



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **21ST DAY OF SEPTEMBER, 2016** AT 9:30 A.M.

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

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

Item Nos. 1042-1044 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
1034	Request of Michael Wallace to address Council regarding a short-term Pilot Transportation Program for Washington Park during peak visitor months (Communication)	PLACED ON FILE
1035	Request of Kathy Kelly to address Council regarding a short-term Pilot Transportation Program for Washington Park during peak visitor months (Communication)	PLACED ON FILE
1036	Request of Kathy Goeddel to address Council regarding a short-term Pilot Transportation Program for Washington Park during peak visitor months (Communication)	PLACED ON FILE
1037	Request of Wayne Wignes to address Council regarding Terminal 1 and equitable housing (Communication)	PLACED ON FILE
1038	Request of Fred Leeson to address Council regarding new executive director of the Bosco-Milligan Foundation and its Architectural Heritage Center (Communication)	PLACED ON FILE
TIMES CERTAIN		
1039	TIME CERTAIN: 9:45 AM – Initiate foreclosure action on four properties for the collection of delinquent City liens (Ordinance introduced by Auditor Hull Caballero) 30 minutes requested	PASSED TO SECOND READING SEPTEMBER 28, 2016 AT 9:30 AM
CONSENT AGENDA – NO DISCUSSION		

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Mayor Charlie Hales		
*1040	Authorize Settlement Agreement for breach of contract with Receivables Performance Management, LLC for \$55,000 (Ordinance) (Y-4)	187989
Bureau of Planning & Sustainability		
*1041	Accept and appropriate a grant in the amount of \$322,201 from the U.S. Department of Energy to implement the Climate Action Plan building energy actions (Ordinance) (Y-4)	187990
City Budget Office		
1042	Join leading cities across the country that are using data and evidence to improve results for their residents as part of the Bloomberg Foundation What Works Cities initiative and commit to carry out activities through the partnership of bureaus across the City (Resolution) (Y-4)	37236
Office of Management and Finance		
*1043	Authorize purchase of currently leased radio site property at 2595 NW Skyline Blvd from Robert A. and Bente G. McClanathan for \$790,000 plus closing costs (Ordinance) (Y-4)	187997
*1044	Authorize a contract with the lowest responsive bidder and provide payment for the 1900 Building Hearings Room 2500 Remodel project for an estimated \$800,000 (Ordinance) (Y-4)	187998
Commissioner Steve Novick		
Bureau of Transportation		
*1045	Accept a grant for \$135,000 and appropriate \$50,000 from Oregon Department of Transportation to fund a Safe Routes to School program and a dedicated Safe Routes to School Coordinator in the David Douglas School District for a three-year term (Ordinance) (Y-4)	187991
*1046	Accept a grant in the amount of \$4,538,856 and authorize an Intergovernmental Agreement with Oregon Department of Transportation for design, right-of-way and construction of the NE Columbia Blvd: Cully Blvd & Alderwood Rd project (Ordinance) (Y-4)	187992
*1047	Authorize application to Metro for grants in the amount of up to \$1 million to the Regional Travel Options grant for the SmartTrips Program (Ordinance) (Y-4)	187993
City Auditor Mary Hull Caballero		
1048	Approve Council Minutes for April, May and June 2016 (Report) (Y-4)	APPROVED

REGULAR AGENDA		
Mayor Charlie Hales		
Bureau of Police		
*1049	Accept a grant in the amount of \$465,810 and appropriate \$345,429 for FY 2016-17 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FY 2016 Edward Byrne Memorial Justice Assistance Grant Program to assist with Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence (Ordinance) 10 minutes requested for items 1049-1051 (Y-4)	187994
*1050	Authorize a grant agreement with LifeWorks NW in an amount not to exceed \$100,000 for FY 2017 agency expenses for the New Options for Women program (Ordinance) (Y-4)	187995
*1051	Authorize a grant agreement with LifeWorks NW for the use of the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Grant Program funds for agency personnel expenses for New Options for Women program not to exceed \$110,000 (Ordinance) (Y-4)	187996
Office of Management and Finance		
1052	Authorize revenue bonds for urban renewal areas (Second Reading Agenda 1025) (Y-4)	187999
Commissioner Steve Novick		
Bureau of Transportation		
*1053	Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SW Dolph Court - Spring Garden Street Local Improvement District project, through the exercise of the City's Eminent Domain Authority (Ordinance, C-10053) (Y-4)	188000
*1054	Amend contract with Motivate, International, Inc. to increase to \$11,380,000 for planning, acquiring and operating bike share system (Ordinance; amend Contract No. 30003174) 15 minutes requested (Y-4)	188001
1055	Authorize an Intergovernmental Agreement with the Oregon Department of Transportation as the Tax Administrator for the City of Portland Motor Vehicle Fuels Tax (Second Reading Agenda 1018) (Y-4)	188002
Commissioner Amanda Fritz		

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<p style="text-align: center;">Portland Parks & Recreation</p> <p>*1056 Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Mt Scott Community Center Heating, Ventilation and Air Conditioning Replacement and Direct Digital Control Upgrade Project for an estimated \$581,525 (Ordinance)</p>	<p style="text-align: center;">REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</p>
<p style="text-align: center;">Commissioner Nick Fish Bureau of Environmental Services</p> <p>*1057 Authorize a contract with the lowest responsive bidder and provide payment for the construction of the Holman Pump Station Emergency Sewer Replacement Project No. E10870 for \$774,547 (Ordinance) (Y-4)</p>	<p style="text-align: center;">188003</p>
<p>1058 Amend contract with Titan Utilities LLC for additional compensation to complete existing contract work and to perform required structural repairs to the pipe supports for the Columbia Boulevard Wastewater Treatment Plant Inverness 30-Inch Force Main Repair Project No. E10629 for \$350,000 (Ordinance; amend Contract No. 30004922)</p>	<p style="text-align: center;">PASSED TO SECOND READING SEPTEMBER 28, 2016 AT 9:30 AM</p>

At 11:39 a.m., Council recessed.

<p style="text-align: center;"><u>WEDNESDAY, 2:00 PM, SEPTEMBER 21, 2016</u></p> <p style="text-align: center;">DUE TO LACK OF AGENDA THERE WAS NO WEDNESDAY AFTERNOON SESSION</p>	
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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **22ND DAY OF SEPTEMBER, 2016** AT 2:00 P.M.

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

Commissioner Novick arrived at 2:11 p.m. and left at 5:05 p.m.

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

<p>1059 TIME CERTAIN: 2:00 PM – Accept contracts with Hoffman Construction Company and Michael Willis Architects for the design and construction of the Interstate Maintenance Facility Renovation Project as complete and authorize final payments (Report introduced by Commissioner Fish; Contract Nos. 30001654, 30002309 and 30003000) 90 minutes requested for items 1059-1061</p> <p>Motion to accept report: Moved by Fritz and seconded by Fish. (Y-4)</p>	<p>Disposition:</p> <p>ACCEPTED</p>
<p>1060 Accept contracts with Hoffman Construction Company and MWH Americas, Inc. for the design and construction of the Kelly Butte Reservoir Project as complete and authorize final payments (Report introduced by Commissioner Fish; Contract Nos. 30001127, 30002022 and 30002938)</p> <p>Motion to accept report: Moved by Fritz and seconded by Fish. (Y-4)</p>	<p>ACCEPTED</p>
<p>1061 Accept evaluation of the effectiveness of the Community Benefits Agreement piloted on the Kelly Butte Reservoir and Interstate Maintenance Facility Renovation Projects (Report introduced by Commissioner Fish)</p>	<p>CONTINUED TO SEPTEMBER 28, 2016 AT 2:45 PM TIME CERTAIN</p>

At 5:27 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.**

SEPTEMBER 21, 2016 9:30AM

Hales: Good morning everyone, welcome to the September 21st meeting of the Portland city council meeting. Would you please call the roll?

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

Hales: Welcome everybody we have an item up front before we get to the formal council calendar, and that is a proclamation about our charitable giving campaign. So along with the rest of the council, we are very happy to be announcing the kick-off of our city of Portland 2017 charitable campaign, which runs from now through October 14. That's where we as city employees get a chance to make a commitment about what we are willing to do. Each year we partner with the charitable foundations that represent hundreds of charities, our city employees can donate to any of the charities through payroll deductions. This year there are 500 local, national, and international charities represented through those organizations. Sometime today every city employee will receive a flyer that explains where the program and how they can, how we can all participate. So I want to thank everyone who participated this year, as well as anyone who has donated since this effort began in 1989. Last year more than 600 generous city employees contributed more than 290,000. I want to read this proclamation and call up our team and come on up and I will read this whereas the charitable campaign was established in 1989 by then commissioner Mike Lindbergh as an opportunity for employees to give money to the charities through a payroll deduction. And whereas the city's charitable campaign represents an easy and important avenue for city employees to support the charities in our community that matter most to them. And whereas 16 charities will participate in this year's campaign, most of which are umbrella organizations representing multiple charities with more than 500 organizations represented and whereas these groups help make positive changes in areas including child abuse prevention, environment, education, healthcare, social justice, and equity and access to arts and culture, and world human rights and hunger and housing, and whereas last year 629 city employees donated more than 291,000 to the local national and international charities through the campaign. Whereas the city employee donations have totaled 2.6 million over the last ten years. Whereas the commitment to charitable giving is demonstrated by city employee's year after year and whereas the city employees have a third payday in September and that day is September 29, 2016, now therefore, I, Charlie Hales, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim September 29, 2016, to be the city's day of giving and encourage the city employees to observe this day by participating in the charitable campaign. So welcome and good morning and tell us more.

Jane Braaten, Office of Management and Finance: I'm Jane Braaten with omf business operations.

Tosin Abiodun, Office of Management and Finance: I am Tosin Abiodun with omf business operations.

Braaten: We're pleased to welcome Tosin. This is her first year as the city's charitable campaign coordinator, and in our shop, and she brings, actually, a lot of charitable

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campaign ideas to this year, and to future years, and really I want to thank the mayor and the council for supporting this endeavor, I know that a week ago, you heard a presentation about the city being an employer of choice, and how important it is to -- our employees to be with the values-based employer, and I think that this charitable campaign, I can tell from the enthusiasm, from our bureau charity reps, that it really fulfills that for them and creates an avenue for engagement, we also give every bureau an opportunity to designate a lead, that person gets to communicate with everyone in the bureau and to be part of a city-wide program and project. And I could tell from the kick-off, as well that they are very enthused with that level of engagement. So we're very proud to work on this campaign and thankful for the council's support.

Hales: Great, I think that we have seen examples of really how it makes a difference. The things that people have been doing about hunger and Homelessness of Portland, and really making a difference, and are really much needed so we appreciate your leadership to this effort.

Abiodun: We have different organizations here, so who is here today? Stand up and tell us what organization you are with, please?

Megan Humpries: I'm Megan humpfries and I'm with work share Oregon.

Bryan Carlson: I'm Bryan Carlson and with the sunshine division.

Donna Wilson: [inaudible]

Elizabeth Lorenzo: [inaudible]

Hales: Great well welcome, I see the city employees really making a difference in this work, and that was, that was everyone involved, including the sunshine division, with the shop, with the shop with a cop program where we had hundreds of kids that might not have started the school year well prepared and confident and able to buy clothes and school supplies thanks to that great effort. That's just a lot of ways that people are making a difference and we appreciate this effort and you know how it is, people have to be asked so you are hereby, if you are a city employee, asked to participate. This won't be the only ask because they are going to be, there are going to be leads and others will get the word out so thank you very much for this work, we will give you the proclamation.

Hales: Charitable giving. [applause] thank you all, we should move on to our formal agenda, we have item communications before us, I understand, three of the five people are not actually going to be here after all because they are working with a bureau to resolve the issues. And then we have the consent calendar and our regular agenda. I have at this point three items that are being pulled to regular 1042 to 1043 and 1044, is that correct?

Fish: If I could, I want to acknowledge when we get our agendas, and we see the communications, sometimes what we do is brace for this moment where someone comes in and tells us that we did not get something right. I want to just acknowledge that Liam Frost, on my team, took a different tact which is he picked up the phone and called the folks that were going to come and testify and said how can we help you solve the problem? He called a meeting of the appropriate people, and actually is now addressing their concerns, and they responded by saying there is no need to come to council and complain about this issue so it's an interesting approach to this system and I want to thank him for showing a lot of initiative.

Hales: Good work. Ok, so then let's proceed with the communication items where we have people here today. 1034. I am sorry, I thought it was the other three, sorry. So let's see, 1035.

Moore-Love: 1037.

Hales: So the first three, sorry, I thought the last three so 1037, please.

Item 1037.

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Hales: Good morning and welcome.

Wayne Wignes: I am Wayne wignes. In response to that, I believe that the purpose of showing of the city council is so that the public can hear outside of the closed meetings, which people have the option of ignoring what you say. Using the two hands given you to find a night's safety and rest is a natural right, like it or not, natural rights supersede property-based constitutional rights. Even congregation is a natural right finding safety in numbers for a night's rest and gaining access to shared resources, and developing a sense of confidence and trust, and yes, even access to me, so we are all with the formation of groups. Hundreds of millions of years of evolving through groups left us predisposed to form groups for good reason. That's because without I aforementioned things, we literally would not be here today. I can't think of a better definition of a need than that. If one is not free to use the two hands given them to use the resources to land given us to congregate and make for themselves, then yes, homeless are entitled to more than being treated like prisoners and missions. On that note, consider why you pay rent. To me it means 24-7 access and autonomy and individual accountability and these things are lacking. So it backfires on everybody, and full grown adults have early curfews, and you are told to lay down and shut up sit still and wait to be kicked out at 6 am, you back talk you will be kicked out, and it lacks incentive to treat people better because they are receiving money from individuals and agencies who never have to endure the treatment. Now being without property is not a crime. Although missions are necessary what is missing is an effective filter capable of differentiating between those who need help and those who need options. Right now you have day laborers in Portland and you have got many who receive checks from the government but they will be the first to tell you that 800 a month will not get them their own individual unit, and transportation and food in this town. I mention this because reviewing the harbor of hope website, I saw no mention of autonomy or freedom and they seem to confuse accountability with subservience. However, I still believe that terminal one should go through even if homer fails to deliver on his half of the deal financially, I am saying dispose of the mission side and keep the affordable housing side, and charge rent for bed and make money off the problem, and we still come out better off than relying on tpi where we construct a seven-story building to give 130 people a year's worth of free rent, few of which make any good use of it. As a side note commissioner novick, the public right-of-way underneath the Burnside bridge is being leased to white stag, lcc. I question the legality of blocking off a public right-of-way with the use of yellow caution tape, and people are going to be under that bridge because it's overhead protection from the rain. We can have them out of the way or we can have them intruding on a max stop causing safety hazards and obstructing the use of a public sidewalk. Mayor hales, bike police are Treating --

Hales: Wrap up because you used your time.

Wignes: Are treating homeless people differently than middle class, laying in a public park is not a crime, and micromanaging homeless people is discrimination.

Hales: Thank you very much. Thank you. Ok. Let's hear from Mr. Leeson, 1038.

Item 1038.

Hales: Good morning.

Fred Leeson: Good morning, nice to see you again. Fred Leeson, board president, architectural heritage center. Our longstanding executive director Cathy Galbreath, who you probably remember retired in January. We did the big search and found a fabulous and new executive director in Stephanie Whitlock who comes to us via san Antonio, I brought her in this morning because I wanted to introduce her because she will be part of the efforts and I am sure that you will have a chance to hear from her in the future and I would like to see that, give me remaining seconds to Stephanie.

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Stephanie Whitlock: It is a pleasure to have this opportunity to introduce myself to you here in your beautiful building. Four months ago I made the decision to move from Chicago to Portland leaving the beautiful city to come to another beautiful city. It is a special place, as you know, in large part because of the historic neighborhoods and architecturally rich buildings, and also the architectural heritage center is such a special place. It's like any other organization that I have known in the country. That focuses on architecture. If you have not been to our space in the west block building I invite to you come. We have our exhibition and our walking tours that we use to introduce long-time residents, and tourists to the city to Portland. And all in an effort to educate the public about Portland's architecture. And so as the city moves forward I look forward very much to working with you to preserve, to celebrate, and an honor, to honor Portland's architecture all for the benefit of our economy and our environment and Portland's sense of place. So thank you very much.

Hales: Thank you, Stephanie. I want to say you probably have heard this from the board but you could not have arrived at a more critical time. The issue of historic preservation at a time where we are growing by 1,000 people a month in the city is at a really critical juncture and there is work underway that you will be diving into in the next three months on the comp plan, whether we incent people to reuse old buildings or tear them down, about our legislative package, which this council will be developing in the next few months, and going to the legislative session that starts in January about whether people can take their properties off the historic register with the stroke of a pen. So there is big stuff afoot and we really welcome the advocacy and your participation to this stuff because we have got a chance to get it right and a chance to blow it, and we will be found out about which one it was quickly given the market that we're in.

Whitlock: I appreciate that, thank you very much.

Fish: Since you have experience in san Antonio, and in Chicago, and the time that you've been here is there a tool that either of those cities had that you wish that Portland had?

Hales: Good question.

Whitlock: Well, I think that Chicago in particular has explored some very interesting mechanisms for preserving architecture and engaging maybe people you might not normally expect to engage in preservation for instance artists. There are numerous artists using neighborhood development and revitalization as part of the artistic practice, and helping to preserve old buildings and also activating old spaces. There is one artist who is very well-known for doing this, so thinking about other ways of using historic buildings and their contribution to the urban fabric.

Fish: I love that comment because got a briefing the other day on the interim use of the post office sites. Pdc is thinking about maybe some plain vanilla artist space and creative space as a low cost interim but can I give you your first assignment?

Whitlock: Sure.

Fish: We have had a big debate on this council, and a passionate debate about the future of the memorial coliseum, And I don't know where the lineup will be starting in January but we have been historically divided, and with lots of passion around that issue. And I would love in the next couple of years to come up with a plan to once and for all preserve it, and to find a new use for it that allows us to generate the revenue to maintain it in the quality that it deserves. And you are going to have a million things on the plate but I know that a number of us on the council welcome your guidance on that.

Whitlock: Even before I got here I heard if the memorial coliseum, and I know that the daughter of the original architect from som, so that sounds great, I love that idea.

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Hales: Thank you for doing this. Ok. Let's move please to our consent calendar. Again there is three items that I mentioned earlier, 1042, 1043 and 1044 pulled, are there any regulars let's take a vote on the balance of the consent calendar.

Novick: Aye **Fritz:** Aye. **Fish:** Aye. **Hales:** Aye. [gavel pounded]

Hales: Ok. Time certain 1039.

Item 1039.

Hales: I am pleased to have this team coming forward because the good work is continuing this work four more houses here today moving towards foreclosure. We did five on June 15 as you will remember, and that means now that we have processed the first nine houses in a very long time since 1965. So I want to thank the auditor's office, the bureau of development services, the police bureau, Oni, and the city attorney's office for their continued work with Chad Stover and Zach Klonoski in my office to get this work done and get this work underway. As I mentioned the other day, and council I was out, back out at Lents school for something unrelated to this but there's a house that's been boarded up that we visited when we launched this effort and right down at the corner of 97 and Holgate are two more. And you know, the effect on the neighborhood livability that this longstanding problem has is huge, and I just want to appreciate this team and the work that you are doing, so please take it away and tell us about the houses before us this morning.

Sarah Landis, Auditors Office: Good morning, Sarah Landis the city auditor's office and with me is Mike Liefeld the enforcement program manager from the bureau of development services and Marco Maciel the foreclosure program manager in the auditor's office. We intend this presentation to be short. Mike and Marco are here, as technical experts if you have any questions but I will run through the presentation. Before I go into each of the individual properties I would like to take a moment to discuss the effect of the city's renewed focus on foreclosure. We can see that the increased pressure being applied to the properties has had positive results. The first set of properties was Voted on by council in June. Of those five properties two have been sold and all liens were paid off as of this week. The other properties have had inquiries such as request for payoff amounts that indicate movement on the property. The next set of properties we received from the development services had seven accounts. Of these three have been removed due to pay off or in one case demolition of the house, and these are all positive developments where cases where the property has been sold. The other thing I would like to mention before we go into each property is that the process for this list has been slightly different than it was for the first list that we brought to council and we did not convene the collections committee this time. The collections committee's sole purpose is to review and approve and reject or amend any recommendations for adjustment on the lien amounts that the auditor's office makes, and because we did not make any recommendations for adjustments, we did not convene the committee. As we move forward with the future foreclosures we will convene the committee if there are properties under consideration that meet the criteria for the possible lien adjustments. So the second foreclosure list has four properties that our office is recommending, each of the properties is vacant and abandoned, and has been a drain on the city resources across multiple bureaus. They have delinquent liens totaling \$200,000, and each represents an opportunity to make progress towards improving livability, health, and safety. As you can see on the map, there are two in outer southeast Portland, one in north Portland and one in northeast Portland. The first property is on 134th and southeast herald street. It has four liens. The dates of delinquency range from august 2014 to march of this year, and the total amount owed on the lien is 31,385. And the ownership is shea lynn on record as a legal record with Multnomah county at the time of the list preparation. That is sometimes the moving target.

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This particular property has 28 violations including fire life safety and health sanitation violations, and it has been an illegally occupied structure without water, electrical or sewers or garbage service, and it has a vacate order granted by the city hearings officer, and there were 71 calls for police service in the last two years. The property's boarded and secure. The next property is on southeast 91st avenue. It has eight liens, delinquencies range from 2013 through June of last year, total amount owed is 58,448. Ownership is bin sangcita as the legal owner at the time of the list preparation. However, when we did a drive-by there was a posting for a trustee's notice of sale on the door. Mike let me know this morning that a year ago he had a conversation with the bank who said that they were going to be moving forward with the sale of the property but that was a year ago and nothing has happened. This property is directly across the street from Kelly elementary school. There are 11 violations including fire life safety and health sanitation violations, and the property has been used by tenants, and by squatters without water, garbage, and electrical service. And there was a fire at the property that caused a breach in the board up and it was again occupied by the squatters after that point. There's been heavy transient activity and the city security board has been breached. There is a vacate order granted by the hearings officer and there have been 18 police calls for service. The next property has four liens. It is located on north Calhoun avenue very near Roosevelt high school. The dates of delinquency are from 2013 through May of this year. The total amount owed is 38,980. And the ownership of this property is Norman ye on record with Multnomah county. There have been 10 violations cited including health sanitation, and a collapsing roof and chimney citation the chimney failed and collapsed. Two nuisances were abated by the city. The property has been unoccupied for over 15 years. And the structure is currently barely visible through the Vegetation. And it was recently cited as a derelict structure. The final property is on northeast 22nd avenue and approximately going. It has seven liens. The dates of delinquency range from 2009 through this year. The total amount owed is 75,850. Norman ye is on record as the owner with Multnomah county. This property has 18 violations including fire life safety. There have been 14 neighbor complaints including, complaints about the adverse impacts the property is causing including rodents and human waste and garbage. We have heard development services has heard that from neighbors that this is a, a popular place for last Thursday goes to relieve themselves. And there is a detached roof. The property almost is completely engulfed in vegetation and there have been four nuisance abatement by the city. So the next step for these properties is for council to vote on whether to foreclose, and after that, the auditor's office will transfer the responsibility to the treasurer for the conduct of the foreclosure sale. And until the foreclosure sale the property owner can pay the amount owed, and remove the property from the foreclosure list, and after the sale is conducted the current owner has a one-year redemption period, and I think you heard about that last week when the treasurer was here to talk to you about the code changes, so that is the extent of the presentation, and we're happy to take questions if you have any.

Fritz: Thank you. How do you decide that something is not going to be offered to the collections committee for a lower lien? What's the standards for that?

Landis: There are a number of criteria listed in the code that we go through to determine if there are any circumstances to that particular property's history or the story of that owner. They include whether there were prior code violations, whether the owner has taken any steps to correct the violations at all, and the owner's financial condition, if we can determine that, and the gravity of the situation, the magnitude of the violations, and whether it was repeated or continuous, and so, and there are six or seven more, the cost of the city to investigate and correct the violation. So we go through each of these to the extent that we can on the properties and if there are circumstances that we think might

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warrant some reduction we will make that recommendation and convene the committee to review it.

Fritz: My understanding is that one of the owners requested and received translation services? Is that correct?

Marco Maciel, Auditors Office: All of them, based on the name or location, we do send a pamphlet letting them know that it is available if they request.

