



CITY OF  
**PORTLAND, OREGON**

OFFICIAL  
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5TH DAY OF MAY, 2010** AT 9:30 A.M.

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

Mayor Adams left at 12:00 p.m.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Ben Walters, Chief Deputy City Attorney; and Gary Crane, Sergeant at Arms.

Item Nos. 625 and 629 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

<b>COMMUNICATIONS</b>	<b>Disposition:</b>
<b>602</b> Request of Charles E. Long to address Council regarding new developments concerning police reform (Communication)	<b>PLACED ON FILE</b>
<b>603</b> Request of Richard Ellmyer to address Council regarding Council's support for its Single Payer Resolution (Communication)	<b>PLACED ON FILE</b>
<b>604</b> Request of Ulisher Hardiman to address Council to postpone a previous request and ask how Council can be meaningfully addressed and communicated with (Communication)	<b>PLACED ON FILE</b>
<b>605</b> Request of Sandra Burns to address Council regarding inhumane treatment to the homeless and mentally ill (Communication)	<b>PLACED ON FILE</b>
<b>606</b> Request of Raymond C. Caballero to address Council regarding issuing a resolution of disapproval to Arizona's anti-immigrant law (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>	
<b>607</b> <b>TIME CERTAIN: 9:30 AM</b> – Accept report on Transportation Safety Summit (Report introduced by Mayor Adams) 30 minutes requested  <b>Motion to accept the report:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz.  (Y-4)	<b>ACCEPTED</b>

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<p><b>*608</b>    <b>TIME CERTAIN: 10:00 AM</b> – Authorize an exemption to the competitive bidding process pursuant to ORS 279C and City Code 5.34 and provide for construction of certain Green Street facilities funded by 1% for Green and replacement of certain publicly owned Culverts funded by Grey to Green (Ordinance introduced by Mayor Adams) 30 minutes requested  (Y-4)</p>	<p align="center"><b>183749</b></p>	
<p><b>609</b>    <b>TIME CERTAIN: 10:30 AM</b> – Free for All Summer Sponsorship (Presentation introduced by Commissioner Fish) 15 minutes requested</p>	<p align="center"><b>PLACED ON FILE</b></p>	
<p align="center"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p align="center"><b>Mayor Sam Adams</b></p> <p><b>*610</b>    Authorize application to NEA for a grant in the amount of \$200,000 for activities and events in support of the formation of the Design Excellence Oregon initiative (Ordinance)  (Y-4)</p>		<p align="center"><b>183729</b></p>
<p><b>611</b>    Authorize Intergovernmental Agreement with TriMet for transfer of artwork on Portland Transit Mall (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING MAY 12, 2010 AT 9:30 AM</b></p>	
<p align="center"><b>Bureau of Planning &amp; Sustainability</b></p>		
<p><b>612</b>    Accept Memorandum of Understanding between Siltronic and City of Portland (Resolution)  (Y-4)</p>	<p align="center"><b>36784</b></p>	
<p><b>613</b>    Authorize a three-year Intergovernmental Agreement with Portland State University in the amount of \$127,500 to implement Portland's Public Event Recycling Program (Second Reading Agenda 567)  (Y-4)</p>	<p align="center"><b>183730</b></p>	
<p><b>614</b>    Authorize an Intergovernmental Agreement in the amount of \$30,000 with the Oregon Department of Transportation for facilitation services on the Central City 2035 NE Quadrant Plan and I-5 Broadway/Weidler Interchange Project (Second Reading Agenda 568)  (Y-4)</p>	<p align="center"><b>183731</b></p>	
<p align="center"><b>Bureau of Transportation</b></p>		
<p><b>*615</b>    Authorize contracts as required with thirty-four professional, technical and expert service firms for on-call architecture and engineering services in support of the Portland Bureau of Transportation (Ordinance)  (Y-4)</p>	<p align="center"><b>183732</b></p>	
<p><b>616</b>    Grant revocable permit to Pacific Real Estate Development Group to close NW Couch St between NW 11th Ave and NW 12th Ave from 12:01 a.m. until 10:00 p.m. on July 29, 2010 (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING MAY 12, 2010 AT 9:30 AM</b></p>	

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<p><b>617</b> Grant revocable permit to Pet Cross to close NW Park Ave and NW 8th Ave between NW Davis St and NW Everett St from 7:00 a.m. on July 16, 2010 until 11:00 p.m. on July 18, 2010 (Ordinance)</p>	<p align="center"><b>PASSED TO SECOND READING MAY 12, 2010 AT 9:30 AM</b></p>
<p><b>618</b> Grant revocable permit to Scandals Lounge &amp; Restaurant to close SW Stark St between SW 11th Ave and SW 12th Ave from 7:00 a.m. on June 19, 2010 until 11:00 p.m. on June 20, 2010 (Second Reading Agenda 570)  (Y-4)</p>	<p align="center"><b>183733</b></p>
<p><b>619</b> Grant revocable permit to DZ Real Estate LLC to close SW Stark St between SW 11th Ave and SW 10th Ave from 6:00 a.m. until 11:00 p.m. on June 20, 2010 (Second Reading Agenda 571)  (Y-4)</p>	<p align="center"><b>183734</b></p>
<p><b>620</b> Grant revocable permit to Pearl District Business Association to close NW 13<sup>th</sup> Ave between NW Lovejoy St and NW Northrup St; and NW Marshall St between NW 12<sup>th</sup> Ave and NW 14<sup>th</sup> Ave from noon until 9:00 p.m. on July 4, 2010 (Second Reading Agenda 572)  (Y-4)</p>	<p align="center"><b>183735</b></p>
<p align="center"><b>Office of Emergency Management</b></p>	
<p><b>*621</b> Authorize Intergovernmental Agreement with the State of Oregon Office of Emergency Management and accept the Federal Emergency Management Agency, Emergency Management Performance Grant in the amount of \$180,862 (Ordinance)  (Y-4)</p>	<p align="center"><b>183736</b></p>
<p align="center"><b>Office of Management and Finance – Human Resources</b></p>	
<p><b>622</b> Amend contract administered by the Bureau of Human Resources, Benefits and Wellness Office with United Behavioral Health for employee assistance services effective July 1, 2010 through June 30, 2011 (Second Reading 576; amend Contract No. 52683)  (Y-4)</p>	<p align="center"><b>183737</b></p>
<p><b>623</b> Amend contract with Aliquant Corporation for web-based benefit enrollment and related IT administrative software system services to extend the termination date of the contract from June 30, 2010 to June 30, 2013 (Second Reading 577; amend Contract No. 35136)  (Y-4)</p>	<p align="center"><b>183738</b></p>
<p align="center"><b>Commissioner Nick Fish Position No. 2</b></p>	
<p align="center"><b>Portland Housing Bureau</b></p>	
<p><b>*624</b> Amend Intergovernmental Agreement between Portland Development Commission and the Portland Housing Bureau for housing coordination and transition (Ordinance)  (Y-4)</p>	<p align="center"><b>183739</b></p>
<p align="center"><b>Portland Parks &amp; Recreation</b></p>	

