments to that? I know it's going to move to next week. No further work? We'll take action on both at the same time. And we are adjourned.

At 2:21 p.m. Council Adjourned.