Fish: I have a question. I see that in two of the properties you have the same owner, Mr. Norman Ye, and he has other distressed properties in the region. Have we had a face-to-face conversation with him about this situation at any time in the history here?

landis: Mr. Ye has been before the hearings officer a few years ago, and I think that received some leniency but then didn't take advantage of correcting the violations on that property. He's never been responsive to any of our requests for -- to come in and make payments, to come in and make a plan. He's never been responsive to amnesty offers, and there have been years of attempting to reach out to him. The two properties from the first list that sold as of this last week, belong to Mr. Ye so he has sold those two properties from the first list. So we believe that this is finally having an effect on bringing him in and having him address those problems on his property.

Fish: So it's possible in the future we're going to learn that someone has some life issue or some other barrier that prevents them from being responsive. My understanding with Mr. Ye is that he has a well-documented history of playing the game and playing the system. And that includes transferring the titles to business partners at the 11th hour and requesting arbitration and not appealing the decisions just for the sake of delay and other things, so while he's not taken advantage of any, anything that we have offered him, it does appear that he has been resourceful in avoiding his legal responsibilities, is that a fair comment?

Landis: I think so. And Mike has had a bit more history with his properties than I have but I think that that's a fair assessment.

Mike Liefeld, Bureau of Development Services: Commissioner it should be noted that the two initial properties from the June foreclosure vote, he did, Mr. Ye, through his legal counsel, did make contact with the foreclosure manager, so through representation he did indicate knowledge of the proceedings and was working through his representative on the vote and possible options for the property. To this date no one in my bureau has had any direct contact with Mr. Ye.

Hales: Other questions for the team? And our treasurer is here as she was last week because she shepherded the changes for us.

Fish: Can we acknowledge a milestone this week? If you go to the auditor's website there is a tab, and I sent a note yesterday, as of yesterday, political consultants and their reports show up as a tab on the auditor's report, and there are ago different reports that were filed, the second city in the country that has required such a disclosure and remarkable that this is up and running so quickly.

Landis: I will pass that on.

Hales: Ok, other questions and then let's see if there is anyone that wants to speak on this item.

Moore-Love: Mr. Lightning.

Hales: Why don't you stand down and we will take testimony and proceed. Come on up. Good morning.

Lightning: Yes. I am lightning and I represent lightning watchdog pdx. I feel I was one of the most outspoken people during public communication on surplus properties. I am also going to be that on the foreclosures. One of the things that I want to tie together on this is that I want to see if a sale takes place, the highest market value is achieved. I want to

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make sure that proper advertising is done on this sale, and I want to make sure that the top ten real estate brokerage companies are sent information immediately before these sales take place so they can utilize their people that they have and push these values up to the highest possible market price, which again, pays off the liens and again I want that remaining money going back to the people that are on title. If you cannot contact them I want the money held in a separate account until we get some type of information on their status. If they are having issues, if they cannot make contact, I want that to be researched and even with that extra money, even if it means bringing in an investigator to find where they are at and to locate their relatives and to say that have money waiting in an account for you and this is how we do business to make sure if somebody had difficulty in their home that they could not maintain it and that raised a red flag to us and we want to make sure that they are number one, ok and their safe. We understand that there is a lot of squatters in the properties, and where is the landlord? That is our main concern. Is that individual currently safe and is somebody made communication to him? That is the number one concern here? On these issues as far as I would like to see money going into an affordable housing fund, out of some of these proceeds, and again I do like the fact that some of these ownerships are initiating sales, again, I want to make sure that they had that opportunity to do that. That opportunity to get all their equity they have tried to accomplish and not hand it to the city. I want it taken away from the city because you don't deserve that money. These property owners deserve their equity, and these property owners are entitled to their equity, and I will not stand by and watch the city of Portland try to take the equity from people that may not be able to maintain their properties. Senior citizens, people with mental illness and by the way, if you look at the numbers on here, look at the last names on all these foreclosures. Let's see, Lynn, ye, let's go down the list. If somebody doesn't see this might be out of place, I think that it's out of place. Are we targeting certain people in this city in running nuisance liens up to run them out of the neighborhoods? I am going to be watching this very close and looking at the last names on these lists and wonder why we have so many people with names like that on this list at the top of these foreclosure lists with the highest nuisance liens on the properties, and we cannot find them in the neighborhoods. So I will be watching this close. Do not take their equity. Treat them right. Only get your liens and get them the highest possible market price, and do not transfer these properties to the city because that will be considered a conflict of interest, and I can assure you that you will be stopped on that. Thank you.

Hales: Thank you. Anyone else? Thanks. This ordinance is not an emergency ordinance. Is there any interest on the council on adding one?

Fritz: I think I'd be more comfortable leaving it as it is.

Hales: It will come back for a second reading next week, and again I want to thank the staff working on this, and I appreciate the fact that we are sending a message to the banks and speculators that if you let your house be a nuisance for the neighborhood and you have 71 police calls, that you have crossed a line about property rights versus property responsibilities. And that we are going to come after you. And I appreciate the fact that we are focusing on houses that are vacant and abandoned and have this kind of unacceptably long record of deterioration and problems for their neighbors so this focused effort is really starting to solve an egregious and unacceptable problem in a city with a housing crisis, and again I want to thank the staff working on it, and this will come back for a second reading next week. [gavel pounded] ok let's move on to the pulled items if we are ready. Do you want to do those next? Let's -- I think that we are ready. Let's do 1042, please.

Item 1042.

Hales: I appreciate this team and mike Bloomberg. He gave advice to people who wanted to be mayors which I didn't take which is make your first billion before you run for mayor

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but after he served, he and his philanthropic organization have continued to try to help cities do their work better. Shannon, please take it away.

Shannon Carney, City Budget Office: Thanks for having us here today, I am Shannon carney, the performance management analyst for the city budget office, and I am joined by my -- by the co-lead, Kevin martin, and the director from the bureau of planning and sustainability and Katie Shifley, the assistant financial analyst with the city budget office. So we are here today to celebrate, we are here to celebrate for Portland to join the cities across the country that are also increasing the use of data and evidence to improve the results for that residence as part of this, what works city Initiative, it is a national initiative with a goal of helping 100 mid-sized cities enhance the use of data and evidence to increase the engagement and make the government more effective and improve ultimately improve the life of residents. The initiatives, which as the mayor mentioned was launched by the Bloomberg philanthropy in April of 2015, today it works with 39 cities. With the adoption of this resolution, Portland should be working with what work cities technical partners to advance our city's practices in three areas, the first is to enhance our foundation of open data, and the second is to increase the results from our existing performance management program, and the third is to introduce a new behavioral insight program evaluation program that will have the benefit of helping us to improve the programs and services. In short this will transform the ability of the city bureaus to work collaboratively across the silos. And this initiative will also provide a national platform to showcase our efforts at the city, and that are at the forefront of the nation in terms of implementing the smart city technologies and in advancing our innovative policy solutions. Our participation in the initiative will solidify our position as a city that leads the nation and enable us to take more advantage of regional and national opportunities as they come along. And as part of what works city Portland will join a network of cities from every region in the country. This includes Seattle, san Francisco, san Jose, Denver, Las Vegas, Kansas City, and I could go on. And as well as Gresham. And these cities seek to address the common challenges. And they are also looking to implement data driven policies and practices and evaluate the program outcomes and share the insights. And as a more concrete example of something coming up, Portland actually is planning on sending not one but three staff members, staff from the city of Portland and the joint office of the homeless services up to Seattle to learn more about Seattle's data driven procurement policies and how they have improved the homeless services. And so that just is one example of how the partnership will help supply a cutting edge and ensure the benefits with the community. So before I hand it over to my cohorts, I do want to say a few words about the people that have helped us to get to this point. This is a competitive technical assistance grant, and we have had a whole team working on moving us to this point. So last February, the city budget office submitted a statement of interest to participate in the initiative. And importantly the application was submitted together with a letter of support signed by the mayor and commissioners. And as we moved through each stage of the application process, the city budget office has found, been delighted to find support and willingness to help from, from the directors and the executive staff across the city that has taken time out of their schedules to advance this application, and several of those submitted an extensive application on our city's current use of data and evidence, and many more attended a workshop, and where the bureau and city leaders came to an agreement that the practices supported by this initiative would help us to work more collaboratively and achieve our goals, and I think that it may have been mayor hales impassioned opening remarks of that session that really put our application over the top. And finally, credit is due to many others on the, beyond the table. We have a great team, particularly the budget office and the, that has supported us and I want to give thanks to

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you, and Jane Marie Ford, a member of the budget office and Alexis Estevez. They have been there every step. And above all a thanks to the city budget director Andrew Scott whose unwavering commitment has been essential to our success. We could not have done it without him. So with the passage of this resolution and an administrative ordinance to follow, we will officially begin to work with our partners as outlined in the work plan in exhibit A of the resolution, and achieving the performance management and program evaluation deliverables with support from the technical partners, will be an effort across the city, and our plan is for the budget office and for The Bureau of Planning and Sustainability to coordinate these efforts and lead the efforts, but other city of Portland bureaus will provide the impetus required to achieve the deliverables for the duration of the projects. So with that I will turn it over to Kevin Martin for a few words.

Fritz: Why does this not have any financial implications when you say we're doing the applications but it does not seem like, what are we getting from the Bloomberg foundation?

Carney: Right, a great question so they are supplying technical assistance, so essentially, the Bloomberg foundation is, is part of the had 42 million, three-year initiative and with that they are funding the partners that will be, we'll be working with to work on open data and improve performance management and introduce these program evaluation frameworkers so they are providing the partners that we work with.

Fritz: How are we freeing up the staff to work on this?

Carney: That's a good question. We've been adding it to our, essentially, our work plans, and within the city budget office we've been managing most of the application process, and in conjunction with as I mentioned assistance from other members of the city staff, and I think that you know, for us it helps us advance our mission, and both from the bureau and with the city budget office, to provide unfiltered information and analysis to decision-makers and to council and the public. And we feel like that fits concretely in that and helps us to close the gaps where we have seen them in the past.

Hales: Thanks. Good morning.

Kevin Martin, Bureau of Planning and Sustainability: Good morning. Thanks, Shannon. I am Kevin Martin from the bureau of planning and sustainability and I will be leading the open data portion of this partnership, what works cities with the Sunlight Foundation. And happy to be here. So I thought I would give an overview of why we think the open data is important. It increases the transparency and improves public trust and encourages the participation and civic engagement and better access to data and improves the decision-making and both internally and externally, and it releases the social and commercial value of the city assets, driving innovation and ultimately, improves the quality of and the delivery of the services. Portland was one of the first cities to adopt an open data resolution and create a portal, back in 2009, and fast forward to 2016, Portland is frankly behind many other cities. And we have not yet adopted an open data policy. We do not have an open system in place for open data governance. Civic Apps has not changed significantly since we launched in 2009, and a number of data sets released has not increased dramatically since then either. So that's the bad news, good news the partnership with what works cities and the Sunlight Foundation gives us the opportunity to capitalize on what many other cities have done with respect to open data. To work with organizations that have helped other cities move the needle, and to learn from their successes and failure says. The other good news is that this overlaps with the work that we are doing. Open data policy system standards are fundamental to the smart cities' efforts. A core component of the 50 million U.S. Department of Transportation Smart Cities Challenge proposal was the creation of an open data cloud, a shared regional public system for storage, storing, managing and distributing data and real-time streams. We did not ultimately win the 50 million prize; we are pursuing other opportunities to move this forward. And the city has a variety of other

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projects underway, and many with an open data component, and often one that's a requirement of that funding. Last month the bureau of planning and sustainability and pb0t received 100,000 from the national institute of standards and technology to fund the deployment of air quality sensors along Powell boulevard, a requirement of the partnership with them, is to develop an open and shared and standard for how data coming from these sensors is structured. Portland state university has received another 200,000 from the national science foundation to support this. And to develop an open system for managing it. Central to this work is the goal of establishing open standards around how data is structure and and delivered, an area where the Portland region has a demonstrated expertise, for example, the creation by tri-met and google of a standard for how real-time transit schedule information is structure and had used by app developers adopted around the world. And the development of these types of open standards has the potential to put Portland at the forefront of the international conversation about communication between civic infrastructure and non-city systems. Allowing for example connecting an autonomous vehicle to communicate in real time with the traffic signals and in a consistent way that works the same in Portland as in Seattle and London and Singapore, the opportunities to come our way are very exciting and we would love to see Portland lead the way. This partnership is an opportunity to do so, I will pass it back to Shannon to talk about the performance issue.

Carney: Thanks. And so in addition to the open data we'll be working with these partners on performance management and so that's over the next four to six months, and we'll build upon our efforts over the next years to heighten the focus on performance and bring the programs and services into the budget decision-making and other management decision-making, and for this work stream, we'll be working with the technical partner and government center for excellence from Johns Hopkins university, so the main areas of work, we'll utilize the best practices from across the country to improve the city's underlying performance fundamental and is expand the opportunities for analysis, and in areas such as the gator sessions, government accountability transparency and results and management sessions. Opportunities for analysis to support that type of management tool with data from the shared open data platform. Using data as a foundation and we can enhance our understanding of the initiatives and make performance data more relevant and exclusive for decision-making in and out of the budget process. Working with them and learning from the fellow cities with more mature performance management operations as we have will explore how the sessions can be extended as a management tool to provide services. So those are high level comments that I want to, I want to leave time for Katie to talk about the component evaluation of the work.

Katie Shifley, City Budget Office: Yes, I am Katie Shifley with the city budget office, and as Shannon mentioned our work stream will be around low cost program evaluation. Our partner is the behavior insights team who we are very excited about. You may have heard about them as they became famous in the U.K. for being one of the first organizations to really incorporate the behavioral economics into public programs. They do this by drawing on ideas from the behavioral planning literature to redesign public services. These redesigns or interventions are then put through randomized trial testing before they are scaled up which enables us to understand what works and just as importantly what does not work, and now through the what works city's initiative the behavioral insights team is helping the cities apply the programs. The team has helped other cities launch over 10 randomized trials. And these are often very simple experiments and always low cost but the results can be dramatic. And one example out of Louisville, Kentucky involved slightly changing the wording on the letters to residents encouraging them to pay their parking tickets before they incur additional fines. And using very simple testing the team and

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Louisville found this intervention increased by more than 10% the likelihood a resident would pay down a parking ticket within 30 days. It's estimated that this intervention will generate an additional 100,000 of revenue for the city each year.

Novick: I am excited about that. We share that language. Has the bureau of transportation seen that language yet?

Shifley: I don't think so, no.

Novick: That would be great.

Shifley: Ok. We will share it with them.

Fish: Let's go one step further because you know, I am delighted to hear that and I am not surprised. Word smithing and how you engage a customer has an impact on behavior, and we have had some conversations at the bureau of director levels about how off-putting so many letters are that the city sends out to people dinging them, and the irony is that we spend all our waking hours trying to figure out ways of building bridges with the people we serve and the city sends routine letters that are sort of insulting and impersonal and bureaucratic, and I am exaggerating but some are and some in my bureau so I own the problem. And it's the difference between saying you know, really dear person, not dear, you know, street address, and we have a shared concern over something, and here's the resources and we invite you to be part of this, which I am guessing is what Louisville found. And freed is working on this, and I made an effort to engage all of the bureau directors in sharing letters. Our form of government I don't have the authority to do that but I ask. With this insight I think that now we can go back and say look it does work. You will understand one letter and you get a better response and maybe the person sending in the check feels better about the interaction with the city. Which for us is extremely important because thousands of the letters go out all the time and they are not always in-sync with our values.

Shifley: That's an excellent point and what you are saying embodies the spirit of embodying that to all the work the city does and looking at letters and all the letters that go out will be a part of this engagement. The goal for our work with the team is twofold. First to perform low cost evaluations to improve the performance of at least three specific programs or services the city provides of which letter could easily be one and secondly to create a network of analysts with the skill set to perform these evaluations across the city, who can continue the evaluation long after our engagement with the team is over. And to kick off this partnership the city and the behavioral insight team are holding a half day workshop on October 11 for a wide audience of program and data analyst. They will be teaching the framework and applying behavioral science to city programming and lead a hands-on session where the analyst will explore evaluation options within their bureaus. Over the next six months the behavioral team will be working closely with program staff and analysts to design the low cost program interventions and test the results and report out on the success of those. This program evaluation approach has the power to transform the way that we use the data to address the challenges. And in closing I would like to mention as the projects managers for the initiative we will be reporting back to the council and the public periodically and in accordance with our this time line and in summation we would like to say that the city of Portland has a commitment to using the data and evidence to improve the programs and services with the support from Council, and with our new partners we are very excited to launch that commitment to a new level by joining the ranks of what work cities across the country.

Hales: We get a lot of materials with our packets but the scope of work for this project is so clear on this date we're going to do this. That date we're going to do this and have this particular kind of opportunity for bureaus to learn that it's really a path that will be easy to follow as long as people are committed to do so. So I think that the scopes of work are

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wonkish stuff but this is compelling when you look through it, to say within 150 days not maybe six months. 150 days we'll do that so I appreciate that and that's classic Bloomberg foundation and Louisville because the mayor is a big believer in this, and he's been preaching it at the u.s. Conference of mayors for some time. So I am glad to be in that company, as well. Other questions for our team? Thank you very much, is there anyone else from the bureaus or the public to speak about this? We do have somebody, come on up please. Good morning.

Lightning: I am lightning and I represent lightning watchdog pdx, and I absolutely agree with this, what works cities and agree with your position on data and evidence. I may be wrong using sunlight foundation, and you may not be involved in this but I've been really trying to understand and Mr. Bloomberg would also understand this, too, how the Clinton foundation can operate within the white house. Now why I am bringing this up is because this is very important here is that can you have white house employees working simultaneously for the Clinton foundation and also being consultants for corporations or advisors for foreign governments? I want this to be looked at real closely on the data and the evidence, and again I have talked to the local auditors here and asked, are there any people within the city of Portland that work for city hall and also for foundations? 501c3's, nonprofits and all I wanted to do as you know, and I believe the sunlight foundation had this information, the Obama administration did an mou asking the Clinton foundation to disclose this, please just disclose it and let's be aware of it. As you know the Clinton foundation and Hillary Clinton have not done that. So again I question exactly the ability of the Clinton foundation to operate within the white house and not create a conflict of interest. And I want to make sure that if the, at the city of Portland we don't have any commissioners here that are being paid by a nonprofit also, and you are not disclosing that because I want that to be disclosed. I want that disclosed when I go into the auditor's office, are they receiving money from that nonprofit over here and is there any undue influence on why they just received that grant? And that's why I watch this very close on the Clinton foundation and why I like the sunlight foundation and the other foundations that shine the light on top of this. And it's just to understand what is the right thing to do? Is the right thing to do to have a Clinton foundation within the white house or do we remove it out of the white house, which I want to do? Or should we have foundations within city hall in the commissioners getting paid by those foundations simultaneously also? That is my position. Thank you very much. Mr. Bloomberg, make sure you do the proper research and remove the Clinton foundation out of the white house. Thank you, sir.

Hales: Thank you. I appreciate you raising the question we are prohibited by city charter from having any other employment so there is a clear line there we cannot be paid by a foundation or anything else lightning.

Fish: Mayor, when I am visiting friends outside of Oregon and they learn I am a city commissioner the follow-up question is but what's the day job, and when I explain it's a full-time job that's a surprise. And in Oregon we don't have a lot of full-time paid --

Hales: Yeah.

Fish: The first thing we do is take an oath where we specifically as part of the oath confirm that we don't have any outside employment. Other than this job.

Lightning: If I may respond, again that pertains to your employees, aides, anybody that comes in, are they also working on behalf of the nonprofit? It should be disclosed. It should be disclosed and this is one of the biggest problems that we're seeing right now on the Clinton foundation and the white house right now that is being turned upside down on just how many people are intertwined within this Clinton foundation in the white house and not disclosing it as the Obama administration requested them to do. They are special government employees and they are not disclosing this and making income which they

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should not be doing and the public needs to know, and that's what I think that this is about. Thank you.

Hales: Good morning.

Richard Robinson: Richard Robinson this, sanctuary is challenged by the freedom. Portland is an extraordinary successful liberal community. This Christian community is a magnet for those seeking to build family, and an excellent place to raise kids. It takes a village. Portland is a point of light. An example your growth in jobs has doubled the national average. Portland's most salient point is the future. But certain aspects of this sanctuary, ie a city charter protected by spirit built leaders is being rooted by those who do not show proper understanding for logical, organized, planning, law enforcement needs, for example. That is a lack bud Clark saw when he hired lee brown to police the burgeoning megalopolis up from Eugene, Seattle, the pacific northwest is magnificent growth. But we lost lee brown to national needs. Terrible murders in Atlanta, the police chief, solved those murders. He goes to Houston, the vacuum caused by a lack of committed police routine, logical or organized is a problem that's going to be solved but sir we are in trouble if we don't learn to police the streets of Portland. Thank you.

Hales: Thank you. Let's take a vote on the resolution.

Novick: Very excited about this, aye.

Fritz: Aye.

Fish: Thank you for the presentation and just the Louisville piece alone made my day. Aye.

Hales: I appreciate Andrew and Shannon and others who are real practice leaders in this work. And I appreciate your kudos from my advocacy from this but the fact that this is institutionalized here, and servants here in the city believe in this is our greatest strength, and this really is a chance to work smarter. I think that for a lot of us when we first hear about these behavioral techniques and start thinking about applying them to the city government it seems a little science fictiony and then you hear the case studies about how a change in a letter or the simple practice change starts to change the relationship between the people we serve and the government, and it pays off in both good will and real money. The light goes on, at least over my head and I think others so this is really good work and smart stuff and I appreciate the fact that we are recognized as a smart city and learning from other smart cities, and as we saw with the bike share it pays to be the leader, and in many cases Portland has and sometimes it pays for us to be a really watchful follower to see what other cities have made work and do that even better. That's what's going on here. I think I counted my favorite Fisher conversation, the mayor of Louisville was an advocate, on my third week on the job, I was wondering about how much time I should spend at that, and he looked at me because he's in the private sector, very successful in the private sector, went back to city government and he said how many people do you have working for you thinking about the future of the city? And I said only a few. Thank you, but we have people who are thinking about it and the future of the city and that's what this worker -- work is so well done and we will learn a lot. Aye. [gavel pounded] let's take 1043.

Item 1043.

Hales: Good morning and welcome.

*****: Good morning.

*****: Good morning.

*****: Thank you.

Hales: Ok tell us about this, we've been leasing this property and now you propose to buy it, correct?

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Greg Mccotty, Bureau of Technology Services: Correct. The current owner has put it up for sale. And we feel the sale of the property could be re-purposed for different either to develop the land or someone takes a different course and turns it into a broadcast facility versus a land mobile radial facility which does not lend well to the public safety communications.

Fritz: Identify yourself for the record.

Mccotty: I'm sorry, Greg Mccotty city of Portland, bts communications.

Hales: Ok. Other issues to raise, I know you are here for questions.

*****: [inaudible]

Pauline Goble, Office of Management and Finance: For the office of management and finance and I am assisting the bts with this acquisition. The negotiations, the purchase and sale agreement and paperwork and the due diligence, so we did have an appraisal performed, and the results of that came in at 850,000, and the sale price for this property is 790,000.

Hales: Great, thank you. Any questions for the team? Thank you very much. Thank you. Public testimony? Come on up.

Lightning: I am lightning and I represent lightning watchdog pdx. I absolutely approve of this sale, and I absolutely approve that the way that they have put this together did an appraisal on the property, came in higher, and negotiated a lower price. Very impressive work, and the way it should be done, appraisals are needed on these types of values in these properties, and again, I commend you on the efforts. In the past for whatever reason, even dealing at Multnomah county with chair kafoury, passing a resolution on a purchase of a property, she denied me. Denied to dispose the sales price that was being paid for the property, and stated that it was being denied due to the fact that they were doing a 1031 and they feel it could jeopardize the transaction. On a 1031 exchange you have to disclose that, and you also have to put that into an offer to notify the irs of your intent to avoid the taxes on the sale. What was stated was completely untrue, and again, for a chair or anyone, a public official to deny to give you the sales price on a property that needs to be approved on a resolution, and the public to be denied that price, is, I don't have words for it at this point. I commend the people on this transaction very well done, thank you.

Hales: We will need commissioner novick back because it's an emergency item. Let's hear 1044 and go to 1043. Read that one please.

Item 1044.

Hales: Is there this was pulled off because of the dollar amount so is there anyone that wants to speak on this item? We will set those over until commissioner novick returns and take a roll call vote on them when he's here. Let's go to 1049.

Item 1049.

Hales: Good Morning.

Bob Del Gizzi, Portland Police Bureau: Good morning commissioner, I Am bob del gizzi business operations manager for the Portland police bureau. There are three items before you this morning, 1049, 1050 and 1051 and are interrelated. The department of justice, office of justice program has notified the city it will award a grant in the amount of --

Fish: Do you want to read them together?

Hales: Go ahead and read the other two and we'll cover all three.

Item 1050.

Item 1051.