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<p><b>*625</b> Approve application for loan from the Oregon Transportation Infrastructure Bank for the North Portland Willamette Greenway Trail Planning Study (Ordinance)  (Y-4)</p>	<p><b>183752</b></p>
<p><b>*626</b> Authorize Intergovernmental Agreement with Clackamas County for construction and management of that portion of the Springwater Corridor in Clackamas County (Ordinance)  (Y-4)</p>	<p><b>183740</b></p>
<p><b>627</b> Designate a Trail Easement over City property currently assigned to the Bureau of Transportation and assign to the Bureau of Parks and Recreation to be part of the Columbia Slough Trail (Ordinance)</p>	<p><b>PASSED TO SECOND READING MAY 12, 2010 AT 9:30 AM</b></p>
<p><b>Commissioner Dan Saltzman Position No. 3</b></p> <p><b>Bureau of Environmental Services</b></p>	
<p><b>*628</b> Accept a grant in the amount of \$311,480 from Metro's Nature in Neighborhoods Capital Grants Program for Crystal Springs Culvert Removal and Habitat Restoration Project (Ordinance)  (Y-4)</p>	<p><b>183741</b></p>
<p><b>*629</b> Authorize application to Oregon Watershed Enhancement Board for a grant in the amount of \$1,500,000 for land acquisition in the Willamette Watershed (Ordinance)  (Y-4)</p>	<p><b>183753</b></p>
<p><b>630</b> Authorize a contract and provide payment for construction of the SE Tibbetts-Harrison Green Streets Project No. E08663 (Second Reading Agenda 585)  (Y-4)</p>	<p><b>183742</b></p>
<p><b>631</b> Authorize a contract and provide for payment for the construction of the Nob Hill Sewer Replacement Project No. E08880 (Second Reading Agenda 586)  (Y-4)</p>	<p><b>183743</b></p>
<p><b>632</b> Authorize a contract and provide for payment for the construction of the NW Wilson Sewer Replacement Project No. E08962 (Second Reading Agenda 587)  (Y-4)</p>	<p><b>183744</b></p>
<p><b>633</b> Authorize a contract and provide for payment for the construction of the SE Stark St, 72nd Ave, Taylor St and NE Wistaria Dr Sewer Rehabilitation Project No. E08978 (Second Reading Agenda 588)  (Y-4)</p>	<p><b>183745</b></p>
<p><b>Commissioner Randy Leonard Position No. 4</b></p>	

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**Bureau of Water**

<p><b>634</b> Amend Staffing Intergovernmental Agreement with the Regional Water Providers Consortium to extend expiration date to June 30, 2015 and address other issues (Second Reading 590; amend Contract No. 50880) (Y-4)</p>	<p><b>183746</b></p>
<p><b>Commissioner Amanda Fritz</b> <b>Position No. 1</b></p>	
<p><b>Office of Healthy Working Rivers</b></p>	
<p><b>635</b> Authorize Intergovernmental Agreement with Oregon Department of Environmental Quality for funding of a Portland Harbor Stormwater Source Control Coordinator (Second Reading Agenda 592) (Y-4)</p>	<p><b>183747</b></p>
<p><b>Office of Neighborhood Involvement</b></p>	
<p><b>*636</b> Authorize grant agreements for the East Portland Neighborhood Office 2009-10 East Portland Action Plan Grants Program (Ordinance) (Y-4)</p>	<p><b>183748</b></p>
<p><b>REGULAR AGENDA</b> <b>Mayor Sam Adams</b> <b>Bureau of Planning &amp; Sustainability</b></p>	
<p><b>637</b> Improve land use regulations and procedures related to recreational fields as part of the Schools and Parks Conditional Use Code Refinement Project (Second Reading 600; amend Title 33 and Title 20) (Y-3; N-1, Fritz)</p>	<p><b>183750</b> AS AMENDED</p>
<p><b>Bureau of Transportation</b></p>	
<p><b>638</b> Authorize the Marquam Hill Meter District Revenue Allocation Plan, which includes a parking meter rate increase (Ordinance) 20 minutes requested</p>	<p><b>PASSED TO SECOND READING MAY 12, 2010 AT 9:30 AM</b></p>
<p><b>Office of Management and Finance – Internal Business Services</b></p>	
<p><b>639</b> Accept bid of Parker Northwest Paving Co. for the 2010 Local Improvement Districts Projects for \$621,052 (Procurement Report - Bid No. 111555) <b>Motion to accept report:</b> Moved by Commissioner Saltzman and seconded by Commissioner Fritz. (Y-3; Adams absent)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>Portland Development Commission</b></p>	
<p><b>640</b> Amend the Portland Enterprise Zone Policy and procedures for distributing Community Contribution Funds (Resolution) 25 minutes requested (Y-4)</p>	<p><b>36785</b></p>

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**SUSPENSION OF RULES**

**Mayor Sam Adams**

**Bureau of Transportation**

**\*640-1** Grant revocable permit to St. John's Bizarre to close N Philadelphia Ave  
between n Lombard St and N Ivanhoe St from 8:00 a.m. until 7:00 p.m.  
on May 8, 2010 (Ordinance)

(Y-4)

**183751**

At 12:29 p.m., Council recessed.

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**WEDNESDAY, 2:00 PM, MAY 5, 2010**

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

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**May 6, 2010**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6TH DAY OF MAY, 2010** AT 2:00 P.M.

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

Commissioner Saltzman left at 3:55 p.m. and teleconferenced at 5:05 p.m.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council; Jim Van Dyke, Chief Deputy City Attorney; and Ron Willis, Sergeant at Arms.

<p><b>641</b>    <b>TIME CERTAIN: 2:00 PM</b> – Communities of Color Coalition (Presentation introduced by Mayor Adams) 1 hour requested</p>	<p><b>Disposition:</b> <b>PLACED ON FILE</b></p>
<p><b>S-*642</b>    <b>TIME CERTAIN: 3:00 PM</b> – Enact a portion of the Public Sidewalk Management Plan by creating a legal framework to manage usage of the sidewalk based on Americans with Disabilities Act requirements (Previous Agenda 601; Ordinance introduced by Mayor Adams; replace Code Section 14A.50.030) 1 hour requested</p> <p><b>Motion to accept substitute ordinance and exhibit:</b> Moved by Commissioner Fritz and seconded by Commissioner Fish. (Y-4) (Y-4)</p>	<p><b>SUBSTITUTE</b> <b>183754</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p> <p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Position No. 2</b></p> <p><b>643</b>    Accept report on 2010 Census Everybody Counts Committee (Report) 30 minutes requested</p> <p><b>Motion to accept report:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz. (Y-4)</p>	<p style="text-align: center;"><b>ACCEPTED</b></p>

At 5:17 p.m., Council adjourned.

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

By Susan Parsons  
Acting Clerk of the Council

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

**May 5, 2010**  
**Closed Caption File of Portland City Council Meeting**

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

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

[ The following text is the byproduct of the closed captioning of this broadcast the text has not been proofread, and should not be considered a final transcript ] \* \* \*

**MAY 5, 2010            9:30 AM**

**Adams:** Portland City Council will come to order. Good morning, it is May 5<sup>th</sup>, happy cinco de mayo. Sue, please call the roll.

[Roll]

**Adams:** A quorum is present so we can continue. We have a special dispensation this morning. Commissioner Amanda Fritz.

**Fritz:** Thank you Mayor, good morning. I have a proclamation to read. Whereas national women's health week was initiated by a coalition of public and private organizations dedicated to raising awareness of women's health issues, whereas from that day forward national women's health week has occurred in the spring with an annual celebration held the week following mother's day. Whereas national women's health week is a celebration of women taking responsibility for their own health through greater knowledge and understanding. Whereas national women's health week celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues, whereas of Oregon's 1.9 million women, over 20% have not received a pap smear or a routine check up in the last 3 years and the need to educate women on the importance of preventative screenings is urgent. Whereas nationwide preventable deaths account of 32% of deaths for women and only 23% of deaths form men; Whereas the global gender gap report of 2009 published by the world economic forum in the area of health and survival, the us was ranked 40 out of 134 countries in providing gender equitable health care; Whereas the city of Portland has chosen to launch our local community outreach by providing women's health education workshops for women living outside. Nowtherefore, Sam Adams, Mayor of the City of Portland OR, City of Roses, hereby proclaims the week of Sunday May 9-Saturday May 15 to be National women's health week in Portland and urges all citizens to participate in the activities planned hereforth.

**Adams:** Thank you Commissioner Fritz. We'll now move to Communications. Welcome back mr. long, I hope you're doing well.