Del Gizzi: Thank you, so the 465,810 grant has no match requirement and is allocated at follows, the city of Portland will receive \$221,290, Multnomah county will receive \$173,088. And the city of Gresham will receive \$72,431. The intergovernmental agreements were

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executed with the Multnomah county and the city of Gresham in order to obligate agency roles and responsibilities. The police bureau will use their funding for the following two items. Hire a crime analyst for the detective division, for approximately 15 months, and to contract with the life works northwest to coordinate the treatment and temporary housing and counseling and training opportunities for individuals involved in prostitution related offenses. The contract related to life works was awarded after a competitive process conducted earlier this year. Multnomah county agencies decided individually to use jag funding for the items. The district attorney's office will retain a north neighborhood District attorney, the department of community justice will retain a parole and probation officer, and the sheriff's office will purchase digital signage, photograph equipment and tasers. And the Gresham police department will purchase a digital 3-d scanner for their investigation's division. And the ordinance before you will authorize acceptance of this award and I am happy to answer any questions that you may have.

Hales: Thank you. Not so much a question but comment about some of the victims of trafficking in our city, the work we're doing with life works is important and if we need to do more we should. Grant or no grant. This is egregious stuff out there right now. Questions for bob or other folks from the bureau as well? Thank you very much. Does anyone want to speak on these items, any of the three? Now we have lost commissioner Fritz.

Hales: Mr. Robinson? Please come up.

Fish: And maybe we could get the sergeant of arms.

Hales: I am losing control terribly here, come on up and good morning.

Robinson: Because of the growing homelessness, and the increasing cold weather Wapato is being envisioned a comprehensive solution but in the interim you have a warehouse. Folks will serve as an effective temporary shelter. As you plan long range a comprehensive treatment service to end the revolving door mentality, the revolving door mindset that many seem to be trapped hopelessly in. Give them a place to sleep and kick them into the street and get them something to eat at night. A bowl of oatmeal in the morning. I have seen it all over the country. In san Francisco, sir, willie brown working for Dianne Feinstein, in 1978 after the murders of Missoni mill they built a treatment service with a mobile assistance patrol. They saved 200 lives per year. So here Wapato seems to be ideally situated removing the cells and putting in an environment where psychiatrists and psychologists, sorry workers, social workers and others who can bring to bear the tremendous amount of resources needed. Gavin newsom when he was the mayor in san Francisco, he decided to take a social services checks out of the hands of the dope dealer and alcoholic and give them brand new housing. It's working. Thank you.

Hales: Ok. So let's take action in turn on 1049 and 1050 and 1051.

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

Hales: Thank you, aye. 1050.

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

Hales: Aye. [gavel pounded] 1051.

Novick: Aye **Fritz:** Aye.

Fish: Aye we're on a role.

Hales: Aye. Ok, and let's go back and take a vote on 1043 and after that 1041.

Novick: I apologize for leaving the room I forgot it was an emergency. Aye.

Fritz: Aye **Fish:** Aye. **Hales:** Aye and 1044.

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

Hales: Aye. Okay. Thank you. And let's now go to 1052, second reading.

Item 1052.

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

Hales: Aye. Ok. And 1053, Steve do you want these read together? I guess not, 1053.

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Hales: Let her read it first, sorry.

Item 1053.

Hales: Commissioner Novick.

Novick: Andrew.

Marty Maloney, Portland Bureau of Transportation: Good morning, mayor and commissioners. I am Marty Maloney and this ordinance authorizes a domain authority as well as to offer just compensation for needed permanent and temporary rights associated with the southwest dolph court spring garden lid project, and the property rights in question are needed to facilitate the street improvements along the north side of southwest Dolph court, the improvements will provide a sidewalk connection from 30th avenue to the spring garden park, and I would also like to add all affected property owners have been informed about the need for certain property Rights, and we're all invited to attend the reading of this item. This time I would be happy to answer any questions the council has.

Hales: Thank you. Questions? Anything you want to add?

Andrew Aebi, Portland Bureau of Transportation: Andrew Aebi administrator, just to add to what Marty said a couple of months ago, I called each one of the property owners, and we had extensive discussions about the design proposal on the properties. It has been a collaborative process. One of the, I think, the only right-of-way taking on this project is in cooperation with the property owner who wanted a separated sidewalk in front of their properties. The city and the property owners are aligned on the design of this project and the rights are not a surprise to anybody.

Hales: Good work and thank you both very much. Any property owners here or want to speak? Ok it's an emergency ordinance and take action please.

Novick: Thank you very much, aye.

Fritz: Thank you, aye.

Fish: Aye.

Hales: The city that work slogan, I think on Andrew's, or Marty's car it ought to be getting to yes all over town. Aye. [gavel pounded] thank you. Good work. And ok 1054.

Item 1054.

Hales: Commissioner novick.

Novick: This is a ministerial thing but it allows us to give an update on the bike town system. And this increases the value for the system allow, pbot for the operation of the enhanced system, and other than increasing the contract value, it makes no change to the contract approved by city council. And I am going to turn it over to margi Bradway, to go over the ordinance, and then I would like to have a short presentation from Dorothy Mitchell to motivate the operator regarding the first two months of the operation.

Margi Bradway, Portland Bureau of Transportation: Good morning, I am Margi bradway the active transportation and safety division manager, and I think it's relevant that there's just a presentation on smart cities and behavioral change because I think that's what we have seen with bike town before we get into an update on the operations I want to speak to the action that you are taking. On December 23rd 2015 this body approved a contract that we have with motivate which Dorothy is the general manager for the Portland office. We came back on June 1st 2016 and asked for the procurement authority, 3.75 million for the purchase of the capital, and today we're coming back to again asking for procurement authority that has to do with the operations of the bikes. So we're asking for an increase of contract value of 7.63 million, and which covers day-to-day operations as well as work on the bike wraps themselves and if you have questions on the cost I am happy to answer that or Dorothy can. For clarity, I want to make sure that it's on the record that all of this money is paid by sponsorship and revenue user fees. There are no city

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dollars used. The increased contract value covers the three-year term of the contract. Any questions.

Fritz: I have a question. It has been very successful. Does motivate get all the revenue or? Any revenue sharing with the city is more profitable than we thought?

Bradway: When -- how the contract works is that when full cost recovery happens, after a year, there is a 40/60 revenue split but it will take a look at least two if not three years to get into that revenue split after the watch which is typical. Thank you for asking.

Hales: Good morning.

Steve Hoyt-McBeth, Portland Bureau of Transportation: Good morning and thank you. Thank you. I am Steve with the Portland bureau of transportation and I am the bike town project manager. It was just a little over two months ago that mayor Hales and transportation commissioner Novick and commissioner Fish joined with the leaders from Nike and from institutional leaders and businesses and every day Portlanders to celebrate the launch of bike town so myself and Dorothy Mitchell from Motivate one that just gave a quick presentation to show you where we've been and we are happy with the success. Bike town is composed of 1,000 bikes, 100 stations, and in just a nine square mile area we launched on July 19 of this year. And so far the response that we have had from Portlanders and visitors has been very enthusiastic. We have had 100,000 trips in that two months. 236,000 miles ridden on the bike town bikes and commissioner Novick was, when he retained the transportation commissioner, mentioned healthcare and active transportation in the same breath, and this is noting it's 85 times across the United States is --

Fish: I can't fault you for highlighting the first lady but I would like to comment if you look in the background, that's commissioner Nick Fish, fully obscured thank you.

Hales: It does not have anything to do with who is more photogenic, does it?

Hoyt-McBeth: This is along with the Nike sponsorship, the revenue is the backbone of our -- of our business plan, and we have had over 2,600 Portlanders make a 12-month commitment to bike town, 260,000 folks, and took Seattle 8.5 months, so we are proud with how quickly we have had and embraced by Portlanders. And our single ride users, about 20,000, so you may recall from our September 2015 proposal, the presentation, that this is a \$2.50 ticket for 30-minute ride and we are really excited to see how this is bringing new Portlanders to biking, and 9,000 day passes which is composed, we see both visitors and other folks so this is my last slide and I will turn it over to Dorothy Mitchell. This is a map showing all of the annual members so these are the folks that have made the largest commitment, paying \$12 a month over a year process, and you can see that we have a lot of members who are living who live within the service area, but also a lot of members who live outside the service area, and frankly in the region as well. And I think that this indicates the centrality of the central city to the region, was why we wanted to start this program in the downtown and across the neighborhoods because we knew that with the financial assisting ability and being a bedrock of the business plan that we knew that we would be drawing people who not only live in this area but work in the service area so that's been very exciting, so with that I will do a tag team unless you have questions.

Fish: This is prompted by this slide. So every year we have the option of signing up for a transit pass, and so --

Hoyt-McBeth: Yes, sir.

Fish: I get it in the mail and it's automatically charged to my, against my paycheck. Would you remind me, do employees have the same option for this service? Where it can be sort of annually can sign up with deductions?

Hoyt-McBeth: Thank you for the question, so right now we have you know, as a city employee we have three, you can choose a carpool benefit a transit benefit or a bike and

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walk box which is a cash added to your income for making a commitment. Right now there is not a separate option for the bike town membership. It is something that we'll be looking at. The gross income that you receive annually for the bike and walk box is similar to the cost of an annual membership.

Fish: What I would say is, I never -- I just appreciate the convenience of the one stop shopping and getting my pass every month. I think a lot of us would appreciate the convenience to check another box and whether it's pre or post-tax dollars would be of no consequence to me, just the convenience factor.

Novick: And behavioral economics demonstrated that can lead to changes in behavior.

Hales: I love that suggestion. The things that are automatic we tend to keep doing you know, and sometimes to our detriment, you know, if you stop getting Netflix pictures in the mail, you still get the bill every month. If you don't have time to watch movies, you leave that on auto pilot. Let's leave something useful and helpful on auto pilot.

Fish: The most aggressions the credit score companies who target folks and the way that they are structure idea is they will give you a free credit score but in the process you are signing up for the annual service which you can cancel after one week but I am guessing that they have found that a lot of people don't follow through and cancel and so it becomes a recurring charge for something they don't need.

Hales: If we could make it the easy option on the check-off and promote it to people.

Fish: Pre or post-tax dollars. I don't care.

Hoyt-McBeth: That's great. I love that and I will take that back.

Hales: People like Portland state and so on.

Hoyt-McBeth: I think that this would be a great opportunity, unless council has other questions for me to head it off to Dorothy and she can talk about the group/employer program.

Dorothy Mitchell: Good morning, I am the general manager of bike town. I just got a couple more slides, and I am happy to answer the questions. I wanted to call out something that we've been pleased with, with bike town, and that is the way that we have seen it bringing people of a lot of diverse backgrounds and people that haven't traditionally been bike riders in Portland, and kind of onto bikes in Portland. And so people of color or women or we also have the trail blazer basketball players, and so it's capturing an interest in the cross section that is somewhat new to biking in Portland reflected in a snapshot of the scenes from the Instagram, people tagging bike town in their posts, and personally, seeing groups of women riding bikes in Portland and seeing groups of women of color, and really kind of validates one of the things that we were hoping would happen with bike town which is getting a new group of people interested but concerned bike riders into the folds so it's been great to see that, that, at least anecdotally through social media. And this has kind of come up throughout the session this morning, but there was some really great buzz about how behavioral change can be possible through programs like this and some success that we've had because of some of the facets of what bike town is and how it's easy to use and easy to see and join that's been great. One other point that I'll bring up is that as we're seeing more and more diverse group of people riding bikes that we've also really been focused on bringing diversity into our internal operations and I'm sure your familiar with the high roads standards part of the contract between pbob and motivate around our hiring goals. I'm really pleased to say we've been overwhelmingly successful with meeting and exceeding those standards, you can kind of see from the statistics that we've gone farther above the minimum requirements for hiring folks from diverse backgrounds whether they were formally incarcerated, veterans, women, people of color. And it had been a tremendously successful part of our operations and have been extremely pleased with the group that we've had for our positions, and really came

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together to make the launch happen and just to kind of have boots on the ground getting things done kind of way so very pleased to report on the success of that. Happy to take other questions.

Fritz: Im very glad that this has been so successful congratulations to everybody my guest from England used the bikes and I brought down helmets for them. My son is a monthly member and he always wears his helmet too in the photograph you showed of lots of happy people riding bikes, I saw about three helmets for 30 people. There was an article in the tribune about a woman who suffered from a concussion after falling off the bike and so with that sad there are other cities that have made the helmet rental work. I also learned from my son that the sign-up says that the person's waiving is waiving all the rights to sue if there is a problem but a way to send in --my son is very detail oriented like me, sent in his message saying I don't waive my right to sue. For the humanity and the care, we have lots of people. It's only going to take one really bad crash that even though the bikes are not going very fast traffic around them is and that in a situation where somebody is hurt and then it's going to be a really big problem so what are you doing about helmets?

Hoyt-McBeth: Thank you, commissioner, for the comments and the question. I would say we have an existing strategy and where we want to grow that strategy to over longer term. We make a real strong effort to encourage helmet use. There's been a lot of social media pushing by town through the event. Anyone who comes through our bike town for our program which is an equity program is given a free helmet donated by the Portland fire department in partnership with pbot. Anyone who is an annual membership gets a certificate for a discounted helmet then we work with visitor areas where someone is less likely like your son who has normalized behavior and he knows to have an additional helmet at work or using a plan to bring a helmet, that's the trickiest part for us is these spontaneous trips that are a little more heavily toward the visitor population. I think longer term we would like to see opportunities for helmet sponsors, help look at more aggressive ways to address the issue whether that would -- one manifestation could be an actual structure or could be some sort of delivery service. There's a lot of different ideas out there. I think that one of the challenges that we face is we had very clear direction from back in 2011 from city council that we needed to bring something forward to council that was financially sustainable and that really protected the city's interests. Financially. I think that one of the challenges for us is that the one kind of helmet defending solution we have in the u.s. And Seattle, where they have a mandatory helmet law, it's fairly expensive to engage in. So when we overlay a kind of no risk to the city sort of piece to it that it's one of the challenges that we face.

Fritz: that very ordinance in 2011 directed you to look into helmets and I know you have but your own photograph shows most people are not wearing helmets. Furthermore, it was also promised that we would be to track individual bikes so that information could be sent to people riding on the sidewalk and that is not done. I asked for somebody to send a nice note to the couple that I saw riding on the sidewalks downtown at the exact time and I was told that that's not going to happen. So the social media encouraging people to wear a helmet and not to ride on the sidewalk is not working.

Bradway: I'll speak to this. I think again helmet is a behavior change issue. I just traveled to Vancouver for an international conference and they also have a helmet law and they also launched a bike share system the same time we did. They struggled with the helmet solution. The best they could do was tie up helmets with the bikes for free. One, they did see a lot of helmets stolen and left on the ground near the stations, but two, the more interesting thing for me was that about one-third of all riders weren't wearing helmets. So I asked my peers that work for the city of Vancouver, what's going on, there's a helmet law but about one-third of your riders in the entire city, and they said there's been resistance

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and the police have stopped enforcing it. It was very interesting to me that a legal requirement structure doesn't in itself provide that security, so I don't know just like many problems in our city trying to figure out what type of encouragement versus enforcement and how do you enforce that. We tried several creative ways. Steve mentioned we have a partnership with nutcase helmets that gives you discounted helmets and we have been promoting that in the places that we can. So I think we continue to look for solutions. We'll continue to encourage. I can't at this point, though, guarantee that we have a solution that's going to get anyone who wants to get on a bike in a helmet.

Fritz: I am particularly concerned for tourist cause they are not likely to buy a helmet to use for a week while they are here so maybe we should look at targeting tourists are there places like travel Portland that can have them available. There are lots of areas near the station that -- and you presumably you know from the rental what reaches the spots that tourists are getting their bikes to and from and see if we can tag a solution into that. If it's something who lives in Portland they are accepting a risk if they don't bring the helmet with them but for somebody who lives outside and we want them to use our bikes -- my friends had a fantastic time, they couldn't stop talking about it we want them to that, we don't want them to sue cause then be get into trouble.

Fish: First the comment. When I look back on my eight years in this body, I don't usually reflect on the things that were easy to do. I remember the things that were really hard. And just as an example I had the honor of being housing commissioner we were charged with building an affordable housing development in south waterfront and then director van vleet was charged with putting it together. It seemed like every week we got slammed with something that made it almost impossible, the economy tanked, tax credit market tanked. All kinds of challenges. It really felt like some horror movie where we were dealing with every conceivable system failure. Macro and micro. Margaret looked at ten different models for how to make it work. The city owning the property to city lights, different models of financing. Ultimately she put the deal together and we built gray's landing. Every time I go by there I'm reminded of what an amazing accomplishment it was because it was so hard. I remember the projects like that rather than the ones that came together like magic. I know how hard this was over time to pull this together. And I live now in the goose hollow neighborhood, and it's just extraordinary how dynamic this program is in northwest and southwest Portland. The stations, people on the bikes, the amount of activity.

Congratulations. I know this was a very long, hard road to get here, but I think it's one of the really great things that we have unveiled in the city in the last few years. My question to you, though, is just curious, comparing us to other peer cities, what has surprised you about the rollout or what have been some differences between our experience and peer cities in the early stages of the rollout?

Hoyt-McBeth: One of the ones, we chose to go with a newer technology, the smart bike technology with the locking system right on the bikes, commissioner. I would say one of my concerns, we knew we were buying a lot more flexibility for the user and more sustainable way to operate the system, but I was concerned about how that first friction of unlocking the bike. There's a little more to do than with the systems in New York or d.c. Or Boston. I was very happy to see that those concerns of mine were not brought to fruition, that I have sat and watched at stations with first time users, work really well. I have been -- I think looking at some other cities I anticipated seeing spikes more in the morning commutes. Seems like for example Washington d.c. You see spikes in the morning and afternoon commutes. Ours are mostly in the afternoon commutes and we're seeing a lot more kind of first-time riders who are doing it for recreation. At first I thought that was a bad thing, then I thought about it a little bit more. We're kind of sometimes faced with challenges of our success. Bike share in a lot of cities didn't have 10 to 15 years before it

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where the city invested heavily in infrastructure, invested heavily in marketing to people, so there was a lot of latent demand. When you bring bike share in it are ready to go. What we're seeing is because we have tapped that market, we have the number one rate in the entire country, the closest city to us is 2% below us. That means that's a lot of good work we have done to get people to consider biking as part of their transportation but it means those trips that the new people are doing are less likely to be that commute trip, more the trip you would take perhaps after hours or on the weekend when you're just trying to get comfortable with trying something new. I think that was a surprise to me that I have learned from and I hope when we come back in the future we'll see some of those people integrating it into their transportation behavior.

Fish: The other question is how are the bikes holding up and they are in a very visible public realm, so do you have challenges with things like vandalism or theft?

Bradway: Yes, thank you for the question. Thus far -- very sturdy, robust bikes, they are doing really well up there. We definitely have had some instances of this kind of typical urban vandalism, some graffiti and things on the stations, occasionally bike tires slashed. We're able to deal with that quickly. Because of one of the smart bike features in which people on the bike itself report a mechanical issue we're able to quickly know what's wrong with every bike in our fleet and send our employees out on bikes to fix them in the field. I think we have not been overwhelmed by kind of the amount of mechanical work we have had to do, slowing down a little bit. I think the bikes are doing great. We have seen pretty typical issues.

Fish: The other day I went for a ride and the back tire on my bike seemed flat so I stopped at the chevron on Burnside and 21st. [laughter] it said a buck 1.50 to use the air machine. You had to put all those quarters in, so I went to go get change to put -- I thought a buck 50 was steep for this little tire, and the woman didn't flinch when I gave her the money. She said, oh, no, bikes are free at our gas station. She just pushed a button. By the way, Steve, I would think we might want to talk to some of our -- the other folks and get that word out because it is a barrier. A buck 50 is a lot of money, probably cheaper if I bought a bike pump. [laughter] but I thought it was very public spirited. She hit a button and it was free. I hope I haven't violated any ethics laws but -- I didn't introduce myself. I just said, I have a bike.

Hales: Other questions for the team. I'll just add commentary, I think both on the helmet front and on the access front you'll continue to get pressure from us as this succeeds and exceeds expectations, great. The pressure should be on to be true to our vision zero goal and be creative about trying to solve the helmet problem as I know you are. Two, that who has access to this system and how fast can we expanding to areas that are not yet in the service territory we talked about quite a bit when this was launched I think are both important community concerns for us to keep going on. Again, I would urge you to be creative about the helmet issue, maybe there can be a nearby vendor at some of the stops that's willing to cooperate in the availability of at least discounted helmets for sale if not rentals. I'm thinking about the fact that we have one right out here and right across the street from the Portland building. We have vendors under contract to the city like the coffee shop downstairs that could stock some helmets under their agreement with their landlord that happens to be the same city of Portland. We have community centers and other facilities nearby some of these locations. Maybe we can get 100% coverage but maybe you get a decent percentage of coverage of the cooperating vendor. Whether they were in the helmet business or some other business might have a little shelf space. Hotel concierges seem to be a natural ally in this. I know that was the case with the streetcar, that after not very long the hotel concierges started having passes in their bag of tricks at the concierge stand and they knew exactly where the streetcar stop was. We want to go to

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the pearl district. Here you go. Enlisting them as allies as well. When you stay in a hotel and forget your umbrella or phone charger you've got a pretty good chance of getting one at the front desk, so those kinds of non-regulatory solutions for now, I understand the regulatory solution, but we're vision zero city, I'm committed to it, director treat is committed to it, so any way we can move that forward, again practically not burdensome, like with the service territory we are serving part of the city with this, got folks on your map who live outside the service territory who are participating. Let's keep trying to make it more convenient for more people as we go along. Well done. A wonderful success. The orange color is brilliant because it's obvious to see how well this is working because they are so easy to spot.

Novick: Since we're talking about behavioral science I wanted to mention that's a vigorous discussion about what the role of helmet promotion should be and what it should be when it comes to helmets. A New York times article said the safest biking cities are places like Amsterdam and Copenhagen where middle aged commuters or mainstay riders are a fraction of adults and helmets is miniscule. Bicycling advocates say a problem with helmets is that they make a basically safe activity seem dangerous. The real benefits are being getting ordinary people to use it. This is wonderful but you have to wear armor if they won't. These are normal human beings, not urban warriors. The difference is that in Copenhagen and Amsterdam you have separated, protected bike lanes. So there's less of a danger to bicyclists than here where for the most part we do not have that.

Hales: Good points. Other questions, comments? Thank you all very much. Anyone want to speak on this item? Yes, thank you all. Come on up.

Shedrick Wilkins: I'm Shedrick Wilkins. I think these mountain bike bikes where your back is vertical are good exercise. I think they are better than jogging. I live near the train station and actually joggers are more likely to hit me. I had to wear a helmet when I walk to the convenience store because some jogger is going to hit me to the ground. Maybe if they bicycle in groups for safety they swirl. You go faster than walking and so you're like some guys not catching up so you swirl around. These aren't speed bikes. I personally do not believe that if you're in a bicycle about the pace of walking you should not necessarily have to have a helmet unless you're a child. When I was young I biked a lot. I never was knocked to the ground on a bicycle. 10-speeds are a real problem. If I was a policeman somebody going 30 miles an hour on a 10-speed, enforce the law, stop it. People without helmets as I remind was never hit to the ground on a slow mountain bike where you're just using the bicycle to get some exercise and instead of walking. Can't walk too far. Again, I have been more likely hit by joggers to the ground and have a head injury. When I go to the store and sometimes I go to the convenience store and some jogger won't stop and almost hits me. I feel more threatened by them than any kinds of orange bicycle system. That's just my comment.

Hales: Thank you.

Lightning: Yes, my name is lightning, I represent lightning watchdog pdx. Now, that helmet issue as you know is a concern to me. One of the things on these type of bikes I notice you have that basket on there. I have heard some people say they don't have enough storage room on the bikes. I don't know if that could be extended out a little bit more, even have a helmet that fits down into the basket with a titanium strap that they could keep pull back immediately, but it's held within a custom basket. Now, another thing that what I'm hearing on the helmets I would like to see Nike, good friends Phil and Travis, to look more at doing more custom helmet work. What I'm talking about is different -- what would be interesting is having some real nice paint designs and custom helmets to wear. People say, hey, man, that's cool. It's safe also. I'm wearing that. That's cool. I'm going to wear that. That little bit more of that flashy type incentive to put that helmet on. Also I

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would like a little more feedback from the great Nike designers. I have a brother that started at Nike in 1982 and is still working there. Normally he would be in Indonesia, but that's about 34 years I think he's from one of the dinosaurs at Nike still. Anyway I think a little bit more from the designer group there on doing more custom bikes helmets, and getting a little bit more feedback from Nike on that situation. On the safety issue. I think it's very important. Let's face it, Nike is putting up a tremendous amount of money here. They should definitely have a lot of input on the safety issues on these bikes. Again, I myself think these -- the color orange is just boring. Sorry to say, boring to me. I would like to see more maybe input from the public if they could do some customized paint on these bikes, make them a little bit more Portland for the artist type community, a little more color, get a little more feedback from some of the artists. I think that would be good. I don't think orange is necessary to paint your car orange to be seen or to paint it that color. Paint your boat orange so you don't get hit out in the water. Let's get some more ideas on different colors. It's foolish to think you should just paint something orange and have that as the main color throughout the city. Again, just a couple other issues here, where does Uber and Lyft fit in on this? I would like to see maybe their concept, their ideas on working with this group on this. Can they help you out and work together? I know it might be considered maybe pulling some of the income from them but I don't think it should be. As you know they are the travel industry experts out in the marketplace and can bring in more people than anyone else and they have proved that in the last three years. Thank you.

Hales: Thank you. Anyone else? Let's take action, please.

Novick: I'm really glad to have this opportunity to congratulate Margi and Dorothy and Steve. Dorothy, great to hear that information about the diversity that motivates employees. That's fantastic. Steve, congratulations on the successful end to years of effort. In the words of Spiro Agnew there were nattering nabobs of negativism about this whole bike share undertaking that have been proven demonstrably wrong. So take that, nattering nabobs. This has been quite a success. Aye.

Fritz: Congratulations, commissioner novick, as commissioner Fish said, that has been a very challenging project. I really appreciate the staff work and motivate partnership and as well as a sponsorship from Nike. What commissioner Fish said and what the met said about getting past the difficulty and finding creative solutions, so of the places that I have some influence on for instance pioneer courthouse square could have a very Portlandy solution you pay a small amount at your hotel then you donate it to somebody like the opal students group working on active transportation. At the end of your stay with them. At the airport to drop off and pick up and things. I know you have been looking at the previous models and you're right now we have to look for the Portland one. Thank you. Aye.

Fish: Steve, to your team, congratulations on the successful rollout. Having seen this program successfully implemented in other cities around the world it's just great to have it here and this is one instance where being number 30 or whatever is no shame because I think we really got it right. It's a wonderful addition to the menu of options for people in Portland. When I look at bike share and the opening of the orange line over the last couple of years I'm filled with pride in the areas where we can make a difference and we can get to yes and issues that have been raised today I think reasonable people can work them out. This is a great report. I would ask if I could get electronic copy of the report so I have that. Thank you. Aye.

Hales: Great work. Steve, congratulations. This is a big win for the community and for Portland's livability and attractiveness for visitors. It's really a nice community asset. People are starting to take it for granted, which is the best sign that you did the right thing. And obviously there's room to grow, there's room to make this program even better but I just want to commend pbot, motivate, Nike, all involved for really making this a success for

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everybody. Well done. Aye.

Hales: 1055.

Item 1055.

Hales: Second reading, roll call.

Novick: We're delighted to have completed this agreement. Bring the funds for street repair and traffic safety rolling in. Aye.

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

Hales: Time to collect a dime, right? Thank you, Steve. Aye.

Fish: 1056.

Item 1056.

Hales: Commissioner Fritz.

Fritz: I would like this returned to my office.

Hales: 1057.

Item 1057.

Hales: Commissioner Fish.

Fish: Turn it over to bes team.

Joe Dvorak, Bureau of Environmental Services: Good morning, mayor hales, commissioners. I'm joe dvorak, an engineer with the bureau of environmental services. I have a short presentation to talk about the emergency sewer replacement at Holman pump station.

Hales: Karla will assist. Great. Thank you.

Dvorak: Last month we found a very large cavity over the sewer pipe at Holman pump station, one of the pipes feeding the station. The graphic is shown at the top. What's unusual about this particular sewer pipe is there no top to it. Corrosion has eroded the entire top of the pipe. So what you're seeing in the picture is the top portion is just ground surface. This is ground and a large cavern with tree roots extending down into the sewer. So upon finding that we called an on-call contractor. We hired them to stabilize the situation. They attempted to divert the flow, which is shown in the picture in the bottom. Upon doing that we found that one of the pressure pipes leading to this pump station was also severely deteriorated so that point this is beyond the scope of the contract and we declared an emergency. We engineered a permanent fix, bid the project, received three bids. Today's request is for city council to authorize that contract with the lowest responsive bidder. A little bit of context what this shows is the location of the Holman pump station at the bottom of the picture and in red the portions of the pipe that we intend to fix. To the right at the bottom is interstate 205 and airport way, at the very top is Ikea with a wetland in between the pump station and Ikea. As mentioned in the actual ordinance, this pump station sees about 5,000 gallons of sewage flow, which is significant. What we intend to do is make this replacement to avoid more sewer releases impacting businesses or the wetland. What we plan to do is replace 100 feet of the 21-inch gravity sewer. This graphic to the right shows a portion that we also intend to fix that isn't failed yet. You can see the steel reinforcement bar. 726 feet of pressure pipe is also within the scope of work. We intend to do that quickly and safely and minimize impact to businesses. Last slide, the cost estimate is just under \$775,000. The contractor is Moore excavation. We hope to finish this by November.

Hales: We charge an extra strength charge for businesses that put chemicals into the sewer system. Is this extreme deterioration caused by chemical discharges from some or another of the businesses that are in this sewer service area?

Dvorak: It's the chemicals inherent to sewage. When you pump the sewage it releases that hydrogen sulfide. That's what either away at the concrete. It's not any one specific industry, it's the nature of pumping sewage and then releasing it.

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Fish: To the mayor's point does an increase in flow exacerbate the situation?

Dvorak: Turbulence.

Fish: Turbulence?

Dvorak: From when pump stations flow into gravity pipes.

Hales: So if you will this is a natural consequence of pumping rather than there's somebody in the neighborhood putting chlorine or hydrogen sulfide --

Dvorak: Correct.

Hales: Thank you. Other questions? Thanks very much. Anyone want to speak on this item? It's an emergency ordinance obviously. Let's take a vote.

Novick: Aye.

Fritz: Thank you for the presentation. Aye.

Fish: Aye.

Hales: Aye. Okay 1058.

Item 1058.

Hales: Mr. Fish.

Fish: Bill Ryan is here. He's going to somehow weave together an ordinance involved a 30-inch pipe, a bridge, and the migratory bird act. If you can pull that off, you can earn our support. Take it away.

Bill Ryan, Bureau of Environmental Services: Well, thank you very much, mayor, commissioners. There seems to be a theme going on today with regard to repair of sewer lines. This is the second one in that series. The invernness force main crosses the Columbia slough immediately north of the Columbia boulevard wastewater treatment plant. It crosses the slough on a bridge as you can see in this photograph. The invernness force main is no small matter. It handles all of the sewage from the area you see in brown on this photograph which includes about 10,000 acres and includes the Portland international airport. We identified problems with the line and we're able to do that by putting a camera in the line and actually looking at it from the inside out. Unfortunately, what we were not able to do was look at the exterior of the line because it's on this pretty well hidden on this bridge over the Columbia slough. As we got out there we had several things to take care of and one of those things was a significant quantity of cliff dwelling swallows. So we were controlled as to what time of year we were able to work on this because you do not want to harass the swallows while they are actually nesting, so we had to wait until that portion of the year where the swallows would not be there. That time of year has just begun again, from about mid-April to the first of September that the swallows will be in their nests and will be nesting. We're ready to go back out there and work around the swallows in some cases we have to take the nests down. In other cases, we don't.

Fish: By the way, we should acknowledge that as you would expect, colleagues, Audubon has been a great partner in helping us comply with the federal law and also stage the work on this.

Ryan: That's correct. So when we did get out there to repair the sewer we discovered that the problems were not just inside of the sewer. We also had some problems with the supports that held the sewer under the bridge. Those are shown in this photograph particularly you can see on the lower right hand section there's a cracked weld. That's a pretty consistent failure. So we had to stop the contractor. We did not have time to redesign the pipe supports and have the contractor repair them before the swallows came back to Columbia slough. I think there's a song, swallows returning -- never mind. [laughter] what we have now is we are asking you for authority to increase the contract by over 25%, and that is about \$350,000. Our contractor is titan utilities, who is one of our prime contractor development program contractors, and they are ready to go upon approval.

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Hales: Interesting complexity to have to deal with. Questions for bill?

Fritz: I think it's very sweet that your looking out for the swallows. Are you required to?

Ryan: Oh, yes. North American migratory bird treaty act prevents us from harassing the birds during their nesting season.

Fritz: Is that all bird or just those on the list?

Ryan: Migratory birds in particular. I believe there is a list, yes.

Fish: The south American cliff dwelling swallow is one of those protected and we happen to be a destination of choice or at least this bridge is. Seems to be very popular.

Fritz: Do they wear a helmet? [laughter]

Hales: When the bridge is completed will that still be at a location -- in other words you're not changing the design of the bridge in a way that would make it unattractive to the swallows.

Ryan: No, they will be back. They have quite a following.

Hales: Learn something every day. Anyone want to speak on this item? This is a contract amendment so it will return for second reading next week. As they say at the end of those movies, no swallows were harmed in making this decision. That goes to second reading and we're recessed until tomorrow at 2:00.

At 11:39. a.m. council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

September 22, 2016 2:00 pm

Hales: Good afternoon, everyone. Welcome to the September 22nd meeting. Please call the roll.

[roll call]

Hales: Commissioner Saltzman is away and commissioner novick I think he's en route will be here. I wanted to get started out of respect for your time and there are lot of people here to participate this afternoon. We have three items on our calendar. We'll be proceeding to those if you're here to speak on those items let our clerk know she'll make sure that you're on the list of folks to testify. Commissioner Fish will walk us through that. Many have probably been here. Welcome to the Portland city council. We want everyone to have their say we have basic rules of procedure here and that is only give your name, don't have to give your address. You're representing an organization, let us know that. It's required by law. And we also maintain some rules of decorum, that is if you agree with somebody's viewpoint give them affirmation, feel free to give them a thumbs up or wave of the hand or wave of both hands. If you disagree, polite hand gestures that are negative okay but not applaud or make verbal demonstrations in favor or against our fellow citizens' points of view so they feel that they're free to express them here. We make exceptions for school children and visiting dignitaries if you're one or more of those things you'll probably get a round of applause. In other words, let's keep it nonverbal. With that, please, would you like first two items -- read all three? Just read all three items I'll turn over to commissioner Fish.

Item 1059.

Item 1060.

Item 1061.

Hales: Thank you, commissioner Fish?

Fish: Thank you, mayor. While I'm listed here on the agenda the first order of business we have today to accept report to council on the close out of the Kelly butte and interstate building construction projects Teresa Elliot the chief engineer of the bureau is here. We've budgeted about ten minutes for this. The action that the council has been asked to take today is to accept the report. My hunch is that most of the people in this room are here for the next two items on the agenda. Know everyone is free to testify on all three but my hunch is that this is not the item that you're here to testify on. Unless there's something in the final close out report on these two projects that you disagree with. The next two items deal with an evaluation of a benefit agreement that was used then has further materials related to that. For those matters, mayor, we have agreed to have couple of panels on the issue. Again, everybody is free to testify as many times as they want I'm guessing this is the least controversial matter that we have. That's why we have budgeted ten minutes of the 90 for this. With that I would like to introduce distinguished chief engineer of the water bureau, Teresa Elliott who is going to present the close out on Kelly butte and interstate. Welcome.

Teresa Elliot, Portland Water Bureau: Good afternoon, I'm Teresa Elliot, chief engineer of Portland water bureau. As commissioner Fish indicated we have three reports before

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you today. The first two are to close the two projects. I'll be speaking briefly about those in a minute. The third is the community benefits agreement. Fred miller will cover that report shortly.

Fish: Theresa, I'm sorry, I apologize. I had too much coffee at lunch. As you just indicated the first two items relate to close out. We are accepting contracts; third item I think most people are here for will have panel then we'll frame that. Thank you for correcting that.

Elliot: I was trying to be polite.

Hales: I was less so. We've got it now.

Elliot: Kelly butte reservoir project included construction of 25 million gallon buried reservoir. This replaced smaller above ground 1960s era reservoir that was not expected to survive an earthquake of any significant magnitude. The project also helped the city comply with It2. There are two -- three contracts in this report to council that I'm asking for your acceptance and authorization to make final payment. Those contracts are for nwh Americas and for design and construction services. Then Hoffman construction for the preconstruction services and construction services contracts. My overall project budget in 2009 was \$90 million. The total project cost for the design and construction have come in about 64 million, I rounded, or about \$26 million under budget. Most of the savings were during design and preconstruction services as project proceeded from a low confidence rating to high confidence rate knowledge. Construction contract alone we saved 6.7 million. Our mwesb participation during design was 19%. 12% was during preconstruction services and 25% during construction contract. The interstate facility maintenance facility renovation replaced 1925 unreinforced masonry building with modern seismic design, highly functioning utility complex. It houses critical facilities, personnel and other resources that are essential for us during and after major seismic event. There are three contracts in this report as well for that, those contracts are for Michael Willis architects for design and construction services. Hoffman construction again for preconstruction services and the construction services contract. Our overall project for that in 2011 was \$50 million. And my total project cost has been \$49 million. Our mwesb participation was 26% during design. 3% during preconstruction services and 38% during construction. In both reports you'll find post project evaluations attached as exhibit all work as complete. I'm asking for your acceptance of the projects as complete and authorized final payment. I'm available for questions.

Hales: Thank you. Questions.

Fish: Mayor and commissioner Fritz, both projects completed on time under budget. Both projects part of long term capital plan to make our system more resilient. Interstate facility is sort of the nerve centers of our system. Obviously Kelly butte has been the center of a long standing dispute about federal rules and our compliance with water quality and resilience. This is something of a milestone in accepting this report, then on Monday breaking ground on the new reservoir at Washington park. We really turned a page. I just want to say about Teresa Elliott, when Mike Stuhr got the big job, and was promoted to director. We had big decision to make, that was to select someone to serve as chief engineer. Fortunately, we had someone in the bureau who was superbly qualified, who is also the first woman in the history of the bureau to occupy this position. And I think you can see from the report that she has presented today why we have such confidence in her work, why we are so proud to have her serve as chief engineer for the water bureau.

Hales: Nice job. So, questions. For our engineer. Thank you very much.

Elliot: Thank you.

Hales: Do we have folks who want to testify on these items?

Moore-Love: This is for item 1059 and 1060, I have Ron robins, Nate stokes and john Hendrix.

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Hales: As commissioner Fish said if you are only here to testify on the third item be signed up here as well if you want to wait. If you want to speak now that's okay.

Ron Robbins: Might as well be the first.

Hales: Come on up. Welcome.

Robbins: Thank you, Ron Robbins, I have contract administrator for carpenter's union in Portland. I was involved in we put cva together and honestly that agreement, we were lucky enough to get that with the blessing of this city council applied to two pilot projects. But I can tell you from certainly its beginnings that this approach to --

Fritz: Excuse me. You are supposed to be testifying on right now is whether the project is completed or not.

Hales: The cva part we are saving for the third item. Maybe I am speaking --

Hales: I think you are. If you don't mind waiting that's really what the third item on the list. This is just about project report not about the cva that's why we broke it out.

Robbin: On that I would encourage not to accept the report.

Hales: Thank you.

Moore-Love: Nate stocks, this is item 1059 and 1060 you signed up for that.

Hales: We'll assume you signed up for the other one if you don't want to come up now.

Moore-Love: Ramona mccarter and Kennedy Morgan? For item 1059 and 1060.

Hales: Sounds like they are here for the cba issue.

Moore-Love: If you are on wrong list sign up on the correct one.

Hales: Let's just assume that they're signed up for third item call them then. Don't have to make them sign up again. Anyone else on these first two project reports? If not, then let's take motion please on accepting the report on 1059.

Fritz: So moved.

Hales: Second?

Fish: Second.

Hales: Discussion?

Novick: Aye.

Fritz: First of all, I need to give credit to commissioner Randy Leonard under whom started all these projects. I echo commissioner Fish's support for chief engineer Theresa Elliott. Not only did she do technical part of the building the reservoir, I got to see them as they were being built which is absolutely fascinating. But she also did fantastic job of the outreach to the community and working with some very invested community members particularly at Mt. Tabor and other places. I'm very pleased that you're now serving as the chief engineer and must be very satisfying to come here and give a final report. A job well done thank you. And commissioner Fish your picking up that work from commissioner Leonard and explaining it every step of the way I think has been helpful in getting the community to understand what's been done and why that we're closing out construction is a job well done both by staff and every contractor working that worked on it. Thank you everybody. Aye.

Fish: I want to thank everybody who came out to witness this moment. Because you won't read about it in any part of the media because there isn't room for these studies. You'll see headline that we were over budget or didn't get it done on time. But reality is that the infrastructure bureaus that I have the honor of leading more often than not get it right. And that means using rate payer dollars wisely, producing good value and meeting the basic services that people expect from these utilities. I want to thank Mike Stuhr who is not here but hopefully listening, thank him for his leadership. I want to thank Theresa Elliott all the professionals that work with her, who work so tirelessly to bring this day to this point. I want to thank all of our partners, public and private, that worked collaboratively to get a great outcome. And in our first official setting introduce the new deputy director of the

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water bureau, Dave Sommer. We're delighted that he's in that position, it's a new position at the bureau, further strengthening our senior management team. Aye.

Hales: There are couple of persistent myths about government that get applied to this one, too. One is, that government, this one included, spends its money on pet projects. The truth is, any of you been in this room for budget hearings know we spend our money on basic services, police, fire, transportation, water, sewer, storm water, that's where your tax dollars go in Portland that's what we're here to do. And that myth will be around no matter how careful we are spending your money but there's some people that look at these things like Moody's bond rating service that gave us triple-a as they have for three decades. I'm proud of that. All of us who manage these bureaus and projects should be. Second you mentioned commissioner Fish, there will never be headline of, once again, city brings project in under budget and on time. But you did, we should be thankful for that, proud of that. Impressed by the good professional work that this bureau has once again delivered. Well done. Aye. And motion on second report, please?

Fritz: So moved.

Fish: Second.

Hales: Further discussion? Roll call.

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

Hales: now, let's move to the third item commissioner Fish you have some invited testimony.

Fish: Thank you, mayor. Let me review the run, first Fred miller to come forward. Fred miller is the chief administrative officer of the city of Portland he's going to provide introduction play the ground work. Then we'll have invited panel from the lmcoc report. Then have invited panel for cba evaluation report.

Fritz: Commissioner I'm calling foul on the acronyms? Could you explain for the first time what all of those letters mean for people watching at home? Sorry to interrupt.

Fish: Fred, I'm going to let you handle this. Then let me just say we have invited guests, eight speakers who will be given three minutes each then the distinguished director of the office of equity will have a chance to speak and wrap up. Fred take it away.

Fred Miller, Director, Office of Management and Finance: Lmcoc means labor management committee. Cba means community benefits agreement.

Miller: Fred miller office of management finance. Two of you suggested that last presentation there might be lack of headlines. I'd like to be able to address that. It looks like lots of interest in this topic. I want to lay some of the ground work for how I think you might have -- how this is going to be valuable to us and what we might do in the future. Essentially I'm here right now because the council asked that when these cba pilots were done that someone come back make a report. I think that's reason for this meeting today in which I'm not really a player. The reason I'm personally interested in this is because it helps define the future on where the city is going to go with respect to these 1% contributions as well as how we handle minority and women businesses and workforce. So, at the end of all of this Dante will talk about where we're headed, I would hope that the discussion between now and the end will help illuminate where the council wants to go and pilots are designed to learn something about a process. I'm sure that that's the case in this -- talking about these pilots. Let me try to focus, because I think there are some real opportunities before the city, I think there's a positive future here if we can get all of our learnings right. You think about how do you next get to a solution. Frankly this is a good model here, because I think it's worth talking about what this session is not about. Then where I think there's agreement probably among all parties here, we can focus on that, the disagreements become clear that's where there are decisions to be made. The first thing this hearing isn't about is Portland building and Washington park reservoir, the stations

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that -- decisions have been made on those things, they're proceeding I think in both cases we have learned from the pilots and benefited from that, in both cases they have gone to an alternative contracting approach rather than low bid. And, again, both cases we've got most aggressive goals of any projects in the city to date. So, I think generally people understand what's happening, I think those are in good shape. That's not today's presentation. Today I want to talk about points of agreement. I think that there is no agreement from anyone I talked to on having aggressive goals for minority, women, both businesses and workforce.

Fish: No disagreements.

Miller: No disagreement. Did I say no agreement? If I did, I'm sorry. Right now I don't know which it was but, anyway, I think we got general agreement. Also there's agreement that we should break down data to a more refined basis so we can see journeymen, apprentices, so on, by ethnicity, I don't see any controversy on that. Second comment is, I don't see any controversy on improving our data collection and what we show in terms of all the projects, Christine moody has developed -- moving along new software, that's been sent to the ecpc for comments. I think everyone's agreeing that new system is a good idea and makes sense. I think, again, there's no disagreement that we should -- an alternative means of contracting produces better results in the low bid. The statutes require low bid unless there are some steps taken for you to approve an alternative approach in which case you do something like Teresa just did, come back with a results see if criteria were satisfied. So, the alternative method clearly is better, the real question -- one question there is where do you draw the line. It gets complicated to the alternative method. Whether it's cba or cmgc or progressive design build --

Fritz: Tell the viewers at home what cmgc is please.

Miller: Construction management general contract. Those all produced better results, but it doesn't make sense at some level of 100,000 contract or a million in the cba resolution 15 million was the point, I'm not sure can go lower than that. To do an alternative contract. But that's a decision that you all have to make as we proceed in the future. There is disagreement on which is the best alternative method. I think there are lots of people, who would say the cba is the best method. Some data will show that it's comparable to other alternative methods but if there's point of controversy that's one of them. But it's not that -- you shouldn't be comparing any of these alternatives to low bid say therefore, it's better. You should compare alternative methods to alternative methods. That's where we're trying to proceed as far as city goes in the future. I think there's general agreement that we should have focus on pipeline of talent for the future that just doing a project, then know where to go after being trained maybe not even being trained in time to do the project isn't as successful as an alternative if we have ongoing programs where we can both train people have continuity of opportunity on different projects. That's where I get encouraged here, because if I look at the region and I personally think, I don't think there's unanimity on this that we're better off if we have regional agreement. Because we would have -- if that were implemented couple of years ago, we'd have Portland building, county courthouse, convention central hotel, Portland international airport expansion and the real gold mine I think probably is harbor clean up. We have huge opportunities for employment programs. We've got to know the mechanism that we're going to use, but I think the city could be considerably better off if we proceed where 1% goes to some common continuity of opportunity and then then we get the rest of the regional partners together and they're interested in that. Just we need to get the city together, that frankly is what Dante' is working on will be back to talk about. So, as I review all of that, I think there's lot more agreement than disagreement. It's which alternative contracting, probably are some question how do we proceed in the region. But those are not -- that's not the whole apple.

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Really a lot of agreements saying, let's have aggressive goals. Do the data right. I think things have improved and I think we've made them improved Portland building and Washington part project but we can get better. That's what Dante's working on and will be out in the community to see how to improve whatever draft he now has. Having said that, I'd like to think that will help focus your thinking about what are we really looking at to improve, what have we learned about the pilots. The labor management committee as commissioner Fish said, has a presentation based on their experience. Office of management and finance hired framework as consultant to take a look at the review in terms of process how they work. Then I know there's invited testimony and I have no idea how many others are testifying. But by the time we finish, I'd like to think we'll have learned something positive and Dante can say where he's headed.

Fish: Fred, one final point of clarification, thank you for laying out the flow of the hearing. I've received couple of e-mails from people saying, in effect saying, that they don't want to see us today act on anything that's being accepted. My understanding is, we're being asked to accept reports not change policies, is that correct?

Miller: That's correct. But frankly I don't know what difference it makes if you accept it or not. We've had the pilots, we've learned something, if you said you didn't accept it, okay. If you accepted it, okay, that doesn't change anything.

Fish: Today's hearing not for the purpose of beginning to draft a new cba or any other policy.

Miller: That's correct.

Fish: It is just to fulfill the requirements of the original benefits agreement resolution that stand there would be report back.

Miller: That's correct. If this were noncontroversial you'd probably vote right now in the way that Teresa did. We accept it. But it is controversial now you have testimony but at the end of that I think it's what we learn out of it.

Hales: You've just given us your version of this, which is when we do make policy, what did we learn from this. I guess that's what I want to hear from the community as well. As we do make policy.

Miller: Correct.

Hales: What worked what didn't work, what could work better. That's what we really need to know. This discussion which we're having this afternoon. Report itself is a report. We're not adopting new or old policy. Or saying we're going to do something different.

Miller: Correct.