**Item 602.**

**Charles E. Long:** My name is charles long. Although there has been much discussion concerning police reform since chief mark kroker, nothing has been mentioned regarding the role of the police chaplain in this equation. I bring this up because of recent displays of road rage by two prominent police officers. The duty of the chaplain is to deal with the emotional and psychological stress inherent in police work. Stresses that affect not only the officers' personal and family lives, but also the way they react with the public they serve. Oregonian columnist andy parker reported February 22 that police officers are fourtimes as likely to be involved in domestic violence than the general public. He quoted former police chief penny Harrington as saying "in my experience it's still hidden away". Is the police commissioner aware of the importance of the police chaplain and whether he is performing his job effectively? I never heard his name mentioned. Former chaplain ed stell I understand is serving in the Multnomah county sheriff's department. The albina

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ministerial alliance has recently published its 5 point program for police reform. One of its goals is to change the state law to limit the authority of police officers who use deadly force. In this regard, the pastor of the baptist church has informed the committee of everyday people to grab campbell's law to be submitted to the 2011 Oregon legislature by state senator chip shield who's represents northeast Portland. Aaron campbell died in police custody on january 29th. Ppa president scott westerman conceded in the february 4 Oregonian, quote -- basically we shot an unarmed black guy running away from us. The pastor conferred with governor ted kulongoski to obtain his support as a positive final act of his eight-year career as governor. -- 1,000 supporters at the opening legislative session in january to lobby for the measure. Committee members also support a new chief of police, a new police commissioner, and a new district attorney who will serve the public rather than the police bureaucracy. -- leads the juries around by the nose. --

**Adams:** Can you wrap up?

**Long:** Another issue to be resolved is to require all police officers to be residents of Portland. The Portland office of human resourcessed to me on april 29th that only 707 are currently on the police force, 530 which are not residents of this city.

**Adams:** Mr. Long, by "wrap up" I mean finish. I need to you wrap up. I've now given you a minute more. We appreciate your testimony very much, and it's always good to hear your point of view, and i'm glad you keep coming back. Thank you, sir. Can you please read the title for communications item number 603.

**Item 603.**

**Adams:** Welcome back, mr. ellmyer.

**Richard Ellmyer:** My name is richard ellmyer. I'm a candidate for the house seat that testified on december 30th, 2009 n. Support of the Portland city council's single payer resolution. I return today to ask if the council believes that the tooth fairy will leave past single payer legislation under their pillows. Perhaps you expect tinker bell to spread pixie dust over the capitol dust and turn them into a chorus of bloafers there. Are 535 members of congress and 90 members of the Oregon legislature. These are the only people in the united states that can bring a single payer health care system to america and Oregon. Not a single member of Oregon's congressional delegation nor candidate for those offices, nor a single member of Oregon's legislature, nor candidates for those offices except for me, have campaigned in support of a single payer health care solution to Oregon's moral and economic health care crisis. In the seven months since the council passed the single payer resolution, it has failed to give written instructions to its government relations team to lobby anyone at the state or federal level in support of single payer. The Portland city council has failed to contact the lane and Multnomah county commissions who also passed single payer resolutions, to did I advise a unified strategy to accomplish their similar goals. A letter to the north pole will not get santa to deliver a single payer bill in each of your stockings next christmas. A resolution of support for single payer means the removal of the for-profit health insurance industry as the foundation for delivery of health care to Oregonians. It remains -- it means the repeal of the recently passed federal health insurance bill and billion dollar health care bill passed by the Oregon legislature in 2007. A resolution of support for single payer means political confrontation of the highest order. This is what you voted for, but this is not what you are delivering. Unlike the Portland city council when I tell the voters of north Portland that richard ellmyer will fight for single payer, they know I have proven my commitment many times. My opponent did not testify in support of this council single payer resolution because she opposes single payer, and did her best to prevent Oregonians who do support it like me, and presumably you, from participating in the health care debate. Single payer reform does not come from wishing upon a star. Politics is a contact sport. It is often a blood sport. If you are not prepared to bleed and draw blood, then take off your sparkling clean single payer uniforms and get off the field. Thank you.

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**Adams:** Thank you. You win the award for best metaphors this morning. Can we please read the title for item 604.

**Item 604.**

**Ulisher Hardiman:** Over a year ago now I came in here and met you marvelous people -- racial profiling, we didn't get anywhere with that, but mayor Adams, I don't know if you know or not, but I ke fended you up and down every street of this town. The several times I met you, though I didn't know exactly who you were. And i'm hoping that your words have been said that things will come out ok. I've contacted your people, they're looking into the situation, so we'll see what happens on that. But now i'm still trying to get an answer, how is the council effectively communicated with? So far I haven't found an answer for that.

**Adams:** Your issues are related to transportation. And so as the commissioner in charge of transportation, and your issues are operational, your issues are tough, and so -- and our former government -- in our form of government, your requests are handled by the transportation commissioner. They're not handled by the council as a whole, and that's why you've been working with my office and with my team at the bureau of transportation, it's why we've facilitated your conversations with Portland, and that's why -- that's the work, that's my responsibility as public servant to you. As you know, you've been here before, it's a tough one.

**Hardiman:** The procedure is gliding along, i'll play it out, and trust what you said. But lastly, really, 64 years old, I discovered a chink, a breach, a hole in my existence. I've lived my entire life, you know, basically -- let's go back, recently an eminent man passed away, ted ken di. He passed this legislation, but no one knows, it has no teeth in it. If you're not able to hire some powerhouse attorney, which I usually have not been able to do, these laws are just toothless. And today that's why -- I want to be able to amend some of these chinks and holes in my existence. I've got family and whatnot, and that's what i'm working on today as my -- rocked by the occurrences in Portland. I guess it's time -- people do whatever they like. How can they do anything at all? Thank you all for your patience and forbearance. See you next time.

**Adams:** Thank you. Can you please read the title for communications item number 605.

**Item 605.**

**Sandra Burns:** Sandra burns. I'm really a chiropractic physician on the west side of town. That includes burlingame, hillsdale, Multnomah, garden home, barbur boulevard. I'm speaking on behalf of the citizens for the humane treatment of the homeless, mentally ill. We understand that we are our brothers and sisters' keeping keepers, and though we have not walked in their shoes, we have the responsibility to treat them humanly. The idea being presented based on practical applications that have been effective in the past. The synopsis of the idea is this. When 9-1-1 is called, and there is any indication that there is suicidal intent or a person out of control who cannot read nor listen or control himself or herself, send a fire truck from the fire department as well as the police. A triage would be conducted to determine if symptoms of the person warranted the use of the tools best used by the fire department. And what is that? Cold water. In addition, the person would immediately be cocooned, and that's wrapped into a shape with a sheet or a blanket and delivered to the nearest emergency room. And where does this idea come from? You may not remember because you're too young, but the mental hospitals used to use this all the time. The male nurses of the mental hospital know this technique. Now, the idea is based on science. It causes the sympathetic nervous system is out of control, you remember the sympathetic nervous system, the fight or flight nervous system, your eyes are wide, your muscles are tight, and you're ready to run. But these people in this condition do not hear commands, cannot hear your commands, due to other voices that they may be hearing. When cold water is applied, what happens? Sympathetic nervous system is shut down. And it has a chance to calm the person down. Do you understand?

**Adams:** Yes.

**Burns:** Do you get that idea?

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**Adams:** Yes.

**Burns:** The procedural details that i've offered have to do with the firefighters that are known as lifesavers. They're strong, physically fit, and when a new procedure or scenario is presented to them, I know that they proceed to perfect that scenario. I know because they treated neighborhood emergency teams, they taught it how to react, how to triage. I don't know if you remember that, but it was 10 or 15 years ago that they were very active in that. So the only thing the emts and the firefighters may not know is how to cocoon. Which they would employ a nurse to teach them. So the discussion has to do with pro and cons, and obviously my three minutes is up. But --

**Adams:** Good and quickly summarize if you have a summation, if you want to summarize that?

**Burns:** The use of this tool is an additional tool that the city can use to calm down people who are out of control, homeless, mentally ill.

**Adams:** Commissioner Fritz?

**Fritz:** Thank you very much for your testimony. Thank you for caring about people with mental illness and their experiences in our community. Commissioner Saltzman and I are working on different approaches to dispatching from the 9-1-1 center, which i'm in charge of to look at alternative mechanisms of taking care of people with mental health emergencies. I'm not sure the cocooning technique is one of those, I worked in psychiatry for 26 years and we don't use that anymore, but I certainly appreciate the intent of what you're suggesting that we do, and we're certainly looking at a lot of different options.

**Adams:** Thank you, doctor. Appreciate it. Can you please read the title for council communications item number 606.

**Item 606.**

**Adams:** Welcome back. Glad you're here.

**Raymond C. Caballero:** Mayor and commissioners. Good morning. You won't speak this morning, but i'm joined by the chair of the hispanic commission. I'm here to talk to you this morning about the importance that this council issue a very strongly worded resolution against the arizona law, very antiimmigrant law. Not only antiimmigrant, antilatino, everybody knows that. I suggest a three-part resolution. The first part, first is to encourage congress quickly to enact comprehensive immigration reform. The second part, to roundly condemn the arizona action. And the third, to do something more than issue what in effect is a dploar identified press release. They are already piling up. And the only thing apparently they would understand in arizona is some tangible act, something showing them that this nation is not just going to follow along and allow them to enact jim crow laws today. Because that's what it was. That law is unconstitutional, it is a supremacy clause, preempted by the constitution, immigration, also it invites profiling of latinos, even brit hume, a conservative commentator, gave us a wonderful definition of profiling. "that's where we inconvenience a whole bunch of you so that we can check on a few." of course the people who are going to be inconvenienced would not be brit hume, and he's ok with that, so long as he's not inconvenienced. The insult that arizona has dished out to a good portion, 30% of its own population is not something they just cooked up the last few months. Sheriff joey porter hazard been ---- joe arpaio has been doing similar things for years. There's a culture in central arizona that allows this to happen. In a very courageous act the phoenix suns basketball team situated in a town that has 65 to 70% approval for that law, its owner and the players have come out saying we're against this law. That is really an incredible action by a team economically dependent on those fans. Immigrants don't cross this border for the weather, for the cuisine, to get on welfare. They cross to work, to feed their families, out of necessity. We have the right and the obligation to enforce our border laws, but not by throwing the constitution out the window that. Is so crazy to insist we throw out a constitution out the window so we can enforce border laws. I'll tell you that right across the border, now the most dangerous city in the world, is el paso, texas, who, by the way, the second safest city in the united states, a place Portland would love to have. San diego --

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both of those cities, this week, enacted very strong resolution with boycott language against arizona. Those cities had every reason in the world to endorse arizona and to get on that stampede of fear. They didn't. I ask you really to follow the suns, follow el paso, san diego, and others, and resolve.

**Adams:** First I thank you for your excellent testimony, and really well said. From the moment that -- soon after this law was enacted, we've been in communication with our attorneys to find out what was possible for us to do. I was -- when I read that other cities were contemplating boycotts, including contracts and such, and you noted here as well, I asked the city attorney what was legally possible. And you'll see that they have the -- many of the cities have recall arbitrated what they meant by boycott, because their there are federal laws that prohibit sort of certain actions like boycotting actual contracts between states. In the state of Oregon, our attorney has advised us that boycotting of city contract is not legal. But we can issue travel warning and restrictions, the city council has already frozen travel because of budget reasons, but I do fear for the safety of any city employee that would I shouldn't say safety, I do fear for the fair treatment of any city employee in arizona, so we are looking at that. But in talking to my colleagues up here, all of which share your concerns, we also want to do something that is actually tangible, which is I think inferred in your comments as well, and so in my office's conversations with the mayor of phoenix and the mayor of tuscon, which yesterday passed an ordinance authorizing a legal challenge by the city of tuscon to the law, we are interested -- I am interest, I should say, in what we can do legally, to help them. So i've been encouraging them in recent days to pursue that action, and i'm interested in potentially the city of Portland. I will be proposing the city of Portland help in that legal pursuit of justice, as you so clearly stated for folks in arizona. So we're working on the details of that, and that definitely will be forthcoming.

**Caballero:** Thank you, mr. Mayor. And commissioners, thank you very much for your time.

**Adams:** Appreciate it. All right. That gets us to the consent agenda. I understand commissioner Fish, you'd like to pull 65 -- 625?

**Fish:** Do I want to pull it?

**Fritz:** I would like to pull it, and i'd also like to pull 629.

**Adams:** Ok. Anybody else? All right. Sue, would you please call the vote on the consent agenda.

**Fish:** Aye.

**Saltzman:** Aye.

**Fritz:** In the interest of time I didn't put the item on the east Portland action plan on the regular agenda, but I do want to note that we are continuing to put money into east Portland with these wonderful grants and we'll bring a report on what we've done with them when they're completed. Aye.

**Adams:** Aye. [gavel pounded] can you please read the title for time certain, item number 607.

**Item 607.**

**Adams:** If the first folks would come forward, i'm going to make some introductions. As transportation commissioner, I have the important and incredibly necessary but difficult task to sit with those that have been injured on our transportation system, or with the survivors of those who have been killed on our transportation system. I actually ran for city council to be the transportation commissioner, and nobody else wanted it at the time. In part because it was so severely underfunded, and it is the number one or number two source of complaints generated by citizens here to city government and city hall. But I took it on because of its importance to keep a city moving, to provide more equity of access around the city, and most importantly to me, to make it safer. Because the federal government and for a long time the state government did not increase the fees and the taxes associated with transportation, our system and systems of transportation across Oregon especially, have been needlessly unsafe, killing and injuring unnecessarily hundreds of -- and thousands of and tens of thousands in terms of injury, citizens of Oregon and residents of

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Portland. So one of the first things with this passion in mind, one of the first things I did is organize the city's first regular transportation safety summit. And its intent hopefully is pretty clear by its title. But it was to put together a work plan. It was intended to be part of making tough trade-off decisions about where we put our money. So I can tell the citizens of Portland that there are roads that are more bumpy because we have taken that money, what money we do have, and we have put it into improvements for life and safety. And I can tell citizens of Portland that if I seem at times overly aggressive about things like bike boulevards and curb extensions, and the like, which are -- and speed bumps, which can be very controversial and unpopular, I do so without apology, was they save lives and they reduce injuries. But this system has been so poorly funded, and the council when they have had extra money, I just want to add at the local level, have put millions of dollars of general fund dollars into our local transportation system when they could have continued on with history, which was to not embrace the problem with local general fund resources. And yet when they had the money, and even when they didn't, the city council has put money into to make this system more safe. And then after three sessions of lobbying the state legislature, we finally got an increase in vehicle taxes, that will now begin to help us make it truly much more safe. But that's the best possible referral to the voters. And if they get the signatures, we might or might not win that vote at a statewide level. In the meantime I'm very honored to serve with transportation bureau, with the police bureau, with an office of neighborhood involvement, and other bureaus in the city and some amazing grass-roots nonprofit advocacy groups and for-profit businesses in doing what we can with the resources that we have to make this system safer. And part of the way we've continued to do that is with these transportation safety summits that have been very well attended. And so today I'm -- with all of our partners, submitting to the city council for their consideration a report on our efforts. And it will also give a -- give a sense of our priorities moving forward.