Fish: Thank you, Fred. Let me invite up, John Gardener, Bill, Connie Ashbrook, Casey Bernard. We'll give Imcoc report. We budgeted 20 minutes. If the five of you -- four of you can come forward.

Hales: Bring up extra chair if there is one. We can get all four of you up here at once. Steal somebody's chair. I think we're good now. Thank you.

Fish: We're going to ask each of you to limit your initial comments to three minutes then take council questions. Who would like to start.

Connie Ahsbrook: A video that we're hoping to play first.

Hales: Karla will probably need to assist with that unless you're really good at bad computers. Ours is particularly arcane.

Hales: Takes a village to start our power points.

Novick: Start button down there on the left.

[Video Played]

[Video End]

Casey Barnard: Can you hear me?

Hales: Yes.

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Casey Barnard: I'm Casey Barnard, I work for work systems, the local workforce development board and I previously worked for the emerald city collaborative. Over the last four years I provided significant staff and project support to the labor management community oversight committee oversight committee, the cba pilot projects. You're going to hear from many people today with differing opinions and I encourage to you listen closely over the next 20 minutes to your fellow community members who serve the cba pilot projects as committed, open and transparent partners with one common goal, to make this city a more equitable place. In my opinion the cba helped the city to move toward this goal and only this brand of continued transparent oversight in partnership with community and labor will help to achieve the equity for all. I implore our city council members to embrace these community partners instead of turning the focus inward and pursuing equity without true community participation.

Hales: Thank you. Welcome. Whoever is next.

Barnard: I'm continuing.

Hales: I'm sorry, I thought you were done. Not trying to cut you off.

Barnard: This next slide shows everybody a list of participants, the membership of the cba oversight committee which included city staff, community, training, union and contractor partners. All working together to implement the cba and deepen equity efforts. Throughout the pilot project to review city and contractor data about diverse worker and contractor utilization. And develop collaborative strategies, implement the cba. You may be wondering why was the cba needed in the first place. In plain terms, to help address historic inequities. As we all know the city of Portland commissioned a 2009 disparity study which shows statistically significant underutilization of minority and women owned prime contractors on city construction projects. In 2012, response to the findings of the study the outcome of the fair contracting forum the city passed a resolution titled "social equity contracting strategy" to increase minority owned women owned emerging small business utilization. This resolution applied, aspirational goals of 18% minorities and 9% women on city funded construction projects. These goals apply broadly to all city-funded projects including low bid not just projects procured from alternative contract mechanisms like cmpg. On September 5th, 2012, I was here when this city council passed the cba resolution, today I'm going to talk a little bit about some of the historic equity outcomes we've achieved over the last four years. Broadly what's in the cba. Hiring workers from local low income areas. Career pathways for current and future workers that continuity of opportunity that Fred miller discussed earlier. Workforce diversity goals to increase the diversity of the workforce and also goals to increase utilization of minority women-owned businesses. It also included training, outreach, contractor technical assistance and compliance to support all of these activities and move the equity needle. Next slide. These are some of our results. All of the data was provided by city's procurement and contracting department as of April 2016 when both projects were substantially complete. The pilot projects achieved incredible results in workforce diversity. First the cba disaggregated the workforce goals to drill down on all levels of work with specific goals for apprentice and journey level hours. This was done to monitor and ensure that diverse workers were being brought into the pipeline through apprenticeship that these workers were being retained and provided opportunities to continue work as more senior journey level workers. With goals including 20% of work going to apprentices, 18% to minority workers and 9% to female workers, both cba pilot projects were extremely successful in nearly all fronts. Just looking at Kelly butte, 50% of the apprentices were minorities. And 28% of other apprentices were female. Far exciting the goals of the 18% and 9% respectively. Far exceeding the goal of 18%. Female workers journey workers was the only area where the cba failed to exceed the goals. This shortcoming was discussed in great lengths at the

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oversight was identified as industry wide problem that requires significant resources to move the needle. Partners believe that more cba type projects would provide just that opportunity. The next slide shows some of the outcomes from the outreach and training funds. They supported the pre apprenticeship training of 104 diverse workers. As you can see 41% of the people trained were women, 41% were African American and nearly 70% were people of color. These efforts enhance the diversity of workers in the pipeline. Next slide. Regarding business diversity, the pilot project achieved incredible results for the utilization of underserved contractors such as disadvantaged business enterprises, minority owned business enterprises and women-owned enterprises. The cba aggregated the goals from the goals of the emerging small businesses. We believe that helped to achieve historic results. As you can see, across both cba pilot projects, 26% of total dollars, almost \$24 million went to disadvantaged contractors. And there were 68 of these contractors working across the project. To clear up one common misconception, both union and nonunion disadvantaged contractors could and did participate on these projects. To put all of this in context, we looked at the performances of two pilot projects in 2013. After the pilots had been underway for only eight months. We found that the amount of revenue earned by African American owned firms on the cba pilot project at 5.9 million had already exceeded the total dollar amount of five years of contract to African American firms as identified in the disparity study in 2009. The cba disadvantaged contract technical assistance fund supported ta to 26 disadvantaged firms to either worked on the cba pilot project, bid or could have bid on the project. The ta program also helped disadvantaged contractors to build their capacity to do this work going forward. And included hands-on business coaching and access to estimating and bidding software and training. Of the 26 disadvantaged businesses who received ta, 17 were nonunion and nine were union contractors. The contractors were surveyed gave ta services high marks with an average score of 8.93 out of 10 and satisfaction with ta services. We are very proud of using -- these incredible equity results of the pilot project. We hope that the city council and community members are, too. I believe city council had long discussion about the city's efforts around construction equity during the ecpc presentation last week. As city's own data shows, we still have a long way to go to meet the goals of the city's equity resolution. Here the cba pilot projects have shown tangible progress towards equity. I ask that you build on these efforts and apply the lessons learned instead of throwing the baby out with the bath water. Thank you.

Hales: Thank you. Maybe a question now. In your wheel house others may want to address we heard some pretty disturbing reports at the ecpc discussion about utilization of workers in terms of the number of hours they actually got to work versus the fact that they were in the workforce with the project. You want to comment on that, that problem or again invite anyone to comment on that problem, but numerically obviously looks very good. But we heard that at least in some instances not necessarily these projects but in some instances there was some gaming of the system and people didn't have really the hours that one would reasonably expect that they would have if they were in the workforce or major construction project.

Barnard: I can't comment on the specifics of that presentation, but I would say it highlights the need for looking at the detailed data as opposed to the aggregate percentages.

Hales: Sure.

Barnard: And doing that on an ideally a monthly basis as shared oversight structure.

Hales: Thank you.

Fish: Does everyone want chance to speak?

John Gardner: All four will speak, only thing I would add to that last comment that that is history of Portland, where contractors move workers around based on expectations of the

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public owners or the owners themselves. So, with the oversight committee we had ability to look at certified payrolls on a monthly basis to avoid those types of mistakes I again that's why transparency and oversight is important.

Hales: Good point, thank you. Who would like to proceed?

Bill Kowalczyk: I'd like to speak next please. Good afternoon, commissioners, mayor hales. My name is bill Kowalczyk, I was a nonunion carpenter for 25 years and I looked at Portland youth builders for 15 years as construction manager and currently as construction specialist. Our pre apprenticeship program for low income diverse youth 17-24 years old. I want to discuss the historic nation of the Imcoc and roots, metropolitan alliance for workforce equity. The Imcoc is historic governance structure of partnership between the city and the community. Please note the broad -- slide please -- the broad representation of the partners. Bear in mind that these folks representing diverse sectors had significant differences to overcome. Two formative experiences contributed to the vision of the Imcoc. One was the south waterfront experience sitting on that oversight committee and the Edith green window wide federal project. Bring in this group of folks together, community and labor together with city staff and contractor representatives into the Imcoc is a historic innovation. It reflects a wealth of social, technical and political capital leveraged and united to address the nagging inequity in construction workforce in contracting. Unfortunately, this which should be a kumbaya moment is actually become a very frustrating experience for me. Many of you know the Imcoc got off to a bumpy start. In spite of the unanimous vote for the cba by council, city staff appeared shocked at being thrown together with the committee of community and union folks. Leadership by commissioner Leonard centered the Imcoc, in a meeting he convened Leonard reminded all the participants of our mission to build equity and that we are all dedicated to excellent public works project. The Imcoc returned to the table. We started from scratch developing rules for conducting meetings and over time evolving efficient systems. Keep in mind we had to set all of this up in real-time. We received monthly data collected by the city, viewed it with the general contractor as was mentioned earlier. We were together to meet or exceed cba worker and construction threshold. The contractor and subs provided demand for diverse workers, the unions and pre apprenticeship programs, and students seeking apprentice sieve. The objective was to deliver diversity to the industry not necessarily these projects. The Imcoc process built relationships between industry partners, paving the way for future equity efforts. Remember this was a pilot project anticipating future projects. This process which began with tension and apprehension steadily shifted to cooperation and collaboration between Imcoc members. However, as months went by became apparent that city staff were still not engaged. There was resistance by city staff on the Imcoc to make summary reports more understandable. City staff made repeated comments that we were getting the same results they always got. Never providing evidence. Enthusiasm expressed by the contractor in other representative at successful intervention in workforce problems was not shared by city representatives. I and others became concerned that some city staff had a vested interest in proving that their past equity work was the best that could be done. Our repeated attempts to arrange a meeting -- arrange report to council through voting city representatives on Imcoc were thwarted we were told, wait until the projects are complete. We heard rumors from non-Imcoc staff that city officials were out to crush the cba. Fred miller in interview with the Willamette week, had showed conflict of interest and commissioner Fish promoted a different program than cba. No consultation with the Imcoc on this. Conveniently 50% minority partnership participation on kelly butte or 34% female apprenticeship on interstate was not mentioned in this article. Are we to believe that that was just the reporter? We had to restore to individual meetings with commissioners and mayor where we received mostly supportive platitudes. Our attempt months ago to plan for

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today's report to council with the Imcoc staff were first ignored then delayed until 10 days ago. When we finally met we were given an agenda of allocating ten minutes to our report. After four years of work. Responding last week to data this report was changed making it impossible for many of my students and staff to attend this council meeting because annual fundraising event today. City staff were apparently directed to not participate in this Imcoc report. Meanwhile, the city staff forged ahead overall these months shaping an equity strategy behind closed doors without transparency and marginalizing the successes of the cba. As was mentioned there's no input into the Portland building program, it was just delivered. Now we are told the city staff representing a new equity plan called the cep today. Written before and without the Imcoc's report to council, again, our first in four years, and buried in the evaluation are policy changes. Where is the inclusion? Where is the citizen-city collaboration? It feels like all this work; all this capital is squandered. This feels like a political game to neutralize the Imcoc. And city staff hold all the cards including setting the agenda. Here are my hopes for the future. Equity strategy must include real collaboration with the community and labor, not tokenism, not gestures after the fact but real inclusion with city support, not subterfuge. I strongly urge the council not to accept the evaluation report. I urge the council to include members of the Imcoc in any new equity plan, we paid our dues. Finally, the problem is institutional inertia in my opinion, internal resistance to change, I heard a quote this morning on npr. You can't solve the problem by using the same thinking that was the source of the problem. Thank you.

Hales: Thank you very much. Who is next? Who would like to go next?

Connie Ashbrook: Good afternoon, mayor --

Hales: Push the button on the base that have, please?

Ashbrook: Good afternoon, mayor, city commissioners, thank you so much for the opportunity to address you today. My name is Connie Ashbrook, I'm the executive director of Oregon tradeswomen, organization that educates diverse women and girls about the building construction, manufacturing, utility and other trades as well as apprenticeship programs employers and government agencies diversify their trades work forces. I work in construction for 17 years, mostly as elevator construct for before coming to lead Oregon trade in 1996. I served on the Oregon state apprenticeship and training council for nine years for the past six years on federal advisory committee on registered apprenticeships. Oregon trades women have run our pre apprenticeship program since 2004, just this year graduated our 1,000th student. Bee have had a huge impact on the number of women working in the trades in Oregon, over 7% of Oregon's apprentices of women as compared to 2.8% nationally. And apprenticeship programs that we work who most closely of over 9% female apprentices. About 1/3rd of Oregon female apprentices are Oregon trades women graduates and some of them are here today I hope they would wave. That they are here. I'm very proud of them. I'm here today to speak in favor of the community benefit agreement and the whole process of the labor and management community oversight committee. I'm here on behalf of Oregon tradeswomen but also on behalf of our -- other two pre apprenticeship programs that we're involved constructing hope and together we did amazing things on two pilot projects. I want to say thank you very much to the city council for the resources from the community benefit agreement. Because of these resources we were able to train 27 women to prepare them for the trades, including 24 of them being women of color. Today three of them are working for the Portland water bureau as water meter reader. A water service apprentice and an environmental technician. 14 others are working as carpenters, electricians, laborers, tree trimmers, line worker and steam fitter apprentices. Four others are working in trades related fields such as cabinet maker and material electrical handler. 21 out of 27 formerly low income women now working at high wage, highly skilled careers, thanks to your investment, you should be very

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proud. There were similar results from constructing houses overall as you've seen bringing 104 low income and minority individuals out of poverty and into the middle class. The majority of them, city of Portland residents, now becoming taxpayers and rate payers, helping to support our city. We also want to thank the city for the opportunity to sit on the labor management community oversight committee. It really helped us bring the issues of a diverse workforce to greater prominence and attention on the project and to solve workforce diversity gaps in real-time. And achieve significant numbers on these projects. I can't begin to thank you enough for the opportunity to problem solve in real-time. During our monthly meeting and to make sure that the workforce diversity gaps were taken care of quickly. What usually happens is the gaps are reported at the end of a project when everybody says, oh, too bad, we tried. Together we didn't just try, we did it. We should be all be very proud. I want to dispel a few of the misconception, is that have been stated in various city reporting documents. Oregon trades women constructing hope and Portland youth build we pride ourselves on our integrity, on our service to the community, but also of our sheparding of the resources our funders give us to do our good work in the community. Through our professional audits, oversight from our board of directors and quality reports we provide stewardship of the public dollars to make sure they are used wisely that outcomes are clearly reported on. Because of this integrity we are offended that our integrity was questioned by the city. We carefully recused ourselves made sure we were not part of discussion and decision making when we stood to have resources allocated to our organizations so that we can serve the community. We signed a conflict of interest statements, acknowledging any potential conflict of interest. Our three organizations were at the table at the Imcoc because we are subject matter experts. The only ones locally providing the valuable service to the community and to the construction industry. Our expertise was needed, valued and effective. A complaint has been made in a report that few of the trainees funded by the community benefit agreement worked on the water bureau project. But we always knew we would be preparing for the future, building the pipeline of workers to do be more robust to be available for future city projects. And cba project benefited from our past work, a full 40% of the women who worked on interstate and Kelly butte were graduates of our pre apprenticeship program. We properly make competitive bids on the dollars available. Systems proposals and report knowledge documents, contrary to what have been said are detailed and rigorous. Our organizations were selected because we have the needed expertise and capability. We agree that this is a pilot and roles need to be clarified that are more formal structure needs to be developed and city staff struggled with the demands on their time. And need the additional time to work on these. We agree that examining and learning from the best practices and transparency of data of Seattle, Boston and other communities would strengthen the city's workforce program. Unfortunately, the results give the impression that the city of Portland does not care about workforce equity on their public projects. We heard that the city working on a new plan. Thank you for keeping time. We wish those plans had been in place on the building and Washington reservoir in as in depth and quality as they were on these two pilots, community benefit agreement projects. Our concern that any plan needs to include greater efforts towards workforce diversity not just contracting diversity. Today's construction workers are the business owners of the future. And less diverse men and women get to become apprentices, become journey level, have opportunities to move into supervisory roles, we will not have a robust and diverse contractor pool. Please do not accept the city pilot's report as written. The city of Portland needs to fully engage with the community in a meaningful way before making significant policy decisions about this tool. Thank you very much.

Hales: Thank you. Folks, again, give hands, go ahead, please.

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John Gardner: Good afternoon, commissioners, mayor, my name is John Gardner. I serve -- during the course of this community benefit agreement I'm honored to be here to celebrate the game changing program that was the city of Portland's first use of community benefit agreement on city-funded projects. Before I go further I agree with what was said earlier by Fred Miller and others in terms of Teresa Elliott her amazing qualifications over the last four years. Only say that because I'm going to use the term city staff a lot. When I use the term city staff not necessarily specific individuals, it's referring to a culture of transparency and collaboration that unfortunately occurred after the fact. Which is why I think we're here today. To be clear I'm not here to call into question why although you as council unanimously approved the cba resolution in 2012 and asked staff to consider applying cba to cba template to other projects four years ago, staff ignored that advice or that guidance and projects like the water bureau reservoir project and Portland building were never considered. I'm also not here to complain like others have in terms of the lack of willingness from city staff to allow us to bring our progress reports, which you asked for four years ago, and give you updated context on how well we were doing and how we're achieving those goals. Finally, I'm not here even to ask you or your staff to report on your overall progress related to increasing minority contracting and workforce utilization outside of the cba because, remember, your first commitment was to increase contracting in workforce utilization, the cba was only contracting template to use to that end. So I am curious about how things have gone outside of the cba but that's not why we're here. I'm here to give additional context to one of the city of Portland's greatest achievements in equity, diversity, inclusivity, transparency and shared economic growth which they can and should take credit for. Additional sort of background for all this. What happens after the celebration and parade four years ago was, I was part of the negotiating team that met with the prime contractor and city employees to discuss the operational implementation of a brand new contracting agreement. Now, you should acknowledge that the conflict and anxiety for that group which already received contracts, the cba was something that happened after the fact two fairly large contracts in terms of, we know you have contract awarded but here is what we need you to do. We need you to look at all the contract documents, your approach and proposal and infuse this high road standard approach to ensuring community equity and transparency. As much as you think that's a good thing if you're on the other side of this fence that's a lot of work. And created lot of anxiety. I believe this added work and expectation of transparency put in official cloud over the project in first few months of meetings, although the contractor in teams showed amazing leadership, I saw that for some projects past the negative assumption of this new contracting method ultimately never went away. Unfortunately polluted much of the information that you and other city staff have received about the progress and workers with cba over last four years. I also like to talk about city oversight. I can't help but notice a lack of city staff standing arm in arm with us. This was a joint community and city project. The fact that we segmented our presentation just an example of sort of the lack of transparent collaboration and collegiality that we enjoyed when we celebrated the monthly successes as we got near to the end the rationale of why we weren't looking at others' programs speaks to me that we really weren't the team I thought we were over those four years. Make no mistakes, the city over saw implementation of the cba pilot of those projects. They were the first and last word. They weren't deciders, whether it was conversation about contracting, project spaces, assessing damages, approving contracts and clearly committing to council. The public owner-member of the Imcoc which is transparency board was city of Portland they had the last say though this idea that some volunteer committee was pushing billion-dollar enterprise that is the city of Portland around is crazy. In terms of project development, I agree with Mr. Miller's comment this was supposed to be a pilot but

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it was not supposed to be implemented in a vacuum. Unfortunately, very soon after the project was led we began hearing from staff that we're not going to do anything else although you asked them to until this project is done. Which again was not in the minutes of the resolution past four years ago. But it was feedback that we received. So unlike a pilot project the feedback that I heard over the last few years has not been about what we were learning or how it could be systemized help improve overall city contracting, but these were much more like when will this end so we can get back to business as usual. In hindsight looking back, on what is transparent I feel like we never really had a chance. By no means do I believe the cba was perfect, there was a lot I agree with in terms of the city's procured evaluator. Evaluation and procurement I never saw until it was actually secured by partner which is strange because all of our procurements were public. If you compare --

Hales: I don't think your slides are up.

Gardner: And they're amazing. Thank you. Again by know no means do I believe the cba was perfect there's a lot I agree with. But if you compare both reports although there's lot of overlap there's also lot of different, even though we're talking about same projects it feels like tale two of cities. One coming from the perspective of what can we learn and approve the other reinforcing narrative that projects and multiple problems and was a bad idea from the start. Let's get back to business as usual. Because we know best. Lmcoc was important but had too many responsibilities I agree. We didn't know what we were getting ourselves in to. But I also believe that it's best practice for community stakeholder oversight especially with the lack of coordination and infrastructure provided by city staff. Was only continued to be training for administrator but took on other responsibilities for all three funds primarily due to the city's lack of management leadership. Cba governance provisions created potential for conflict of interest. Untrue. Although public contracting is ripe for potential conflict of interest as many of you know, our included recusals and our documents, for example, I would encourage you to look at this tell me what about this isn't clear in terms of recusal or acknowledging potential conflicts of interest. This is one example of what your staff signed as they participated in the cost process. Cba program administration costs were relatively high, untrue. The city agreed to the administration which included personnel, operating, administration and indirect operates to cover all the costs to building out the procurements managing resources, taking on all three funds and operation -- operationalizing the project. I would love I try to do research through the city's internal costs of that the idea that they could do this for less in terms of pilot I would love to see as taxpayer. I think you got a great bargain and great deal and I think lot of what will be developed can be used to bring down costs in future models. Startup and admin costs in ta programs may have outweighed short-term benefits. Tell that to Nate who you saw in the video. And other mdb contracts that scored incredibly high. New models do cost more to develop but taking lessons learned approving technical assistance approach meant to be applied to additional efforts, will save money in the long term. One thing i'd like to say the city has for years' way beyond the cba provided technical assistance to minority firms. But all those efforts were found lacking in the 2009 studies the idea to sort of judge a new approach where contractors were served were appreciated the service when your own house not in order is surprising to me. One thing I obviously agree with is that procurement used good practices, I would argue if you look at the report they maintain this they use best practices. That was one of the things obviously I personally took offense to because we try to establish a very high mark for transparency and clarity in order to sort of let it be used again and again. I think if you look at the documents, many could be updated and used for any future investment. Cba's contracts -- 1% contracts were not performance based. Actually, your own report states that training contracts had enrollment, training and

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completion goals. The community construction program used well established and time tested service models had been successfully used prior to this. That's the program exceeded originally revised program enrollment goals. One thing to note when earlier someone spoke about 104 scholarships this they provided, when we contracted with the cbo training providers we only contracted for about 80 scholarships. Not only did they over perform their contracted goals, but they leveraged own infrastructure to bring additional opportunities to others in the community. So the idea that we didn't pay for actual services, again is craziness, disappointing. Compliance activities were duplicated not you'll compliance funds were spent. Finding think we didn't spend all the money, I think someone said this earlier, we saved money I agree, city has good compliance resources available. So there is some duplication that's why early on we decided not to take any program administration funds from any of the direct services but instead city staff came back to you all and asked to take some money out of the compliance fund to fund the administration of the project which is I think a great best practice model that doesn't reduce the actual services to minority contractors or workers. Comparable projects also achieve good results against cba. So this slide is a little hard to see, but my understanding is this is what happened when the city staff was looking for other examples amongst the city's history of contracting to show how good you do outside of the cba. What we have here on these is interstate cba pilot, southwest moody street car project. I would first to say is not comparable. If you look within -- you'll see other examples whether it's contracting or utilization that those projects didn't achieve same results. I would further suggest that if you're looking at southwest moody and street car those were partnered projects where trimet applied to the fta to fund those projects but in doing so the city of Portland had to achieve the dba program goal which were actually set higher than cba goals. The idea that city of Portland has long history of diversification in terms much utilization contracting just not true that's why we're here in the first place. Lessons are taken -- these lessons are taken verbatim from the evaluator's report which I believe you'll hear from next. These are real critical. Need to be included in any agreement going forward. Some overlap, there's some agreement. It is clearly described in your evaluation when you look at the report that's being presented today none of those components are included that you're being asked to pass. I know there's some confusion about what we're being asked to pass what it means. It means you the findings of the cba which don't actually speak to best practices that your own evaluation asked to you include in any model going forward. That's why I think there's so much push back. It's not clear what it means to agree with the report you're preparing to accept. None of these are being carried forward if anything they're being intentionally dropped in the proposing next step. I would just -- for time I won't go through all these. Although you can see this is about goals, about accountability. About participation of key stakeholders, did I look at the report the idea that you may convene advisory committee, and openness I think that is one of the best practices, idea that you may or may not do that or that you'll only apply equity goals to cmgc projects as opposed to what you've already committed which is any time you spend dollars over certain amount you're going to champion equity. That's not just the retreat. That's -- almost retreat. Because these lessons learned explicitly outlined are not at all reflected in the recommendations found, I encourage council to take a step back, not accept the report as written work more closely with community partners to come up with a summary report that accurately reflects the cba pilot and clear next steps based on fact and goodwill. Also those -- my recommendations are someone who has been through this, lived through this, both alls outsider now as insider in my role at trimet I encourage you to continue pursuing high road. Through collaborative transparent process which again not what your report speaks to or sorry even the new program model. I Encourage you to continue set clear and

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explicit goal settings have real monitoring the idea of wage -- gaming the system moving workers around where they don't actually get moving up through apprenticeship is a thing of the past. It's happening. Mostly outside of the cba by the way. That you have clear engagement and commitment secured by all relevant parties that includes community organization, training organizations, labor, fund managers, whatever it looks like. That you have built in mechanisms that we had to develop in the cba to support necessary community capacity building. Also want to encourage to you identify external neutral fund administrator whether it's Oregon development the idea that conflicts of interest can be avoided are inherent in this body other others need to find someone neutral to leverage their own resources or that table to have that conversation that can be overseen by city staff. But it's too expensive for to you administer the fund, been, no way to avoid conflicts of interest that I'm sure you're going to hear across next few presentations in terms of all the different voices who want a role in this. They can all be at the table but need neutral partner to administer the funds. That you continue to have ongoing and meaningful oversight and accountability. Thank you.