**Erik Hendricks, Portland Police Bureau:** I'm captain Eric Hendricks, Portland traffic division.

**Mark Lear, Bureau of Transportation:** Mark.

**Hendricks:** Mayor, thank you and I would like to thank this council and past councils for their strong commitment for traffic safety. The police bureau I guess could you say run the front lines of traffic safety. We work 24 hours a day, seven days a week, and we're the ones that are first responders to traffic accidents on -- in the streets of the city of Portland, and we see firsthand the results of poor driving, unsafe driving, and certainly we see firsthand the results of an emphasis on traffic safety. And I think the emphasis on traffic safety, the proof is in the pudding. Two years ago we had the lowest number of fatalities we've had in Portland on our streets in recorded history, and I think we started keeping statistics on that in 1925. And to the police bureau, those of us who see it firsthand, that's certainly an encouraging thing to see out there on the streets every day. We thank you for your commitment to that. On February 16th, we had our 2010 transportation safety summit. We met with a large group of citizens, our community partners, which are numerous, and we started the summit with the safety update, talking about statistics, crashes, and update on traffic safety. We started also with a discussion of house bill 2001, the statewide gas tax funds, and we talked about our efforts through education, enforcement, and traffic engineering, our efforts to strengthen safety efforts around the city of Portland. You were there, and you chaired -- Sue from the bureau of transportation, the director, she was there, chief Sizer was there, Jason Tell, the Oregon department of transportation region one manager was there, Fred Hansen, Tri-Met general manager, and Erin Jansens, a deputy fire marshal for the Portland fire bureau. After the introductions we broke down into seven separate groups. We had a traffic division officer assigned to each group, and those groups were comprised of our community partners, folks from the neighborhood association, Willamette pedestrian coalition, bicycle transportation alliance, other community groups. And talked about and listened to our citizens, issues regarding traffic safety, education, and engineering. In the city here, we're proud from the police bureau that we've had some very strong partnerships over the years with the folks from the bureau of transportation, we work with them

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daily on those efforts, folks from odot were beginning a partnership with odot in the next few months we're hoping to work on truck safety in the interstate 5 and 405 corridor. We think that's an important partnership, and we're excited about that. We work with the folks from Portland public schools, very strong partnerships with the office of neighborhood involvement, businesses, obviously with tri-met, through the courts with our education efforts, the trauma nurses, the bicycle transportation alliance, the willamette pedestrian coalition, and our partners at metro.

**Lear:** Manager of the safety program for pbot. I'd like to highlight the strategic investments council has made over the last few years to prioritize safety improvements. The biggest one I think from my 10 years -- tenure has been the one-time general fund investments. We highlight pedestrian islands, these improvements have shown over a 40% nationwide, 40% decrease in pedestrian crashes at these kinds of locations. One-time funds supported the safe route to school program, red light cameras, a number of specific services. In addition to that, we continually prioritize federal funds on high-crash corridors to make improvements. The example would be the recent sandy boulevard project or burnside road. The safe sound and green street effort, the stakeholder committee really helped us dig deeper and prioritize some of our safety improvements. So you're seeing that through work we've been doing since that effort. In addition to that, the pbot/bes partnership has allowed us to build projects like the southeast spokane bicycle boulevard project, but also just really has sharpened some of the focus between the agencies on everything that we're doing. Both the pbot side, and the bes side, saying if you're doing a green street improvement, can it be speak tweaked that would allow it to provide better safety benefits.

**Fritz:** How long has the green street project been going between the two services?

**Lear:** It's been a multi-year effort. The -- when the green street policy was being created, starting a couple years ago bureau of environmental services created --

**Adams:** Three years.

**Lear:** A couple hundred thousand dollars of additional revenue to go into that program. So it's something that I think getting better over time, but we have had the partnership for three years. The highlights -- how safety similar proving for everyone. If you look at just Portland statistics, and that's what this top chart highlights, we're actually experiencing a six-times faster reduction in fatalities than the rest of the country, and it's three times forecaster reduction than the rest of the state of Oregon. As the mayor said, personally, I feel like that's probably the public outside the public sector has as much to do with a lot of the safety improvements than what we're doing inside the city. We're really fortunate to have community partners that have helped us with this comprehensive approach time proving safety. Some of the highlights from a safety perspective, one is that there's a 75% reduction in motor vehicle crashes over the last 10 years, making it safer for ped and bikes. Last year was our lowest number of ped fatalities. Five. This year as we'll talk about more, we're having a bad year for pedestrian fatalities, eight already this year, and we'll talk more about things we're doing about that. No bicycle fatalities, and for the last 10 years, so far this year, no bicycle fatalities. And then again, this one where I think the nonprofits, the community cycling center, the bicycle transportation alliance, pedestrian coalition, have helped, is decrease in bicycle and pedestrian crashes for kids. The helmet law obviously was huge as part of that as well.

This slide provides that in a little more detail. We've updated this since the green street outreach. What it shows is over five years how many people died in traffic fatalities in the city of Portland. 235 in that five-year period between 1994 to 1998, following to -- falling to 151. If you use the national safety council multipliers, these are the more conservative ones, you can see that we were reduce those costs to Portland from a five-year period from \$900 million to 600 million. So it's a significant return on investment.

**Adams:** Just to juxtaposition, these numbers in terms of how do we weigh this as a community priority against all the other challenges we face as a city, and it's a gruesome comparison, but it one that I think sort of I intend to get people's attention was when i'm out in the community is when you

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compare the five-year and five-year number of people that are murdered, let's say. To killed on our transportation system. It isn't even close in terms of the increased amount of carnage, death that happens as a result of an antiquated transportation system that has been starved with money for a very long time in terms of enforcement, engineering, and education. This remains a very, very, very difficult but a very impactful problem for the city.

**Lear:** Motorcycle fatalities increased significantly as registrations have gone up. 10 of the last 15 fatalities have been single vehicle, and we have this great program in Oregon, team Oregon, that's a training for motorcycle riders, something we'd like to enhance and make sure more people are participating in that program. Speed and dui continue to be major factors, and something that the mayor's request and our traffic safety coordination council we have a working group at the county, city working on that specific issue. In addition to that, those 2010 so far has been a horrific year for pedestrian crashes in the city of Portland. This slide talks about what we're doing to respond to those crashes. One of the double fatalities at southeast foster and southeast 80th, we've used rapid flash beacons, we've gotten feedback and done an enforcement action that shows we're getting higher levels of compliance. In addition, in the 2010-2011 budget, we are programming -- requesting funding for pedestrian improvements, \$16 million for sidewalks, about \$800,000 for crossing improvements that will allow us to, in a way we haven't been able to, address these safety concerns. Here's a slide, we can provide more detailed information, but highlights some of those completed projects with that same safety focus that we identified in the safe sound and green street efforts. I'd like to highlight this slide, despite our efforts, we still have way too many Portlanders being killed needlessly due to inadequate funding. That's probably one of the more frustrating parts. We have these plans, they're all across the city --

**Adams:** I wish the Portlanders, and it just isn't humane or compassionate, but I believe -- I try to meet with as many of the parents of the survivors of folks that are killed on the system, and I wish we could -- it's asking too much of those folks to be very public in their grief, but I wish more Portlanders would understand that these are real, live at one time, for some, for others, the survivors, real live folks are just devastated by this loss. The police are the front lines of seeing this carnage, and it's really, really often times unnecessary.

**Lear:** This slide highlights that allocation of safety funds from house bill 2001, \$16.8 million to pedestrian safety, \$440,000 for safe routes to school, \$2 million focus order expansion of the bike boulevard system, and \$500,000 focus order high-crash corridors. It does give a sense of what we talked about at the safety summit. The pedestrian improvements, we have a process set up, we're very visiting the prioritization on sidewalk need and crossing needs based on crash history, cost benefit, development patterns, and need, the short story is we need to do this quickly because we have 36% of the city under 18 and over 65 that are desperately in need of this infrastructure so they can get to the store and transit. Here's a quick slide on the bicycle boulevard work. It tries to highlight how much after safety benefit or bicycle boulevards are creating. You can see crash history on 82nd avenue is ped and bike cranks obviously one of our high-crash corridors. A pedestrian dies not just on average, but pretty much every year crossing 82nd avenue. The bike boulevard which is the green line, which moves around 83rd, 84th, 85th, provides that parallel connector, has very, very low crash history. So as we can provide this as an alternative, for pedestrians, but more for bicyclists, just because of the distances, it really ends up being a major safety improvement.

**Fritz:** I want to emphasize that. As well as the tragedy for the person who is killed and their family, it's also a tragedy for the driver if they were not --

**Lear:** Exactly.

**Fritz:** That's why bike boulevards help everybody, whether you're a driver, a pedestrian, or bicyclist, because they help provide safe routes for everybody.

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**Lear:** Definitely. Even that -- I would extend it even one step farther, it's not just the impact if you're in the crash, but day-to-day interaction. We've heard so much from Portlanders, whether they're cyclist or drivers, being uncomfortable on those busy streets because of that mixing of vehicles is something we need to invest in cycle tracks or the boulevards. And the short story is, we can build these boulevards, especially with these partnerships, for the same cost of doing one really expensive intersection. The next slide gives an example, the 13th and Spokane where we're able to do a green street improvement that allowed cars to come out of the lower volume street, but kept the cars coming off the busy street, 13th on to Spokane. It's a great example of this type of work. In this -- this next slide on bike boulevard, which is a little bit of a secret to a lot of Portlanders, is that with these investments, we are dramatically transforming the city. If you look at the green lines on this map, that's about 29 miles of bike boulevards that existed in Portland as of last year. At the end of next fiscal year, our goal is to have completed all the yellow lines on this map with additional bike boulevards. In the sense over a two-year period, with council's support and investment, we'll have doubled the number of bicycle boulevards in the city of Portland, and even more importantly, we'll have really meaningful bike boulevard projects in east Portland. The Yictdz, Yefts boulevard paralleling 82nd, the Bush project paralleling Powell and other very high-crash -- high hill volume crash corridor, and 101s project that connects the Spring Water trail up to that. I'll try to go faster here, but one of the examples, here's an example of that -- the kinds of improvements that we'll be making with our best partnership funding. It gives you an example of a cycle track to help get 8th cross 33rd. I'm -- high-

**Adams:** I want to say that we have criticism from the right sometimes on this is a waste of money, and I hope that this helps to illustrate to folks the facts that we are saving money by saving lives and reducing injuries. Most recently we have criticism from what I would describe the left, and -- including the motion I think the quote was that there's blood in the bike boulevards. And I just want to underscore that there is blood right now in unnecessarily spilled with injuries, in the streets of Portland. And it will be bike boulevards and these improvements to transportation, that will reduce that.

**Lear:** What I've experienced has been as we work through the conversations, and to have -- they haven't always started in a pleasant place, have really ended up very positive based on the fact the improvements we're doing are more than just bike improvements. People seem to get what we're creating is nice parallel routes that you could walk your dog and a lot of sense there's parklike experience, volumes are 300-400 cars a day, and so that's been -- for me personally, that's been one of the nicest things. Whether it's a project that we're doing in east Portland, and southwest Portland, or inner Portland, people are getting these improvements serve more than just one mode. The last thing I'll talk about before we turn it over to the community presentation is what's happening in high-crash corridors. Personally I feel this is an area where thanks to the work of this council, but also ODOT and Jason will talk about it more, is that there's a massive opportunity to elevate the services that we're providing and be smarter in doing that. Basically we're going to put together a high-crash corridor reporting for our top 10 high-crash corridors, and based on that, have a short-term and longer term implementation strategy. And really work with the community, the neighborhood businesses, and neighborhood associations to make that a good product. With that, I will turn it over to the next group.

**Adams:** Thank you all very much. The next group of folks will be our partners at the Oregon department of transportation in region 10, and also the director of operations. For ODOT. Try met. Welcome. At the outside I just want council and the viewers to know that when I talked to other mayors around the country, they often highlight the frustrating and difficulty they have in coordinating with other transportation and transit providers. We don't have that problem here. We've got great partnerships with our local ODOT region, and with Tri-Met.

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**Jason Tell, ODOT:** Thank you mayor and councilors. Jason tell, the odot region one manager, located here in Portland. Very pleased to be here today, and i'm going to focus on the partnership between odot, tri-met, and the city of Portland on safety and in particular, making the transportation system safer for all users. So not just motorists, but also cyclists and pedestrians. Safety really is an issue that I think is the best issue that we partner on, the least between the city and odot. And i'm going to talk about a couple examples of how that partnership is yielding positive results. Recently there was announced several grants where odot is providing funding to the city to improve safety. The first was a \$500,000 grant to pbot for safer routes to schools. So that will result in improvements at seven local elementary schools. We also have award add \$900,000 grant that's going to the city to help come up with plans to tame traffic in these high-crash corridors. There's been several projects that have been implemented. Those are what I just talked about, but I want to talk about some projects that have been completed. And these really have been great partnering efforts. The first, there's a slide showing 82nd avenue for anybody who knows that road and knows this particular location you really have a mix of cars, pedestrians, transit users, really everybody using a very constrained space. And this is an example where we -- all of us partners look at the situation and we didn't really wait for something bad to happen in this particular case I think we decided it was dangerous enough we wanted to do something before a serious tragedy took place. So an 82nd avenue max platform working group was formed of government agency folks and neighborhood people, citizens, and many city bureau were involved on a Portland police p bought, and like I mentioned, tri-met and odot as well. This group worked for five long years using the crime prevention through environmental design model to prioritize improvements. And the result was a package of improvements in this area. And you'll see the results of this here where it was a median treatment to help encourage pedestrians to use crosswalks, but it also involved reconfiguring the transit stops and providing a shelter and better crosswalks. It really was a comprehensive approach looking at all users. And that work was completed in march, and as I said, I think it's a great example of government being proactive, but also working well. There's a lot of different partners involved in order to make this project take place.

**Fritz:** I really like that shelter. The design looks wonderful.

**Tell:** Good. Tri-met is here, and you can thank them for that design. Also on 82nd, new median islands were installed, and one was at 82nd and francis, where a rapid flash beacon was installed, which has strobe lights that really capture drivers' attention and let them know they're entering an area where pedestrians are crossing. The next project is on powell boulevard, and we're installing new crosswalks as part of a paving project. They're being located in stretches where there's 10 blocks today before you can get to a safe crossing, so the new crossings will improve safety for pedestrians. Sidewalks right now are being installed as we speak to bring them up to ada standard as well. It's not just the crossings. So i've talked about several specific projects, I wanted to mention a broader issue that's underway and one that i'm excited about, at jpac where the region's long-range transportation plan is put together, I ofd an amendment to stay that we in the region should be creating a regional traffic safety plan to further coordinate or efforts, and i'm happy that got ipg rate in addition the long-range plan. What that means is, we're going to treat safety as an issue, not just within the city, but regionally, and I think it will bring people to the table to further do the kind of work we just talked about here. Do it on a bigger scale and look ahead into the future. And our goal just to be very clear, is to -- the result we're looking for as a -- is a net reduction in these accidents. We really want this to impact, and that's for cyclists, pedestrians, and for motorists search the want to thank the city, trimet all these partners I mentioned, a very happy progress we've made so far, and i'm excited about the work we have to do. And I really do need to mention mayor Adams, his leadership on this issue, sue and the folks at pbot are top-notch, a pleasure to work with. Last reminder I wanted to leave with is at odot and our headquarters in salem, last week, we unfortunately had to add names to the fallen worker memorial. And we're

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entering into the construction season this summer, and I just want to encourage everybody who might be watching and listening to be very careful. There are a lot of work there's will be in the roadway working, and I encourage everyone to slow down and pay attention. With that, thank you very much.