Hales: Any questions for this panel?

Fish: I have one question. Frankly I appreciate the testimony, but I want to separate out is the testimony that anticipates the next presentation. A number of concerns you've raised are to the independent evaluation and those findings. Probably in retrospect we should have heard that first then heard your rebuttal. That's a big piece of what I heard. I've taken pretty good notes on that. I've heard some references to level of cooperation, participation by city staff. Obviously something we take very seriously, it is somewhat inconsistent with what we heard from ecpc last week or the week before. In terms of outcomes in this project, I have hard time reconciling the notion that it was heart hearted participation on one hand yet we got great results. I have -- maybe that means we could have gotten better results. There's a contradiction there. I take it that that is the verdict on the community benefits plan that was negotiated with the community and accepted by this council and is going to be the guiding principle for the work we're going to do in Washington park. It suggests that we have somehow abandoned some basic principles along the way. As the commissioner in charge who cares deeply about this issue, I don't understand. I want to give anyone a chance to just explain what we mean by that. Let me just set the stage. The explicit framework for community benefits plan was to take the lessons learned of the community benefits agreement and improve the outcome. That was the explicit goal of that. No change in the 1% set aside. No change in accountability except the city did something which we're often accused of not doing enough we're going to be accountable for reaching the goal. Then we did something that I thought was noteworthy. When you unanimously embraced the community plan which was the successor to the community benefits agreement. We set higher goals for mwesb participation across the board. We set a more ambitious framework for equity and opportunity in this project. Said at the end of the day we're so committed to this we're going to make the city accountable, not some committee we didn't disband any committee we have advisory committee made up of, we hope, the same thoughtful and knowledgeable people. But city said we're lifting the bar and we are going to be accountable for reaching those goals. I have to say, that's an entirely different impression when I recite the fact than I get from listening to this presentation. I have to ask, what is really dividing us. So, i've had meetings with friends here and friends in the audience. We've had very frank conversations as we often do. And what I have been told that the center flaw of our approach going forward is that my friends in labor are not signatories to the cbb. You can nod your head. But that is most of my meetings is what I have been told is the central flaw of this. I welcome your view on that. But that has been framed as central flaw.

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Kowalczyk: Could I correct that, please?

Fish: I hope you correct more than that.

Kowalczyk: I could start with that. First of all, it's not a question of focusing on labor signatories, it's community partners being signatories to a cba agreement. Or some other kind of agreement in which you actually have oversight on a monthly basis in real-time as opposed to an advisory committee that's so rarely convening that it's not in real-time. Keeping in mind that the cvp was designed for much smaller dollar amount contracts.

Fish: Fair enough. A document that has signatories, whether it's an mou, whether it's the cvp whatever you want to call it is central stumbling point that has been expressed to me. No change in the set aside, the money. Higher goal for the project with the city accepting full responsibility for reaching those goals. I just want to make sure I understand because I'm missing something.

*****: Believe me --

Fish: How does that and an experience under the cba that both have said we should celebrate. My question is, if we have said we're going to raise the bar, how do we throw the baby out with the bath water, what am I missing?

Gardner: What I would say is two things. First I think you're missing one of the greatest points of the cba is that it's a collective responsibility. No offense but city has been found wanting when you try to do it yourself. Clearly it takes cbo's who can recruit people of color and folks in poverty then train them and partner with signatory or union-based trainers which represents 70% of the training organizations for apprenticeship in our region. The way pcc and community college we're going to offer free community college but not through you. So this idea that A, the city can do this by itself because it has such a great track record is a little disingenuous. I think it's commendable but a little naive because it took a whole village of historically partners who didn't work together, community-based organizations who didn't trust labor, labor didn't trust minority contractors. Minority contractors that were still waiting for the city to step up. I love the new numbers on the Portland building I think you have great staff focus but leaving out this collective community table. Forget about signatory, although when you sign something you are on the line for it in all the members of the community oversight committee were on the line, never going to be if we failed the city didn't do something would have been the trade, didn't step up, community didn't step up. It was collective. We never had that problem. Mostly because of some -- but also because shared agreements that was canonized by putting our other organization's name on the line.

Fish: That to me is an important -- very important question, issue. For that trust and accountability in how ultimately I think we all agree will be judged on the numbers. We're talking about means and not ends. I also just want to make one point. The underlying resolution -- I'm not here -- I'm going to respond to this because my bureau ran the pilot, because I have commitment to this work. I'm just one member of the council. I'm not the person that did the independent review of this. And only substantive role I've had recently is to say we're going to raise the bar on Washington park. I thought at the end of the day that was the most important part of this conversation was raising the bar for participation. And I also thought because city often accused of not falling -- I thought having the leadership of the city be accountable to that was actually a step forward. We have a disagreement about that because you have a trust issue, I get that. History is a guide. Although I don't think the utilities have been the greatest offenders, but in fairness, let's be clear. I don't want the rhetoric to get in the way of the record and the relationship. Because you would almost think if you parachuted in here from another planet that we actually had a fundamental disagreement about that end. And that we had some deeply principled divide about how to get there. There are some nuances, I listened very carefully to your

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testimony. Frankly the one umbrage I would take the idea that we've marginalized you by coming together. It was my view that having this oversight committee come and take as much time as they needed to present to council was honoring your work not marginalizing it. I have a sense that a number of things have been flipped upside down. We don't disagree. We've set a higher bar going forward, now we're talking about whether there are signatures. I just want to be clear. If it comes down to a question of signatures, I don't have the time to say on this. We've adopted a cvp, my colleagues will have views on that. I think you make a point. I think we should engage that point. But I would just caution us not to say that the absence of a signature represents retreat from a commitment. And maybe enough damage has been done somehow, even though I have been told results were pretty good on the cba I'm not quite sure how to recognize all of that. But I don't want to leave a misimpression here about shared values. And I don't want to you think that the city has spent four years undermining this cause, because it's just not true. And if you have specific examples, because we've talked in the abstract, stayed away from identifying people. If you have specific examples, I want them. It doesn't have to be in this form. I want specific examples of any city staff that has subverted your work. And going forward let's be clear. Other than the community benefits plan where we raised the bar, this council has taken no further action on cbas and future of cba. As mayor said the purpose of today's -- there are some disagreements in the community. It is this mayor and next mayor that have the authority to figure out where we go on that. But I just -- when I heard throwing the baby out with the bath water, I thought at some point we took a wrong turn here. I go back to the 1% is -- bar has been raised the dispute is about signatory. That may warrant this level of conflict. But it does not in my view in any respect represent a breach of agreement on underlying goals.

Barnard: Can I speak to that? I made that statement about the baby and the bath water. I would say the baby is the means. The baby is the process. That's how you build trust that's how you really make inroads in equity, these are hard issues that take a lot of partners working together. The sense right now is, yes, let's all set that bar higher. Let's set those goals higher, achieve better numbers. Let's not forget how we achieve the cba numbers in the first place. Doing the internally without that real meaningful input and expertise in the community and labor seems like a misstep in my opinion that's where that comment came from.

Hales: Thank you. Other responses?

Gardner: Two things. First is, I think originally my rebuttal as you called it was meant to be after hearing the presentation from your evaluator. To that end I do have copies of our responses to the initial evaluation like to provide for all of you. Secondly one small example that I will use that I feel was way of undermining the big success with beginning of a small potential problem was, I had an opportunity I think two years to go to visit the commissioner Saltzman's office, I'm sorry he's not here to talk about success of the cba which was really interested in or gave us time to have that conversation, his first question or first series of questions that were most interesting to him was, why are you spending \$4300 the cost of meeting participation of cbos or why did you spend that. I was like, you have seen our draft report and update you see the numbers, you see the good things. You're asking me about \$4300 was a meeting attendance payment that the city asked, an mou because city and prime contractor recognize that only one not being compensated for their time, their travel, their mileage, expertise was community-based partners participating in the planning process. City staff asked us to do that. We did that. We documented their attendance because city gave us the rosters and that was the first question, not how are you guys beating historical city numbers. It was, where is this \$4300 going to. To me,

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someone told him, they didn't own fact that the city asked us to develop that process and procedures, someone told them there was a questionable expense --

Fish: Can I just -- one last thing because we're getting to a point now where we're attributing motives and --

Gardner: You asked for example.

Fish: It's very hard to shadow box without specifics and we're making assumptions and I will say as the commissioner in charge of the utility, for the record, that I am grateful for the service of the Imcoc. I'm grateful for the work you did. The finding of the independent pilot evaluation are findings of independent evaluator which we are free to accept or reject or whatever we want, it was prescribed by the underlying resolution. It's an independent evaluator's finding, you disagree with many of the -- that's purpose of this hearing. But perhaps we should have started, it's my fault, I should have started by saying thank you for your service. Sounds like you haven't had enough -- haven't had enough occasions to say that. And we haven't had enough occasions to celebrate the progress and we haven't had enough face to face conversations to talk about our shared goals. The matters before us. I guess if anything while I think I disagree pretty strongly; I appreciate that we have the relationship where you in forum are so candid with the council about your views on this matter. And I have no doubt that we have shared values driving this thing. There may be some differences, but the end of the day, I actually will tell you that I'm much more interested in outcomes these days because we end up spending lot of time, in my opinion, fighting over the wrong stuff. I'm interested in outcomes. And in the cbp we're accountable for those outcomes. And you're going to hold us accountable whether you're a cigna tear row or not -- signatory.

Hales: Thank you all very much.

Fish: We have another panel. No, we don't. Linda Lewis is from frameworks llc going to present cba evaluation report.

Kowalczyk: Thank you commissioners and mayor.

Fish: Linda I apologize we probably should've had you first and some commentary to follow, but welcome.

Hales: Karla will assist if needed with our complicated PowerPoint procedure. Good afternoon welcome.

Linda Lewis: Thank you, well my name is Linda Lewis I'm the principle of framework llc which is a single member limited liability company that's based in Ridgefield Washington and I happen to be a wbe both in Washington and Oregon state and I was retained to do an independent evaluation of the cba and so I want to share with you my findings. These are my findings; these are not the city's findings this is an independent evaluation. And I'll speak to some of the things that john raised in the last presentation before I get started I guess though there a lot of names in this room that I had the pleasure to speak with as part of my evaluation including John Gardner and some of the members of the last panel. And I want to say I thank them immensely for their corporation for them being willing to take time with me to collect information to help me so I was very pleased to work with these individuals. I want to share with you the evaluations findings, but I want to tell you a little bit about the evaluations approach first, very quickly there were four components to this evaluation. First was a financial evaluation of the 1% set aside funds, what we were looking at was where and how funds were authorized, how they were dispersed, who received them and what they were used for. Second we did program and process analysis and I should say when I speak to we I subcontracted with Paul Lewis who happens to be my husband, but he did the financial analysis and worked with me on this engagement. We did a program and process analysis looking at programs outcomes and objectives. Were they clearly identified? Were they well understood? We looked at contractual relationships

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between the various entities we looked at the way funds were awarded and we looked at monitoring activities. Third, we conducted a performance analysis. We looked at whether or not the cba achieved its goals and objectives. We compared the two projects and we looked at the effectiveness of various strategies funded by the 1% money. And finally, we did a comparative analysis. We compared the pilot projects with similar city projects and we looked at the way that funds were awarded comparing them with other city programs but also grant funds. So based on the four components I want to share with you some of the things we found quickly. I should mention too that this was a pretty comprehensive evaluation in a very short amount of time. We interviewed 17 representatives from the different entities represented here. We reviewed lots of documents and lots of data including Imcoc minutes and various artifacts of the projects over the last four years and we conducted an onsite review of the wsi and cause records since they were acting as a fund administrator and joint entity. I will talk to that in a minute. I will say we did a review, but not an audit. We attempted to do an evaluation but not an audit of the funds or procedures that occurred. So briefly, findings. As you've heard from other testimony today, in terms of performance against goals the pilot projects were successful in meeting most cba goals. You noted and I will show you in a minute, all of the projects, pilot and non-pilot struggled to make goals for journey level hours worked by women. But I would like to talk a little about a point that had a has been made and critiqued by earlier testimony. Comparable projects achieved good results against these goals and I want to take a minute to look at those. So we were given four comparable projects similar in size and scope to the two pilot projects and using alternative procurement methods. We contacted the contractors, looked at data and looked at performance. We learned the cba performed well against cba goals but some of the other contractors did as well. And in the area of utilization of minorities you can see the performance on this graphic the goal was 18% in the cba all of the comparable organizations except for mt. tabor met or exceeded that. Quickly looking at the utilization of women, everybody struggled with the 9% of journey worker hours being dedicated to women, but everyone except mount tabor were successful in it feeding the apprentice work hour goals for women. And then I flipped this chart on its side. It is sideways in the report and john Gardner pointed this out. It is a little easier to see it this way, although the lines are a bit faint. This is the performance of comparable projects against cba contracting diversity goals. What it shows is the interstate and Kelly butte were successful in meeting the university goals. In terms of the hard construction costs that went to minority women, disadvantage business and emerging small business firms, all of the projects were reasonably successful and all of the projects struggled a little bit except for interstate, southwest moody and Kelly butte. Meeting the 12% goal. So I share these with you not to say that the cba wasn't necessary. That's not what we are attempting to represent here. What we are representing and in our evaluation wasn't comprehensive enough to know all of the reasons why the pilot was successful and the other firms were successful and other projects were successful in meeting goals. I share this only because other projects did achieve goals. Would have achieved the cba goals. And as john pointed out in the last panel, there are likely reasons for success. And I think these are important because they are reasons the cba was important, but perhaps reasons that the other projects were successful. And they do need to be taken account of as the city moves forward in whatever solution it chooses. First and foremost, well understood goals for contracting diversity including the apprentice and journey level goals. The cba has spelled out goals in this area. Some of the other projects had goals spelled out as well. Not all of them were as refined and not all of them used a breakdown of apprentice and journey level, but goals were there and what we were told in our interviews, is if contractors were given goals they would do everything they can to achieve them.

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Accountability is extremely important. Including active compliance monitoring that you saw in the cba and you also saw in some of the other projects. Participation of key stakeholders. Hugely important. And stakeholders including labor organizations, participation in real-time project work force support and program design. This is where the cba really excelled, but what we saw in other projects was the stakeholders were also involved not to the extent as they were in the cba, and we do believe that the key stakeholders augment is critical to this moving forward.

Contractor commitment to the city's diversity goals capabilities to support them and willingness to participate. If contractors are committed, projects will be successful and finally, investments and outreach technical assistance to minorities, women, disadvantaged, emerging small business firms. What we found in our evaluation is a lot of these outreach occurred on the non cba projects. It may have contributed to the success of the non cba projects. Our role wasn't to prove what reasons for why things worked and why they didn't on all projects but these are the likely reasons that we ascertain from our work and from what the literature told us.

We also looked at the 1% program performance. And 1% programs are again the funds, the three funds that were funded by 1% of the construction money that was set aside for that purpose. What we learned was that the programs did indeed achieve positive results, but not specifically for the pilot projects. You've heard before that few participants were actually employed on a pilot project and that is true. There are some reasons for that. Pre apprenticeship training projects were funded after the contract construction contract was sent and they had limited ability to plan for project needs. Had the pipeline been up and running earlier, they might have been able to get more of the participants on the projects. That's not to say they didn't do good work, because they did. They trained a lot of people. And they were very successful in what they did. Just those participants didn't end up on the pilot project. Technical assistant program. The design and development and procurement of getting that program up and running from scratch. That took a lot of time. It took a lot of resources. And so by the time the program was up and running, there were opportunities to help firms, good opportunities, good work was done. But not a lot of firms were employed on the pilot projects.

What our conclusion was that the result of this evaluation was that the 1% programs are most likely to provide longer term community benefits and by that I mean, community benefits for many projects, not just for the pilot projects. So we are not saying that they weren't a success or they failed. We are saying those benefits are yet to be observed. We took a long look at cba structure and governance and some of the findings I need to explain to you because I have heard them taken out of context. We found that the Imcoc was a very important organization. Had a very important role on this project on the pilot projects. But it did have too many responsibilities for basically a volunteer organization with no legal identity and no formal staff. So the cba created this organization but gave it no legal authority which caused some problems and I will go into that in a moment. So you've heard talk of conflict of interest and what we said in the report is governance created potential of conflict of interest. We never observed any conflict of interest. We did observe however the very small number of individuals designed programs and worded contracts and were fund recipients but that was sort of the nature of the beast. A small number of core people did a whole lot of work on this project to make it successful. But the way that the cba was structured gave some appearance of conflict of interest. Now, as you've heard from earlier testimony, folks were very sensitive to this. They were aware of it. They discussed it in their meetings. They said they recused themselves from procurement processes and we found that was true. We did not find conflict of interest. But what we didn't find was signed conflict of interest statements even though we asked for them

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several times. They may have been there; they just didn't migrate their way to our project. But we think that's important for any government structure that gets adopted. I mentioned the relationships between a small number of people. Another relationship that complicated funded administration was the basic contractual relationship among all of these groups. The cba document gave the Imcoc authority for fund over site for management, but the Imcoc had no legal ability to spend or receive fund. They were a volunteer organization but had no legal ability. They were given all of these responsibilities and given all of this authority, but they don't have any ability to do anything with it. The cba also identified wsi cause as fund recipients. But on fortunately there was no real contract or agreement with the Imcoc because again there was no legal ability to do that to perform the role. So over time the parties adopted some ways to pass the money through which weren't ideal but they did what they had to do given the nature of the beast. And they passed the 1% funds from the city through a contract and on caws using a purchase order. The city had a contract with Hoffman to do the construction work. The 1% money went to Hoffman to use a purchase order to give the money to caws who used an existing contract with works system to get the money there so the work could continue. I raise this only because it's not ideal. It's something that we would say if you are going to do this in the future, don't do it this way. And that's the only reason we raise it in our report. As John mentioned earlier, we found that wsi who was acting as the fund administrator for the cba used very good practices for procurement, invoice review and obtained authorization. We had a chance to look at their records. Not an audit, but we wanted to see how things were transpiring and found good practice being used. Much has been raised about provider contracts not being performance based. Many do have that right but it's always good to find opportunities where you can pay for an actual contractor performance. And by that I don't mean delivery of widgets, I mean desirable outcomes. Most of the contracts by definition for the outreach and training programs, for example, are cost reimbursement contracts. And that's pretty traditional for that kind of contract. But what we recommend is look for ways to make things more performance based. And then there's the issue of administrative costs. We do believe they were high relative to some city programs and our experience has been that 14% to 15% or 16% percent is probably more in line. The 17 percent number though does include startup costs, so it does make it a little difficult to do a comparison. So there was a lot of startup involved in the cba program which added to these administrative costs. So moving forward, again, we were hired as independent evaluators. We weren't hired to do a design for a revised cba or to throw out the cba and come up with something new. But we did identify some recommendations that we believe are important going forward or opportunities to use in whatever the city elects to build for community benefits insurance opportunity. In terms of government, we believe it's really important to organizationally separate project related activities those are things like project placement utilization of employees, things like accounting, procurement, contracting, those got co-mingled and they need to be separated. It's important to define manageable committee roles. So if you are using committee going forward and something like an Imcoc you need to define what it is they are charged with doing and maybe sure what it is they are charged with doing is doable under their charter and provide adequate staff support. For fund administration it is important to have any and all contracts in place before work begins. And not try to do that after the fact. We do believe it's important to require signed conflict of interest statements. If it was done on this project, great. We didn't see evidence of it. It needs to be done going forward. It's also important to include project close out procedures and think about researching and considering performance-based contracting. Over site is incredibly important as you've heard in previous testimony. We would add to

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the oversight. We would advocate for program and financial audit provisions. Kind of above and beyond what individual programs get audited by virtue of their funding. We also would advocate for improved and expanded program evaluation performance monitoring. And earlier testimony talked about some of the things that are in the works for looking at participation of minorities and women in terms of ethnicity and some of the other details that would give you more information to work with. In terms of the programs, we recommend that you use the 1% program funding to create a pipeline of qualified diverse individuals and firms for multiple city projects. Not just one project at a time. We recommend that you provide ample lead time to organizations trying to build your pipeline prior starting the contract. And we would hope that the contracts would get cut after the agreements were reached and not before. And it's important to differentiate the kind of technical assistance that the cba or other 1% set aside programs could provide. Differentiate that from that which is typically provided by contractors. Because what we learned in our comparative analysis is that contractors do indeed provide technical assistance. It is different than what you saw in the cba pilot, but you need to make sure those are differentiated so there is a value add there. And with that I will turn it over to you for questions.

Hales: Thank you very much.

Fish: I want to make one comment about conflict of interest so I've taken a deeper dive on that and plan to bring something to council later this fall. The reality is the city guidelines are anything but clear. And treated as if they are voluntary and not mandatory. And there is in my judgment inadequate training that accompanies that, particularly in areas where people defacto become public officials in performing a function. And one of my take aways from this independent of your report is that the city has to take guidelines of what it is you have to disclose and providing training. A number of things that you identify come back to us. In terms of not providing clarity and the necessary training for people to perform the function that we are asking. And these are citizen volunteers. So I think that is an important point.

Hales: So I guess another point I want to you raise and respond to, if you listen to this discussion and debate here today and otherwise over the last few weeks, months, you raised the importance of participation of key stakeholders. Aside from the substance of what has been accomplished in these pilot projects and the goals that we have set and are setting. And aside from the substance of what works, quite a bit of agreement about that. There is a big divide here about how much power will reside in community-based oversight versus the bureaucracy. We heard that clearly in the previous presentation. Respond to that. I mean, that's -- that's the big item in the room here, I think. Or one of them, anyway. Which is how much -- you know, it's our responsibility as elected officials to change the culture and practice of the city in ways that make the city work better, and ways that make it work better for people outside of the bureaucracy. We are all public servants here. So it's their job to sometimes require and direct our employees to do things that are uncomfortable and different. And like any big organization we get resistance to that. So a big part of the point we heard so far in discussion is that you won't get that change unless there's real power in an oversight function. Tell me what you think about that.

Lewis: Well, and I -- by that I think you are implying it has to be an oversight function of community base --

Hales: Speaking the oversight of us here.

Lewis: What we found is oversight is incredibly important and community participation is incredibly important. How you mix those two things is the difficult decision that you have to make. I would hate to see going forward that the community-based organization piece of it got left behind in the move forward. Whether or not that means that they have to have the

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same level of oversight that they have right now? I don't know that I'm equipped to speak to that. But I do believe that the community-based organization involvement is huge. Because that's been suggested both in the work that we've done and in work that other jurisdictions have done in looking at this issue.

Hales: Very helpful, thank you. Other questions? Linda? Thank you very much. Appreciate your report both here and in front of us and here in this discussion. Thank you.

Fish: Thank you very much. Mayor, we have some invited guests.

Hales: Okay.

Fish: And we will take them in order. Groups of four. Nate McCoy, pat Daniels from constructing hope. Keith Edwards retired ibew now on the board of constructing hope. And James Faison.

*****: Come up or others on their behalf. Thank you.

Nate McCoy: Thank you for having me today. Mayor, commissioners. Pleased to be here. It is definitely a lively discussion. As you mentioned I am the namc bd--

Hales: We want you to be comfortable.

*****: Okay.

McCoy: Again, namc. I represent a national organization. We have 33 minority known businesses, 28 agency partners including prime contractors of various scales that work on city projects and really what the mission is building bridges and crossing barriers. So really what I'm going to be talking about today is the barriers that our contractors face. Obviously, work force is a huge shortage in our community across the board. There is numerous reports that say there is a lot of work still to be done. The conversation that I'm in it seems like sometimes we are under minded and not really at the table. Some of the reports that we heard from today, I see logos of our affiliates not connected to these conversations. Our mission is about creating contractors that work with city projects. And what I know about numbers and experience is our contractors are not being put to work with the city of Portland projects. It is not in a strange phenomenon that minority contractors generally hire minority work force. And if you look across the board at most of the contractors we represent, nobody is really stretching far enough I guess to really identify the issues around our engagement. You know, we hear a lot of stories from our membership about cba projects, non cba projects. Signatory agreements as you spoke too being barriers we have contractors that are well off doing very great work who are union and nonunion. when we get to the point where some of our contractors are and what the needs are, we are never going to get to a point of actually acknowledging where the gaps are in the industry. And as I spoke to last week, really what I want to make sure that we don't forget about and some of the discussion that happened is, regardless if we are looking at a cba or community benefits plan, let's look as we heard from Linda that just spoke, let's look the performance and track record. We don't want to talk about mwesb, we want to talk about minority, women and esb. The devil is in the details. I think I credit myself for doing when I was a housing commissioner, once upon a time, was really to listen to our community. Listen to our contractors. I never had challenges on projects that I managed with the housing bureau, and disaggregating information and stories. The stories I hear, there is a lot of discrimination. There is a lot of lack of trust. There's a lot of nuances and things that I think we try to put everybody in the same box. And I don't think people are at the same scale company wise. We have technical assistance providers. They are not in these projects to help support it. I commend the state with a 1% across the board. We are not looking at one project. We have work force training. Apprenticeships, very great organizations. Should be doing the work they are doing but a lot of them are passing off there pre apprentices to union or nonunion shops. And really what I'm up here today to really discuss with you guys is let's look at the positive things we are doing. I mentioned

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last week. We have two parks projects where we have prime contractors of color working on them. Housing bureau projects. Prime contractors of color working on them. Not subcontractors. Prime contractors. We are out here in the school systems and the letters in the djc, I am sure you read them. We are out here talking to the kids. We are not getting paid to do this. Not making any kind of commitments that feel dicey or kids can't see as a career pathway. We are trying to build the relationships. And sometimes I think some of these work force efforts seem like a production. Like we are trying to get in and meet the numbers. We are not trying to sit kids down at some point in time and say look, there is a contractor that is an electrician that looks like you that might want to show you some jobsites. But nobody wants to talk about it. Nobody says how do we look at what you are doing to enhance our programs? I think those are core things that have to happen. One thing that I want to say along the lines, there is tremendous undue burden on the contractors we are trying to work with. Contractors that might have four, five employees, some more, some less. And would love to work with city projects. But who is sitting the contractors down beside Nate McCoy and saying how do we meet you where you are and be an incubator for your business so we can utilize you for with our projects. I have a couple of recommendations and I hope we can have a dialogue. There are a couple of key things wearing my prior hat as a former construction manager and being a city employee. We have to make sure that we have a tangible conversation about cmgc versus low bid processes. I haven't heard any groups talk about how the movement of growing businesses is so impactful if we take a hard look at other alternative contracting methods.

Fish: I did hear Fred in his opening comments say that what one thing we have learned is that if we move away from low bid and look at alternative contracting, that's where the magic happens.

McCoy: Absolutely.

Fish: And on some of the alternative contracting we are bound by state law and there's requirements, but I think fred was pretty clear I think in his opening comments. That we agree with the proposition. That moving away from low bid gives us more opportunity to get to our goals.

McCoy: Absolutely. And I would agree, but I think where it gets confusing in the process is sometimes community stakeholders aren't apart of those conversations so I can't tell you how cmgc is put together the process in place to justify it or not. It seems like if there was a little bit of a community engagement in that process, maybe we might as partners and advocates of contractors be able to work side by side with the city to figure out what kind of projects make sense. What size of projects look good, how can we support contractors and engage and market these projects to these contractors, not the other way around? Because I feel like sometimes contractors or city government would like you to fit inside a nice pretty box and we need to sit back and see how we can dissect it and do something more proactive and in an engagement role. So that's one thing. And I'm talking about \$10 million loan type size projects. Which again, are parks projects.

The second, is the flesh hold of work force training and hiring. And I know it probably won't be a fondness in the room for this statement, but being a city manager and working with housing developers and contractors, it's very challenging for a business with \$100,000 threshold to really at that size really manage the compliance reporting and documentation that it takes to keep up with the work force training and hiring programs and processes. And I really for the last 8-10 years have been wondering, well, what kind of impact in the work force are we making with businesses that small? Or contract sizes that small? Is that one apprentice? Is that two apprentice? Most times that's all it is. So why not limit the threshold a little higher, maybe closer to \$400,000 where we know contractors won't drown in the paperwork. Wouldn't be penalized for not meeting some of these work force goals.

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Some contractors doing \$400,000 plus might have a few more systems in place to support the work force need and run the shops in a way they can respond to the compliances.

Fish: We have a lot of people that signed up. So one more and then I'm going to ask you, if you would, to follow up in writing with these recommendations. And we will continue this conversation. And I want to make sure between now and dinner to hear from everybody. And thank you for being very precise in your recommendations.

McCoy: Absolutely. And lastly, you guys have a program that is thriving right now. Prime contractor developer program led by Stacey Edwards. I don't hear enough acknowledgment of the great work she's doing. She is a rock star for a lot of the members we support and has been an ally and advocate. She made the greatest hire in hiring her because she is running feverishly through city agencies and some of our bureaus that do procurement to dial in on projects that make sense for some of the members that we support and the members that are generally not associated with namc. And what you will hear is some of these dollar projects are too small for some of the ones that are a little bigger. So I want to recommend that we look at another tier bracket between \$1 million and \$4 million where some contractors that aren't interested in bidding on \$500,000 low projects or have outgrown that size should have something that works for them. And I'm not talking about sourcing projects, we are talking about that group that she supports. Over 40 contractors bidding against one another on bigger projects. And I think that's the thing that would help support like real growth, real capacity building. And with that said I will shut up and let others speak since we have a big agenda, but certainly it's important for us to recognize on what we can do now and not in the future.

Hales: Thank you very much.

McCoy: You are welcome.

Pat Daniels: Good afternoon, commissioners and mayor hill. My name is pat Daniels and I'm the executive director for constructing hope. I'm here to give contacts to the people that benefited from the agreement. The mission of constructing hope. We are in the business of rebuilding the lives of people in our community through encouraging self-sufficiency through skilled training and education in the construction trade. We target people low income. We target people coming from incarceration and we target our community. So with that being said, our role here was to provide certified training minorities in women for the cba project and create a pathway for them to enter construction. So I believe that we did that through the community benefits agreement which we talked about and a little later you will hear from Melina Wisner and Isis Harris who are two women that benefit interested this project. I think the cba was a great tool that helped us push that mission of opening doors for people of color and women to enter the trade. And just to give you a little context, we are one of the programs that received a large amount of funding for that project. Prior to receiving the funds, we are running classes of 16 people per year. 16 people per class, three times a year. Those funds helped us increase our numbers which I want to go back and say the diversity study that the city had showed a true absence of african-american men in the trades. Through that project, we increased our numbers inserting 62% of our numbers increased by 62% with african-americans on that project. And so it was due to the support from the city on those funds. That also increased our training by 25%. It allowed constructing hope to increase our numbers from 16 people per class to 25. So again, that was a great pathway for these folks. Our number of folks just going into apprenticeship as we said, not everybody was going to be on those projects. We were already behind but we increased the number of people entering apprenticeship by 30%. So I want to say that we appreciated the process and bringing the community and labor in good faith to the table. I have heard that there was some distinguished of separating union and nonunion but I want to say constructing hope has a relationship with both union and

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nonunion. We work closely with the union and have nonunion apprenticeship. I just want to thank you for allowing us to come today. And we would just like to say that there was a lot in the report that is not showing all of the lessons learned. And we appreciate it if you did not accept the report as written.

Hales: Thank you.

*****: I thought you were going to validate my parking ticket.

Keith Edwards: Thank you for allowing us to be here to give you information today. I just want to give you a little more about my back ground. I have been in the community since 1958. I've started my apprenticeship in 1969 in the ibew. I'm a union electrician. In the 45 years that I was a union electrician, I've seen a lot of water under the bridge. And I've been recruiting for all of those years trying to bring about change in our industry as well as the building trades in general. And making sure that we had some diversity and inclusion. It's been a challenge, but at the same time I think it's been good times and there has been some successes. I am on the board at constructing hope. And I heard some testimony earlier about conflicts of interest. I may have a conflict of interest simply because construction hope does work on the pipeline for african-americans and others in our community. But I think everyone in this room, everybody in the state of Oregon should have a conflict of interest or self interest in that respect simply because 1.8% of the population in the state is african-american. Whereas 9% of the prison population is african-american. So it puts it on everybody's plate. With that I would like to say also that the cba has worked. It has been very successful. It certainly has a better track record than the city has in regards to diversity and inclusion. There's nuances that probably need to be added to it. It's not perfect. It can be changed and can be made better, that's for sure. Also, wanted to say too that I do being on the board of constructing hope pat Daniels asked me one time about bringing someone from the nonunion electrical training program director on board to our board. And I said certainly, I don't have a problem with that. I have a problem with telling the participants in our program that they have one option, and that's to be union. Because I look crazy when they can't get into a union program and have to wait six months to a year to reapply. They have to go to work and have to have those opportunities open to them.

Also, I know people that are members of namc as well. When I was involved in the process of developing the community benefits agreement, I invited, I personally invited members to get involved and participate. And also just wanted to say that I think that going forward, I think there are some great opportunities here. But the cba is clearly shown that aggressive goals can be met. And those goals could be more aggressive. But I think the city council is not prepared with the information that you have available to you here and with the report to make a decision given the report was is I think flawed in a sense because of the information that's been put in that report. It's a little by bias and I believe it is -- it should have been a report that is certainly objective. I just wanted to share again that with my background and my experience and I want commissioner Fish to hear this that he has never spoken with me and I -- there's no one in this room that has more construction experience than I have. I've been in the industry since 1969. Thank you.

Hales: Thank you very much. Welcome.

James Faison: Good afternoon my name is James Faison. My company is faison construction I just wanted to clarify. We are a small contracting company and I just want to speak a little bit about the cba. We know if it wasn't for the cba we wouldn't have the big projects that we are on. Our goal is to employ people and to give kids a chance. We stand on the street corner at martin luther king and talking to kid and trying to get kid to know they have alternatives. We are proud of that being successful. We can get one kid a week we are happy. But going back to the cba, it has worked for my company and helped me to

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get kids and get them off the streets and doing different -- working for long term. We are trying our best to -- we know there's problems. And we know there is this program should not only be for the union workers, it needs to be for the nonunion workers. And sometimes for the nonunion workers it's hard for them to get involved in some of the contracts because it's just too hard for the smaller companies. The smaller companies can't have journeymen, carpenter, apprentice carpenter, a laborer and an apprentice. It's hard to run a company when you are a small company and to carry that kind of a load. So I think it will be nice and if everyone should put their own' general -- own agendas to the side. Union, workers and you guys, to try to put together something to sit down across the table and talk and work out something between both sides. There is a lot of people willing to volunteer their time to make that happen.

Hales: Questions?

Hales: Thank you all very much. Appreciate it.

Hales: There is another panel, is that right?

Hales: So come on up, please.

Hales: Good afternoon.

Hales: Steve wanna start?

Steve Simms: Thank you, Steve Simms. I'm the administrator of the training division for the bureau of labor industries, we are responsible of the apprenticeship programs in the state. I'm here to talk about a small policy slice of the rich pie that you've been biting into today. And that's the issue of the impact of mandatory apprenticeship requirements and aspirational diversity goals for women and people of color and public contracting. We spent a considerable amount of time over the last few years trying to find the root causes for that underrepresentation we've hired researchers from Portland state universities, we've hired interns. We've done lots of research on the statistical disparities and anecdotal research. In august 2006, women represented about 5.4% of all apprentices registered in the state of Oregon. And I think minorities represented 13.5% of registrations. In the past -- in the 10 years since that time, through august 2016, the percentage of women increased to 6.3% of all registrations and the percentage of protected class minorities increased to 18.1%. So there is decent progress with respect to increase minority participation, but the nagging issue is how do we bring up participation in women apprenticeship programs in the state? The active registration figures do not address a more daunting challenge and this is why the mandatory apprenticeship requirements are important. We did a study where we took a four-year period. 2006-2010 to give us a full cohort. We wanted to see what happened with completion rates over the course of four years. In focusing on the four-year period between 2006 and 2010 only 21.5 percent of all african-american apprentices that entered the program completed. And only 38% of all women who entered an apprenticeship program completed and became journey workers. In other words, we lost almost 80% of the african-american apprentices that made that investment and 62% of the female apprentices that started in the four-year period. In contrast during the same period the completion rate for Caucasian was 54.5%. African-american apprentices are much more likely to exit their programs during their first six months of the apprenticeship. 23% of them during the study period exited during the first six months. And 32% of all women while only 12% of white males who entered their programs exited. We can get people in. We are having a problem getting women and people of color to complete their programs. To update those figures for fiscal year 2015, the numbers are amazingly similar. 52% of all white males completed their programs while women completed at a 30% rate. And the all protective class minority groups had a 44% completion rate. Our study had determined there are three basic reasons as to why there is a high loss rate for women and minority apprentices. But I want to focus on one that directly goes back to the

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mandatory apprenticeship utilization requirement. We know women and people of color face longer unemployment than white males. There is a variety of reasons. They don't have the same network to stay employed. For minority and female workers working a full time, minimum wage job is preferable to the wage and stability in participating in an apprenticeship program -- apprenticeship program and not knowing if they will work again. So they leave.

The work force diversity goals could help get more underrepresented workers through the apprenticeship program. It generates demand for those workers and as you can see from the numbers that were discussed earlier particularly with respect to Kelly butte, they perform. We know that mandatory apprenticeship requirements with aspiration and utilization goals for women and people of color, there is a demand of new apprentices, that's where you get more female and minority apprentices by bringing them in new. And it creates a greater demand for them to continue to work. The two cba projects discussed today both produced rates that are higher than our overall participation rates for women and people of color in this state. It has a dramatic difference when you talk about the difference between 6.3% female participation and 18% on interstate. I think on the two projects collectively the average was about 46% minority participation and we have a state-wide average of 18%. These projects drive the numbers to create more opportunity for women and people of color. The causal relationship, if a public owner, and I think these types of strategies should apply to all public owners, if a public owner encourages to hire new work force more responsible contractors and the affiliated apprenticeship programs will deliver. Sit not an issue or non-issue. It is a performance issue.

I heard a couple things regarding pre apprenticeship programs. I want to talk briefly of the other strategies we engage in. We have a contractual relationship with odot to provide supportive services recruitment and outreach programs. When I buy a spot in the pre apprenticeship program with odot dollars, I'm happy when I see that person that might have come in and the first job was a highway job and I find out their working a city of Portland job.

I know another thing we do with the supportive services dollars is we buy tools, I knew when I get a request from an apprentice that says I need help with child care so I can go to work, you want odot dollars to do that. What job are you doing? I'm working a city of Portland job with vertical construction. I have no problem with that. They are working in the trade. They are working as a carpenter or laborer or operator. We need a unified approach leveraging as much as funding to support pre apprenticeship and I think the 1% is one way to build on that continued support for pre apprenticeship. In closing, some progress has been made addressing the historic underutilization of women and people of color in the trades. Pre apprenticeship programs and technical assistance to contractors as the panel spoke about has been essential parts of this progress and the city should continue its leadership in these areas. Thank you very much.

Fish: I'm sorry, nature called and I wasn't here. The unified approach. There is a progress and we can knit together contracting opportunities, I believe is the next big thing we need to look at not just locally but regionally and not just city projects but state projects. If we can work collaboratively and it's not just your job ends here and you are unemployed -- and I think the big opportunity we will have in this area comes with super fund because we can look at long term skill developments but that idea, and I think it's been alluded to by procurement, meeting the system with our partners is a big idea that has come out with this discussion and we have to take a good long look at it. Thank you.

Fritz: Mr. Simms thank you very much. You just gave us another independent assessment of how this all works. And I suspect that where we're going to end up at the end of today or in the future is a work session to look at what way forward there's been lots of different

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advice. I hope that the commissioner will allow you and you would be willing to come back for that to help and craft the next situation. Thank you very much.

Fritz: Did you get your testimony in writing?

Fritz: If you would, please.

Fritz: Thank you.

Hales: Thank you.

Fish: Thank you.

Rey Espana: Rey Espana from naya It's a blessing to be with you today as it is always I am going to try to be synced and on point. I'm asking to you listen to my words with your heart, with your mind, with your spirit. As you kind of try to manage a lot of information, a lot of passion and stuff as we've come to know it. And I was thinking about what I would be thinking about today addressing friends and I thought about the commissioner Novick and I participating in a panel at pcc. And I think we were sponsored by labor at the time that's 2007 when things begins to crash. And unemployed people and what are we going to do? And so I participated and got to meet this young man and the message that I was hearing, the stories, the concerns, the fear. All of that stuff of being unemployed is things I hear union, nonunion -- it's reality. You know? And so that began the work for me to look to contribute to a coalition of labor and community to address a common goal of putting people to work and creating the housing and being healthy. Watching our children grow up. And I think with -- there is no disagreement about that, right? And so let me begin to say that I want to again express my gratitude for city council to in 2012 for passing the original ordinance. It was, I heard about the passing of the ordinance while I was in a hospital bed in Seattle recovering from health issues, but I couldn't have been more proud of the folks that presented the idea had worked for years on the idea that I hoped was responsive and enlightened excited leadership of the opportunity, and so to that end I just have complete gratitude for the leadership that created that opportunity and I'm here to help celebrate what I think has been phenomenal results and the performance of that effort, you've heard about the Imcoc I'm not sure—but friends have spent time to make it work you know I just want to recognize and respect the effort of all who have participated in achieving significant results and I think it did one thing and I'm gonna be talking about it your gonna be talking about it. It in the community I Believe created and fosters the idea of hope, a path, a way, a connection, a opportunity by any door whether it be on mlk and ainsworth to wherever you go there's a way to get to what you need. But however, I'm also kind of very confused and disappointed frankly when I identify, me personally as I look at you, I identify as the cities, and I use that blankly, the city, not personal, as the city's lack of true equity understanding and awareness. I think there's a missing piece or -- I'm not sure. I'm totally frustrated about this. I believe that equity has a clarity of purpose that is a focused, intentional series of actions. It's built on guiding principles, simple principals that I would hope we agree on, on principles of inclusion. Recognition and appreciation of community, all the stakeholders that fill this room, the community partnerships and coalitions that have come and formed. That's who is out here supporting or having their eyes and fill this room who give you a slice of the truth. We all tell our truth in some ways. But equally important, I think, with equity is now the challenge before any advocates on equity. That is the accountability for achieving not aspirational goals but achieving real results. I'm pleased the commissioner talks about the buck stops with him and he's on your behalf that you're taking and rising the expectations, and I think that needs to get translated and maybe translated in a part of the training city staff to understand completely what that means because I think there's information and learning, competency gap because the concern I hear at the tables is the lack of progress on closing gaps of equity or inequities. The coalition of the work that we do has been very clear on the social

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economic disparities in our community. Very clear. The data case has been made of public policy failure in this regard. And so we need to move forward with looking at the inclusions. Any attempt to frame moving forward without community I believe is doomed from the start. Right? So there must be clarity of message. To me, you can only speak to me, nick, commissioner Fish, when you say you are raising expectations and you're the leader in some regard, I believe your truth. I hold you personally responsible. Knowing that you may not be at any of the meetings that will happen somewhere else, so somehow your personal commitment and your belief has got to be translated. I think it's a challenge by any of you who want a more socially just community to translate about intentions and policy into practice. So when you continually see reports that show the historic inequities on contracting, on participation of minority contracting, when have you asked why? When was the last time you asked why? We keep on seeing results saying somehow we keep on getting the same old shitty results. It has to be beyond us. No. The cba effort proved that performance if outlined can be achieved, can be met, and that is the owners of projects need to be clear and set those expectations. Those -- I hate that military reference. Those marching orders to staff to implement those practices to change, the resistance to change is embedded in the city hall structure. Equity is a reform agenda, a change agenda. How long do you intend to wait? No one asked me to wait. Right? That's part of the message I that have a little bit of trouble with today. I'm sorry, tony --

Tony Jones: Go ahead.

Espana: I'm sorry Tony let me wrap this thing up here. So I'm not completely sure what actions if any you're going to be taking today. I would hope that you hear the truth that many need to speak. I looked at what I would call a staff report to frame this kind of session and I found the staff report deficient, deficient in giving you clear direction that was completely quite thought through. I don't want to throw the writer under the bus. I looked at something that was utilized to suggest let's move forward, was missing for me was the role of stakeholders and community, not recognizing and integrating a sense of accountability, and I think the last thing I think you would ask, asking me, that I guess I recognize the lack of good faith in this matter and that really concerns me. If we're not being invited to meetings or the agenda -- so I think it would be a tragedy for move forward if it remains unclear and unsupported as you consider your next actions. Let me just close by saying that I'm not going to talk about other points to try to reinforce my point, I'm just saying that I think I understand what the challenge is on your behalf. I don't sit on that side of the table. I think the challenge is clear and clearly the decision is yours.

Hales: Thank you very much. Thank you. Tony?

Tony Jones: Good afternoon, mayor hales, city council. I'm tony jones, I'm the executive director of metropolitan contractor improvement partnership. Real quickly we're a business center for contractors. We have a plan center. We provide mostly workshops and do one on one coaching and counseling. We were founded in 2008 and I have been the executive director since. I reviewed the report and supporting documentation evaluating the cba on kelly butte interstate. I want to discuss recommendations and revisions to the model, why I believe a broader model is needed. I want to talk about technical assistance because that's what I do every day, and costs. I want to talk about union practices and close with a couple recommendations. I believe that a broader model is needed, and I'm going to reiterate for a second just to remind you where the city is with regard to contracting with minorities and women. As you know from the 2014 data the city awarded 76.3 million in prime contracts. 95% of those dollars went to white male contractors. Only 5% of all prime contracts were awarded to minority-women firms. So despite the successes and some of the challenges with the cba, or other cmgc projects, over all the city's track record you got a long way to go. You have to have a broader model when you're doing one project here

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and there is not going to get you to your goal. City lags in goals and I think you need a two-pronged strategy for capacity building. Project based assistance and you also need assistance in building the pipeline and I do want to kind of respond to some comments in the report about technical assistance. Technical assistance costs. I want to point out a technical assistance provider is that when we work with minority contractors, when folks come through our door, they don't automatically say I want to work on a city project. They don't know where our funds come from. They don't know what restrictions we have on our funds. What they do know is I need help with my business. How do I write a business plan? I have a problem with a change order. I'm not getting paid. How do I get started? How do I solve these certain business issues that I have? I want to partner with another contractor to do work. How do I do that? They don't necessarily know where we get our money from but they know they want this type of assistance on their project. We view our role at mci p as an organization that is really trying to build that type line -- pipeline of contractors working on city projects and other projects and helping that owner meet the vision. If they want to do residential projects I support their vision. It's what they are passionate about, what they want to do. I really support the city really evaluating as it provides technical assistance, project based technical assistance is absolutely needed as you're working on specific projects to make sure you're accomplishing your goals but to get there we have to continue to develop a pool of contractors that's available. Same thing on the work force side. When I read the report and had comments about well so. Dollars went to contractors that didn't work on the project, my feedback is the challenges that's part of the real world of contracting only so many of those contractors are going to get on the project but some may want to have continued interest in working with the city and want to know how do I get there. I think.

Fish: Tony, without going into depth on that, I'm going to say this as discretely as I can, the one challenge, I just want you to keep this in mind, is these were both pilot projects funded with ratepayer dollars.

Jones: But I'm talking --

Fish: You don't have to -- we don't have to debate that point I'm just saying that we have a particular burden of showing that when we use ratepayer dollars the benefits accrue to the project. We have more latitude with general fund dollars. One thing I have been thinking about, your point, substituting out general fund dollars for other dollars. Color money. I'm just saying we're more limited in what we can do with ratepayer dollars and we can't quite be as broad in our application.

Jones: I'm looking at broader strategy, commissioner Fish, I'm looking overall goal in helping us, share my ideas in concert with others how collectively we can accomplish the goal so over all bottom line it's not about the percentages but putting the businesses to work, putting the workers to work. That's when that's not in the back of their mind about ratepayer dollars. I hear you.

Fish: Since we're friends you don't want me getting sued.

Jones: Yes.

Fish: It's just a detail.

Jones: Understood.