**Adams:** Thank you, Jason. We've had a number of regional directors and you're by far the most responsive and most partnered with our folks. I laud and you your team's efforts every day. So thank you.

**Shelly Lomax, Tri-Met:** I'm Shelly Lomax with Tri-Met. You've heard a lot about partnerships, and I want to echo how important we feel those partnerships are. All of us have compressed budgets. What we've found is that by partnering with the other jurisdictions and those who have a stake in safety, we really are able to make the most of our limited resource and get the best product. Rider safety is the number one concern for us. What we realize at Tri-Met, someone who boards our system has to get there on foot or by bike. You can park your car at the park and ride, but ultimately you have to walk to the platform. The partnership at 82nd and Jones is a great example. You heard 88 son talk about that. We were able to work together, move a bus stop, really hope to reconfigure things there. The illumination project at 82nd is another great example of that partnership. We also know that we have to share the road, and a great example of that is the work that was done, the Portland Transit Mall. We really reached out to Pbot and to Odot to look for ways to make that work. And knock on wood, it's been very successful, but it's a great example of around the nation where people are wondering, how are you going to pull that off? And now other transit agencies come, they look at and it recognize how with good partnerships, transportation can integrate well into the cityscape and we can all share the road. Rose Quarter improvements, that's another great area of improvement where we add the bike boxes and bike lane, and what we've heard from our partners, the BTA, this has been a great innovative change at the city, for the city, and it's made things safer for those bicyclists in our community. So we look forward to doing more of this type of work. We look forward to the continued partnerships, and really want to thank Mayor Adams for putting together the safety summit. It was so exciting to see how the participation has grown over the years. Really was a very full house, and I don't think it was just for the gelato.

**Adams:** Or to see me.

**Lomax:** Might have been to see you.

**Adams:** I don't think so.

**Lomax:** Circulating through the groups, and the synergy, and knowing that the community that was participating, they really recognize that what they were saying was being heard. And you could feel the buy-in. And that really is a testimony to the work that's being done. So thank you for letting us participate, and we look forward to ongoing partnerships.

**Adams:** We recently, as a community, suffered a terrible tragedy involving pedestrians and a bus, and I know that you and your agency joined me in a moment of silence for that horrific tragedy. Thank you. Thank you very much. Next we'll hear from Eric. And Stephanie, director of the Willamette Pedestrian Coalition. Garrett is with Bicycle Transportation Alliance.

**Gerik Kransky:** I'm here with the Bicycle Transportation Alliance. The BTA is a nonprofit organization working to create healthy and sustainable communities by making bicycling safe, convenient, and accessible. Really want to thank Mayor Adams and the commissioners as well as Pbot staff for the opportunity to come here and speak with you today. According to the state's injuries epidemiologist, the most significant modifiable risk factors in nonmotorized vehicle crashes are environmental risk factors. The built environment has extreme relevance in crash prevention. So this speaks to the need to continue Portland's commitment to designing and building world class bicycling facilities that improve safety conditions. Though the city's bicycle data shows significant declines in crashes per capita, we know that many crashes involving bicyclists do not get reported. So we should continue engineering safety solutions that encourage broad ridership.

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among Portlanders who are interested, but concerned. A key part of that strategy is to build out the Portland bicycle plan for 2030 as well as i'm sure you'll here from staff, the pedestrian master plan. The plan envisions a future for Portland in which it is easy and convenient for people to make short trips by bike, making Portland a healthy and active city for adults and kids of all kinds, but only if it's built. Currently pbot is working on building 15 miles of neighborhood greenways and this is an important first step, bta and members and supporters are ready to push for good design and broad public support for these projects. However, strong support also requires increasing funding for active transportation. His correspondingly the projects and programs have only been funded at fraction of our total transportation budgets. And even with the current \$7 million, if we continue that the level of investment, the 2030 plan will not be complete until 2095. So only by increasing our investments you can we expect to improve personal safety and community livability for all Portlanders. We he bta are look forward to working with councilors, commissioners -- pbot, as well as the still unformed finance task force to address the bicycle plan. Thank you.

**Adams:** Thank you very much. How is the new executive director settling in?

**Kransky:** He's great. He starts july 1st.

**Adams:** Not until july 1st.

**Kransky:** He's in town today looking for a new home in Portland. We're excited to have him.

**Adams:** We expect it to be a very green home.

**Fritz:** At some point i'd like more information about when your new director is settled in, as far as what programs you're doing to educate your ride Oregon city their safety strategies and how they can be -- share the road as well as drivers and pedestrians.

**Kransky:** I'd like to talk more about our bike safety education programs with you.

**Adams:** Stephanie.

**Stephanie Routh:** Thank you, my name is steph, director of the willamette pedestrian coalition. We're thankful for this opportunity to speak to you today about walkable neighborhoods that are safe and make good financial sense for everyone, for everyone is a pedestrian at some point in their day. I live -- I love where garrett says build it, because in my mind it's automatically translated to build them both. We have plenty to build. As of two months ongoing only 28 of the 146 projects in the pedestrian master plan from 1998 were partially implemented or complete. This is a huge challenge as mayor Adams mentioned, in his opening comments. Is it a noble challenge we can all work on together. Walkable neighborhoods are fundamental to the Portland plan and to the future of our city. Cycling will help connect those neighborhoods. What is a 20-minute walking neighborhood? This compact with good walking -- walkable infrastructure, it has direct obvious, and safe routes. And it -- they allow children to walk or bike safely to school, they allow people to grow older in their own neighborhoods and provide access to local goods and services for everyone. The benefits of the 20-minute walkable neighborhood for me are twofold, and I think there's a reason we're all here today. One is economics, personal finance for me, in 2008 according to the u.s. Bureau of labor and statistics, the average american household spent the same amount almost dollar for dollar on gasoline as it does in health care. So yes, so making good walkable and psychable alternatives to driving just put money back in people's pockets and I think that's something that we can all agree on. And safety is obviously the second, I believe everyone in the room has been touched in some way by recent tragedies on our streets. Decreasing collisions between vehicles and people walking is our number one priority. And there's no better way too do this than to give people options to driving. Realizing priority projects that make neighborhoods more walkable and connected and support sidewalks and crossing safety projects are a great step forward, and I thank you for your leadership in all of this. Thank you.

**Adams:** And thank you both. Portlanders, we've had the willamette pedestrian coalition and the bicycle transportation alliance and others partners, community partners for so long, I think that if Portlanders have lived here a long time, they think every city is this lucky. And every city is not

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this lucky to have such fantastic community-based, safety and utilization advocates. So thank you very much. Before we move on, I want to -- no. We'll go to -- who is doing safe routes to schools? Olivia and lori? Come on up. Thank you. I'm not even going to attempt your wonderful last name. If you wouldn't mind introducing yourself.