Fish: I would ask you to keep the color of money --

Jones: Yeah. I'm saying we should try to find other ways and be creative. Real quickly I want to comment because I was slightly concerned even though we had a small contract in the project, we were held accountable even though we had like a \$5,000 contract in that project we were held accountable. There were goals set on what we were supposed to do as a service provider. We had one small business we did not move along with. It didn't work out. One small business it did. There was accountability held to us in providing the

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technical assistance. I really think that that's really an important message because there's growing concern about like you say are we making an impactful investment. I do have a concern about how we look at and address program that serve communities of color. If you have an overall project that was under budget, I'm not saying you should never look at the efficiencies but if the overall project is under budget to me there's an overall success. I'm not saying you never look for improvements but sometimes I get concerned as a leader of color how we look into communities of color to help them grow when they have had a disadvantage for numbers of years. I'm not saying just give out money but consider that and look carefully how we make investments and recognize we have to invest to help grow and get to the scale so we can continue to work on your opportunities. One of the things I want to talk about is, this is more broader, not necessarily specific on the project, sort of investment by signatory trade. In this particular endeavor I know they put a lot of volunteer time on the table. I know they also invest a lot of dollars probably through their own respective programs to help get their apprentices into the program, trained up, what have you, but we all know that they do have resource. They are fairly strong organizations and talk about creativity are there ways that we can partner with these organizations to bring more dollars to help build the capacity of not only the contractors but as well as the work force where we could have some maybe some unrestricted dollars to be creative and do some things that we have been trying to do to help get more minority workers and minority contractors participating. The other comment I want to share which is one of my biggest concerns is also that small non signatory contractors do a number of times struggle in working with signatory trade. Becoming signatories. There was a challenge on the project with a contractor that did become signatory but he has felt, this is his own word, sharing with me in the office, that after that I see feels like he continues to get pressure from at the signatory trade to continue to be signatory even though he, you know, wasn't sure he wanted to continue. I think we need to improve how we engage with those businesses because we do want to have businesses feel like they can partner with signatory trades and go forward, go forward, go forward. Some of the recommendations I make is that I do think that we really need to ratchet up this type of effort. We do need to ratchet up a model that frankly looks at a series of projects and how we can use that series of projects to accomplish goals overall not just individual projects. It does include all the stakeholders that I think we have involved in and it needs to continue. I do think it needs to be a broader, larger effort. I do think that we need to consider whether firms need to have any type of signature be signatory to an agreement at all that's connected to the trays. I have no problem with the trades actively participating, but some of the small businesses we work with were very concerned about that would frighten them. Oh, I'm signing with the union, whether it's true or not. Can we consider a way that a partnership that we can coach firms versus them signing on to an agreement? I also think there's a quick list of things we need to develop the contracting goals based on projects that we take minority-women workers and contractors. We also need to develop an implementation strategy that continues goals, monitoring accountability. We need to set aside financial resources to increase the pool of contractors and workers. And like I said earlier we need to have dollars that work with firms specifically on projects and ways that we can continue to build the pool. We want to continue to partner with the unions to collaborate whether we can market their services and how they can benefit contractors and workers and where small contractors don't feel they are being penalized for being in a relationship with the trades.

Fish: My one take-away from your testimony is it's going to take a number of work sessions, and I will take that up with commissioner Fritz. While there's a number of things that have been said today that I fundamentally disagree with, the positive feature of this forum is that people are pitching really good ideas and also getting to what we all care

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about, which is results. I sometimes in my job think we end up arguing over the wrong things. That's what my wife says to me sometimes, echos in my head. I have heard some spectacular suggestions. One thing I didn't hear from you but that I hear consistently from folks you work who is access to capital and bonding. The challenge of government is not to look at these things in just little boxes as you said sort of look holistically. That might be the gift this forum is giving us, is to look more broadly at how we get to those goals and a array of tools we need to make these people successful. I appreciate your testimony.

Fish: We're going to move to the public comment phase, then -- our distinguished director of equity is going to give us a closing statement.

Hales: Let me to a process check here because I think we're going to have a quorum problem.

Fish: How many people signed up?

Moore-Love: 44.

Hales: People that sometime want to speak -- we may manage it. We're going to lose one member at 5:00, another at 5:30. Another option in addition to trying to hear as many people as possible is to save further discussion with staff including our office of equity and human rights director and maybe others until we continue the hearing because we might need to do that. I have a time available on the 28th if we want to.

Fish: I will second that. I also think it's important that we restate that there is no substantive action we're taking on any changes to policy or whatever. This is a forum with decisions to be made about how we begin to process this information but to the concern some have had that we're on the precipice of doing something, that's not true.

Hales: Dante is free to listen but I think we'll save your analysis until we continue. I have a date and time of 28th at time certain at 2:45 p.m.

Fish: How long is your presentation? Okay. Let's see, mayor, maybe if everyone stayed within two minutes --

Hales: Let's see if we can be brief and give Dante a chance.

Fritz: I have several questions for other staff as well.

Hales: We are going to lose a quorum by 5:30.

Fish: We would rather hear it clearly stated once than repeated 20 times. If there are 19 people that agree with you and there are people willing to give up their slot you could acknowledge other people sharing that view. The sheer weight of testimony doesn't make as much impression as the quality of testimony.

Hales: Okay. Onward.

Maggie Tallmadge: Thank you, commission. Mayor hales, first I would like to offer my support to the many others. John Gardner, Casey Barnard, Kelly Haynes, Maria rahmin who have offered testimony against the watered down program and documents that the city has in front of it. There's a better way. The city water bureau projects delivered dramatically historic results illustrating positive out comes when this tool is applied to large capital projects. Second I would like to direct my testimony not only to the council but to the city staff working on this project. I want to ask you to take the time to see things through my eyes, through the eyes of our members ever the coalition of communities of color and many of Portland's people of color. When I walk through the central city on my way to the ccc office in old town I pass by many of our downtown restaurants and when I look into the windows I almost always see a sea of white faces. Portland's people of color were not there. We're a third of the population but we're not there. If I start to make my way across the river and I walk by the many new buildings that are changing our city skyline and image and I look at the signs on the construction fences I see the names of construction companies, general contractors, subcontractors, suppliers, and I see the names of professional services firms. Architects, engineers, designers, businesses

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building multi-generational wealth and reputations in our construction boom. Portland's people of color were not there. Often my work takes me to the many institutions that lead our city our philanthropies, our financial system, our health system, our development sector our universities, our governments. I see ceo's, bureau directors, decision makers. We're thought there. Staff and council, when you hear testimony today about the short coming of the program, when you listen to our guidance about why and how the program needs to be changed what we're really telling you is that we have looked at the program closely and we're not there. So the main issues with the document proposed include and I'll defer to experts in the room to --

Fritz: Can I just suggest that you send this in writing and are you representing somebody?

Tallmadge: I'm representing the coalition of color.

Fritz: Thank you.

Fish: If there's a watered down version of something you're testifying could you also include that in your testimony?

Tallmadge: Yes.

Hales: Thank you.

James Posey: Good afternoon, or good evening. It's late now. I'm James Posey. Mr. Mayor, other city commissioners, I just want to give a little different take here because I have been around this for quite a while myself. We have an example of success. That's trimet. I wish I could give you -- you looking for ideas, why reinvent the wheel? No cba. They are touted across the nation. They have a national reputation. Why are we going hither and there, et cetera? Let me tell you what fred Hanson said. I wasn't there but I heard. Hey, you guys, I'm paying you good money to get this job done. Come back to me with solutions. I want it done. No excuses. No tolerance. Now, what really underlies this whole thing and you know it, all of you sitting on this board, the elephant in the room is racism and discrimination. That's the truth. And unless we speak that and get it out into the atmosphere we're not going to solve this problem. I don't care how long or where we talk about t. It's racism and discrimination no. Tolerance. We're looking at North Carolina where you got riots. I'm around long enough to know racism and the stuff that happened in watts and all. That I'm that old. Really, it was about the reports that were back then, the absence of opportunity in communities of color. I suggest to you, mr. Mayor, and you, Mr. Commissioner Fish, you know the leadership responsibility on this thing. You could say no tolerance for racism and discrimination when the unions come to the table and tell you all these stories and this and that, where is your diversity? You want to work for the city of Portland, you want to use taxpayers' dollars? Where is your diversity? Let's see how many journey people you have in your organization. Let's see what you can do about making diversity work. The own us of control and responsibility should be placed on those who are seeking an opportunity with the city trying to take my taxpayer dollars. That also applies to the contractor both minority and general. You know, when I read in the paper about Hoffman taking that \$500,000 and what's his name -- I forget his name. Said something about, well, we should get that dollars. It's hard work. I don't want to start cussin here, but they got big money. It was their responsibility to have diversity in their program and we're paying them to do that. Now listen to john Gardner. Consummate bureaucrat. They have been around for years. These guys are over here wringing their hands about a community benefits program that really is the onus of responsibility for ensuring we have diversity should rest with those coming to the table. That's why I could never understand why you would approve a cba without first asking those unions, what have you done? Why should you allow a cba? Your work force for 20 years has been absent of anybody of color. If we're talking about diversity, look at the onus of control, look where the money is. Why don't you make the unions put all the money together to train these people? I want to put

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tony out of business. No offense, tony. We want to know we're making success when this young lady here is no longer in business because there will be enough responsibility shifted to the people who get the benefit to make the thing happen. That's really what I want to say to you all there are a lot of other things. The reason --

Fish: In fairness we're running out of time. Could you put the rest in writing?

Posey: I will. Ask Ron Wyden. Ask the guy at trimet. The whole concept of a regional approach to this thing needs to happen yesterday.

Hales: Thank you.

Nnkenge Harmon-Johnson: Hi, there. Mr. Mayor, commissioners, I will be brief and I would ask you to perhaps cast your gaze past the subject at hand. I'm here to both support what some of my counterparts have said, other organizations including coalitions of communities of color. They are partners but I want you to look past the immediate report and some of the details that you've heard today and think about your jobs more broadly. You ask us to come to the table to work together with other organizations, with citizens in the community, and with city bureaus. All the time. You see me here regularly. Other places doing this work. What you tell us is the way to reach the goals that we want to achieve. You as electeds cannot do it by yourself. We come together we say, we'll do it. We sign up to do the work and many times folks, organizations like the urban league who don't directly have a dog in this fight are at the table. We're there. One of the first meetings I had when I took over as president of the urban league 18 months ago was related to the cba, so I could learn how it works, the details and who the folks are. We're here. We are ready to learn to work together. Because you asked us to. To reach the goal that we have together. Now we're here before you today telling you that we have done the work and done the process and done our part, but the report that's in front of you doesn't meet the standard that we have set for ourselves together. So look past that for a moment and think about all the work you do related to gives kids summer jobs. All the talk that's happened in this chamber and elsewhere with constituents related to housing stability and folks affording a roof over their home. Look at what we're trying to do with graduation rates in this town, the way we're trying to improve health equity for everyone. Now think about what we have all been talking about today. All of those things are very much connected and you can't think about them separately. We're telling you this doesn't meet the muster. It's not just in the silo of the immediate data, it's considering the fact that black folks in this town and black men in north and northeast Portland still have unemployment numbers in the double digits. That's not true of anyone else. It's directly connect sod some of the failures by folks who are making big bucks, building big projects and are not hiring the people who have lived in those communities for a very long time and you have the opportunity and the responsibility to do something about it. The folks who work hands on the ground every day, my organization and others are telling you that what's in front of you doesn't get us there. So my request to you is that you consider our work. And think again about what's been presented by city staff and others and know that we come to you in good faith prepared to continue working with you but you got to reach back toward us. You gotta let us know when we put in this work for years and years and months and months and do it for free or on the cheap that we have got to know that you're similarly investing and will believe us when we tell you what we have found in the end. That's my request to council today. Thank you for your time.

Fritz: Could you put your name in the record, please? [applause]

Harmon-Johnson: I will. I'm Nnkenge Harmon-Johnson, president and ceo of the urban league of Portland.

Isis Harris: I'm not sure if I follow the proper protocol. I heard you call my name I'm Isis Harris. I'm currently an apprentice with ibew. And a former graduate of the constructing

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hope program. Today I came here to talk about the merits of the construction hope program, but also to speak on some of the struggles that people are going through getting into -- excuse me, to get into apprenticeship. I went to apprenticing in prison in 2005. I was released in 2011. I went to school but trying to find employment I faced several obstacles. One of my children was incarcerated shortly before. Finding constructing hope one of my children was shot in the face. There were different things that I have to deal with as far as just staying on my path, as far as staying focused on what I wanted to do but constructing hope was instrumental in helping me to not only chisel down my goals to find out what it was I needed to do to strengthen myself from within to make sure everything that I was doing around me reflected what I actually wanted in my life. They gave me the tools that I needed to go into the work force. They helped me to create a vision for my life that helped me to establish goals that were realistic. As I continued on my path and started to achieve those goals I was able to position myself with ibew, I started off as a material handler. I have been in the apprenticeship for a year and can attest to some of the challenges on the work side as well as going to a work site and seeing no one who looks like you. I'm currently on a work site I'm the only black woman and there's two women on the site. It is challenging at times to feel included in different situations because the parallels are so different. I have people that I work with who are journey men who are the same age as my older son. There's these different chasms that you have to jump in order to continue to push yourself forward and know I have all these -- I have made a path but just getting into apprenticeship doesn't solve everything but it does give you the pathway to make your life better. Again, the foundation for me being where I am today is constructing hope. Even as I went through a pre-apprenticeship I had to worry about housing. Had to worry about transportation. They helped me with some of those issues. The administrative assistant linked me in with her husband who got me a part-time job while I was going there. Those are the things they do. They go above and beyond to ensure you can be successful in the goals you set forth. Getting into the apprenticeship. Again, it wasn't an immediate fix but it did help me to see forward. Helped me to have a vision on what my life would look like. You can pretty much measure it out as you can measure out what your financial goals will be, what your stability will look like. What type of -- building security. Constructing hope has always been there for me regardless of what I'm going through, I can call pat Daniels I could tell her what I'm going through and she will direct me to the right resources. Anything I may need in order to get to that next step. I'm proud today to say I'm a proud ibew member and recently elected to vice president of the electrical worker's minority caucus. [applause] thank you. I do believe that the integrity that has been instilled in me not only from constructing hope but also being a member of the ibew has helped me to basically see inside of myself as far as what power I do have, also it has encouraged in toe reach out. I went back into the prison in august and spoke to the women there about the opportunities they have as long as they stay focused on what they really want out of life, trying to avoid the pitfalls in life. Let them know there's opportunities out there for them to get into the work force, to get into the trades, be self-sufficient. Also I contacted alternative schools that I went to, spoke to the students there to let them know also that it doesn't matter about what you have been through. It's about what you want to make out of your life, how you want to apply your own personal power to make sure your goals get attained. I have been lucky because I have mentors. But those are mentors that I reached out for, ibew, the community.

Fritz: Thank you staying as late as you have. You completely outlined why this program is important and why people -- it needs to be available for you and the people you're mentoring. Thank you so much for staying.

Harris: No problem.

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Hales: Thank you all. Keep up your leadership, please.

Hales: Let's take three and see where we are.

Irais Gandan'ia: Thank you for allowing me to give you my testimony. Also I first want to really say thank you. I'm really happy to hear there there are so many organizations in this room that have my back. My name is Irais Gandan'ia. I'm a systems welder, steam fitter apprentice with local 290, and I love my career and really love my union they pay me a good living wage with benefits, vacation pay and retirement. More importantly, when I'm done with this I'll get to be highly trained and skilled union hands which I'm very proud of. Being a woman of color in the trades is complicated, and being in the trades is very competitive. Getting into a union is the first step but staying in is even harder to get the training to be successful. This is critical but this is critical to my success. Most of my learning as an apprentice is done on the job with tools in my hands. I can testify that plas are game changers for women, minorities staying employed in the construction trades. I want to add that without the help of I wouldn't be where I am today. Fast forward to 2014. I was lucky enough to land a really good job -- that job because of the Powell butte water reservoir project. I landed on the job site where I made it so special and such a great experience, well, was that it was really nice to see so many women on the job. Running cranes, buildings scaffolding, building forms, pipes. It was really impressive. I can say that I had a hand in building that Kelly Butte water reservoir project. As a result, this is probably the best part for me, I had the opportunity to show my dedication of being a hard worker and my willingness to learn. I want to emphasize how critical this one chance, one opportunity really, really helped catapult my career. The contractor kept me on and I was able to work with really talented people that taught me a lot about my craft and I'm really grateful for. That I don't think I would have had that opportunity had I not been -- it not been for this project neighbor agreement because I have to break so many perceptions and stereotypes. I don't often get to -- I don't often get picked but this time I did and they liked me and I liked them.

Hales: That's great.

Fritz: Thank you so much for staying.

Hales: Welcome.

Nate Stokes: I'm Nate Stokes with operating engineers 701. I want to speak on the community -- cba. I was project manager for a woman-owned business at the time of the interstate renovation project. I saw the benefits on a subcontracting side and what we were held to the standards of getting minority contractor and apprenticeships in there and everything. I want to say that it works. I witnessed it as a subcontract for a woman-owned business. I'm speaking now on behalf of the operating engineers. I urge you not to accept the report written but instead we advocate for the cba that was used in the pilot programs. Short and sweet.

Hales: Thank you very much.

Michael Burch: Mayor, commissioners, thank you for having us today. Been sitting back there for a while. We began this particular effort over six years ago by inviting everyone in the community to help work on a plan to expand the diversity of the construction industry and work force in the city. We all live in. Some of those invited accepted the opportunity to work on an inclusive plan and overcame historical divisions to do so. As mentioned earlier, there wasn't a lot of trust in the room when we first sat down. Attempted to derail by attempting to make the work of the cba and us against them union versus nonunion debate and tore at the seams the process we had painstakingly put together. To my display many of those same people continue the line of argument today in spite of the historic progress work force and contracting diverse at the we made under the cba pilot. Unions are a small part of the cba community one of the many partners who agreed to work on the

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approaching to the challenges of diversifying the construction industry and moving the city forward. We were invited to the table, we sat down, we offered to help and we think we did a pretty good job along the way. I think the city should applaud itself for the work that came out of those two pilot projects. We're again only one of the partners in this effort. An important partner to be sure but the cba that proven there's room for everyone under this tent, union and nonunion. You have seen the data from the two water bureau projects. There was no nonunion contractors run off the job, prevented or discouraged from bidding. A majority of the mwdbe contractors were nonunion. The work force diversity results on the interstate projects are historic. Certain voices who choose to divide rather than join in an effort that will lift up everyone in our community seem to carry a disproportionate weight when it comes to swaying certain decision makers. What's more disturbing they seem to have help from high places. Certain city officials appear to be supportive of these divisive efforts, period, as highlighted last week the city's own tracking data clearly illustrates the poor performance of prior to diversity efforts on the city's part. The data we have seen is sobering and graphic. This report is an indication it appears the city is willing to ignore its own results. I would like to point out that these are not just numbers on a page but they are real people. People who have gone to work like I did and others who have gone to work and have been prevented because of, you know, politics and other barriers from going on to other projects where there are hard goals and contractors who are willing to help us meet those. Mr. Mayor and commissioners, I'm asking for leadership that unites rather than divides those seeking career opportunities in the trades. I'm asking for leadership that will refuse to return the city to the status quo. I'm asking you to vote no and refuse to accept the report and recommendation. Accepting this report and this recommendation as written will mean you have turned your collective backs on the many to serve a few. Accepting this report will mean divisive tactics for political gain have trumped the facts. Dot right thing for the many who look for your leadership. Thank you.

Hales: Thank you.

Willy Myers: Good evening, Mr. Mayor, commissioners. I'm willy myers, executive secretary -treasurer of the Columbia pacific building trades. I'm not going to go into too much detail on the community benefits agreement. I think it was very well explained by john Gardner and the panel here at that time. Community benefit agreements are vehicles for delivery of standards that are city set. Or any local government set. As usual, the men and women of the Columbia pacific building trades are proud to deliver on time and under budget set of projects for you. Our concern is that when this report, if passed, goes to any time we start setting policy at the city, if this is used in any way to set that policy, that we still consider to allow this vehicle as a community benefits agreement to deliver on future projects. Because it's a proven delivery vehicle. The community benefits plan is not a proven vehicle. It's a vehicle for delivery but it's missing the engine, the tires, and most of the wheels. It's not going to get you to where you need to go. Most of the mechanics are gone out of the plan. The community benefits agreement has proven that it can deliver.

Fish: Can I ask you one question? I appreciate --

Fritz: We're going to be having a lot more discussion.

Fish: If I could one moment. The single difference between the cbp and the cba is whether you're a signatory or not. Given your deep commitment to getting the outcomes, why did that matter to you?

Myers: Not just the signatory nature of it, it's meaningful oversight. The group of professionals in the room to identify and course correct deficiencies in this agreement.

Fish: If we had the same people in the room without a signatory would you have the same level?

Myers: You're not going to get the same people in the room because they don't have a

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vested interest in it.

Fish: This is the point I just want to leave you with. Why do you have to have a signatory to have a vested interest in something that Michael Burch just said was a community interest? If we're going to talk about something that Mr. Burch eloquently said was something we're all committed to -- why do you need -- I say that as my friend and a colleague.

Myers: Absolutely. There are two different responsibilities. There's the social responsibility and a signatory responsibility. I think I have explained this to you once before. When there's a signatory responsibility it's going to out way the social responsibility. If we have two projects across the street from each other, called Edith Green and -- we have a signatory to relationship on the Green but not the Portland building. The Portland building may suffer as a result of that because we have a signatory responsibility to deliver on those equity numbers.

Hales: Thank you. Thank you all very much. Let's see if we can take a couple more people.

Hales: Let's take these two folks then do a check-in on where we are. Again, we to continue this hearing. You get the last word in. We'll talk about next steps after that.

Dave Tischer: Good evening, Mr. Mayor, commissioners. My name is Dave Tischer 17 years' staff member of laborers I was fortunate enough to be tasked with actually manning the labor force for laborers on those two projects. We not only met but we exceeded all the goals that were asked for. We have the ability as signatory, we had the ability to actually clarify the hub seasons. We were able to get all those local people that we needed on those projects. What I'm opposing in this report of yours is the fact that you said, you know, we do not want to have a signatory agreement as part of the recommendations of the panel. The signatory agreement, what people don't understand it's an inclusive not exclusive agreement. It covered both union and nonunion workers and they had language in there, it was carefully set up to be inclusive to all contractors whether they were signatory or not. To my knowledge there was nobody that was pressured to sign an agreement after a project, and I have no knowledge that was or wasn't. I just want to give you a few things that my experience and what our program for females and minorities and apprenticeships is. Currently the laborers, Mr. Simms had statistics on apprenticeship in Oregon, we're currently 50% female-minority apprentice. We have a graduation rate of 78%. I know my counterparts on the open job site cannot meet those numbers or come close to those numbers. So the success of these projects was based on the fact we utilized all the resources that we had. I think the point we're missing and I'll close with this is that the cba was the cause of the success, not in spite of the success.

Hales: Thank you. Maurice?

Maurice Rahming: Thank you, mayor, commissioners, for actually hearing me. One of the things I would like to say, I see you guys have a short hearing there's a lot of raw emotion. That's mainly because we didn't actually when the partners got together became more like a family. I'll leave you with this. You heard the different people that worked on the job site. You heard the community groups that were able to get people in pre-apprenticeship programs and move them on to apprenticeship programs. This was all intentionally built in. This was in the report. This is just being able to connect and create that pipeline. So what happened there I believe is that contractors, you heard contractors say how great it was. You heard the general contractor saying this is I'm used to checking the box off. Everyone knows the box game. You make whatever number you want make work. But here we felt like we were doing a big change, big difference. We were excited about the process. Excited about how we were getting community. We were extremely excited. I want to leave you with you guys did great work by adopting the cba. The reason there's so much raw

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emotion is people see something working, they want to see it continue. I hope that you guys look at the cba, hear everything you heard today and realize you have a lot of support. I said I don't want to be the headache; I want to be the aspirin. I believe this is the aspirin if you listen to the room. People are excited. Let it continue.

Hales: I want to say we'll probably all have more comments when we return to this discussion. I want to say this much. I have learned a lot this afternoon. I appreciate the wonderful testimony that we have heard this afternoon. Really illuminating. On the other side of the ledger I would say I have been making decisions here for the community in one capacity or another for 14 years. I have never seen a stranger combination of celebration and frustration than this particular discussion involved. And I'm still trying to figure it out but I think I learned a bit today. Thank you all for testifying.

Fritz: Could you raise your hands if you're still waiting to give testimony?

Hales: Please talk to Karla as you leave. We'll make sure you are the first on the 28th when we return. If you can come, then I hope you'll communicate with us by email or some other means. If you can come, we'll put you first on the list for testimony at that time. Any other comments?

Fish: I echo what the mayor said. Maurice, it wasn't our intent to save you for last but you were the perfect last voice in this. I thank you for bringing this back to a very human scale.

Hales: Thank you all very much. We are adjourned for this week. We'll return to this at 2:45 p.m. On September 28. Thank you.

At 5:27 p.m. council adjourned.