**Olivia Quiroz:** Good morning, mayor sam Adams and commissioners. My name is Olivia Quiroz I'm the Portland coordinator for Multnomah county healthy living coalition, with the community wellness and prevention program. For the past four years, the hill coalition has been a partner with safe routes to school to address and identify environmental factors including transportation design, to influence healthy eating and active living. The partnership with the bureau of transportation is to help -- support comprehensive approach to create safe and healthy communities. Programs like safe routes to school is a key partner to help reduce the rates of childhood obesity by promoting active living in school communities. In a recent report from the centers for disease control, Oregon must rank as the number one state having significant decline rates of childhood obesity. Although childhood obesity rates have declined we very much work to do. The hill coalition and safe routes to school program recognizes the importance to address equity, health, safety, to ensure resources are sensitive and reach the needs of low-income schools and diverse communities. Providing accessible modes of transportation and safe walkable streets will give opportunities for students and families to become active and thrive in their communities. This demonstrates the growth of safe routes to school in Portland which extends over 70 schools throughout the city. Portland's demographics have also increased in the past several years. James john elementary and -- who are part of the safe routes to school program and part of the hill coalition, have a latino student population of more than 50%. East county also has the highest numbers of immigrant and refugee communities. And although the program is expanding, east county schools are also in need of more resources. Safe routes to school has responded to the needs of groups by providing materials in six overlapping languages, including spanish, vietnamese, and russian. These are the most common languages spoken in Portland, parkrose, and david douglas school districts. Safe routes to school has a supply -- economic diversity in Portland. Latino volunteers are provided with tools and training in spanish. Cultural and language materials and resources have supported and encouraged latino parent volunteers to lead campaigns at their schools. The hill coalition and support from the safe routes to school engineer team led a community project at claire done school. Parents have been -- involved helped to identify barriers to walking and biking to school. The findings included traffic congestion problems in the school's parking lot, and incomplete sidewalks. This project led to a larger community planning process and parents were active advocates in their accommodation to the safe routes to school program for engineering improvements at their school. Walk to school days have become a cultural norm for our schools that are part of the safe routes to school program. Parent and teacher volunteers, motley walks from the old elementary school, and together with their students, they walked to their new k-8 school. Rain or shine, students carry their signs that promote physical activity and healthy eating messages. The stop and walk program encourages parents who drive their kids to school to stop farther away from their school and walk with their children. This healthy promotional activities are very well attended. And have helped to increase and integrate physical activity into the school's curriculum. Dare done school has promote -- a family walking group has been formed and parents have taken the safer routes to school training now lead the walks every saturday morning. With support and funding from safe routes to school program, the bike racks that were once in the back of the school have now been moved to the front of the school. Today, parents feel more safe sending their kids on bikes and students can ride their bikes to school with pride and excitement. Thank you for supporting the safe routes to school program, and for your time today to speak with you.

**Adams:** Thank you for your great work on this.

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**Laurie Paulson:** Good morning, mayor Adams and commissioners. My name is lori paulson, and I am the parent of two daughters who attend beach elementary school in north Portland. And I want to thank you for supporting safe routes to school. Safe routes to school is a fantastic investment in our kids, in our schools. It encourages kids to get to school in a way that is healthy and safe. It builds communities, and most important, kids arrive to school ready to learn. As a former teacher, when kids arrive to school ready to learn, that is a huge help to our system. There's also the community benefits. There's decreased cars on the road, decreased cars around the school, less carbon emissions, less money spent on gas which more money goes to our local businesses. One of the efforts around beach is the stop and walk program and also the bike train. There has been a big momentum around -- at beach around the bike train. This is nora and her family on the slide. The bike train, one of the bike trains starts at her north Portland home three miles away from school. She rides with her students, with her kids down are a predesignated route, and picks up other students along the way. There's two adults riding, and a group of kids. The bike train is made her a more comfortable riding to school. Two years ago, biking was discouraged in the student handbook at beach. And because of safer routes to school, we now have three times the bike racks, which are always overflowing, and next year the student handbook is slated to read "at beach we walk and bike to school." one of those bikes is colleen's, and colleen took part in the safer routes to school fifth grade education a few weeks ago. She didn't know how to ride a bike. She in two weeks she learned how to ride a bike and how to ride safely on the streets. She then went home and talked to her neighbors about it getting a loaner bike for her second grade brother. She taught her brother how to ride a bike. Her dad then pulled his bike out of the basement which had been there since 1991. The mom got a bike. Last weekend I stopped by their house. They were on a family bike ride. Every day colleen and their family riding to school. These are the success stories of safer routes to schools. So thank you for your support. For making kids healthier, keeping them safe, and getting them ready to learn.

**Adams:** Thank you both very, very much. Very effective. That gets us to the invited presentation. Has anyone signed up to testify?

**Parsons:** No one is signed up.

**Adams:** Anyone wish to testify on this matter? Any questions or discussions from council? I'll entertain a motion.

**Fritz:** Second.

**Adams:** Moved and seconded. Please call the vote.

**Fish:** I want to thank every one who testified, pbot, the mayor, siewrks for a very comprehensive look at how we're tackling the question of safety in our community. And for those people that think that governments don't collaborate enough, I think this report indicates quite dramatically terrific level of collaboration and partnership across government jurisdictions and government. And have to say as the parent of two children in public school who also cares deeply about safe routes to schools, I particularly appreciated the update that we had at the end. This is great work, and there's some linkages with some other bureaus as I was listening to parts of your presentation, I was thinking about how parks could become a partner on some of the things that you're contemplating, but it's great to get the big picture view of this, and I i'm very pleased this was on our agenda this morning. Thank you for your leadership, mayor. Aye.

**Saltzman:** This is great work, and I want to thank the mayor for his leadership, and for all the key participants, the community dpriewps, willamette pedestrian coalition, bta, tri-met, odot, Portland police, pbot, I think it's really -- the statistics are somewhat encouraging, except with respect to pedestrian fatalities. One thing we touched upon a few weeks ago when we were discussing renewing our qcts our red light cameras and our photo radar participants was do we have the ability to cite people with our photo radar, particularly which are used around school zones, if they are always their cell phone or texting. And that's in the photo, do we have the ability to do -- issue

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additional citations some that is something i'm going to continue to explore with the city attorney's office and the police bureau, because I think we're really -- we can't leave anything on the table when it comes to getting people to drive safely, particularly around school zones, and so this is something I will continue to pursue. But this is a great report, and I appreciate it. Aye.

**Fritz:** This is very helpful. Thank you so much for everybody who presented, and it's a great partnership. Thank you mayor Adams for your ongoing leadership on this. You're right, it has been a very challenging task and i'm grateful you continue to be transportation commissioner and do this work. I also want to recognize sue, the director of the office of transportation, and rosie sizer, the police chief, who have been very integrally involved, and the summit was wonderful, I had good reports from lots of folks from the willamette pedestrian coalition, the bicycle transportation alliance, Multnomah county courts, legacy emanuel hospital, and elders in action, were a few of the partners that helped make that successful. This is reaching out to people in the community, and involving them in the safety of their community, our community, and it explains this -- this report has explained why it is in all of our best interests to fund these safety improvements. None of us wants to be involved in an accident whether we're on the receiving end of it or the causing end of it, and we need to provide infrastructure, basic infrastructure in every neighborhood that prevents these crashes where at all possible. Thank you very much, and i'm committed to working on that. Aye.

**Adams:** I want to thank katherine, and jenny, and the mayor's office who have -- I rely on every day on my own personal staff for superb work in this area. I want to recent force i'm lucky, I get to get upper morning and work with the best local transportation department in the entire united states, and the best traffic safety division, and the police bureau in the united states, and best nongovernmental advocates and other transit agencies, and I really appreciate that, because I just want to underscore how difficult it has been and the lack of adequate funding to do anything on this issue. If it wasn't for that collaboration in trying to make sure that nothing gets lost in a gap between jurisdictions, we would be in a much worse position than we are now. I want to underscore my thanks to this city council, who have had to make very difficult tradeoff decisions at my recommendation. But I think have really showed that safety of a life, prevention of an injury is more important than strangely even some political expedient decisions. And the lack of resources we have prior -- prioritized life and safety over smooth neighborhood streets. We do not do the kind of maintenance that we once did because spreading it so thin means we're not focused on the busiest streets, which is the priority of this council, for maintenance and for life and safety. So smooth streets have been prioritized, or deprioritized over life and safety. We have at great political controversy forced collaboration among bureaus. The whole green street brouhaha is about getting more than just value from one bureau, but requiring multiple values by having bureaus work together. And this city council did that, even though it was incredibly controversial, and they prioritized that life and safety effort over the political safety of doing it the way it's always been done. And two of my colleagues who are up for election are taking heat for this, and I just want to acknowledge that on the campaign trail, and I want to acknowledge their courage for doing the right thing even if it has been mangled into by others into something other than it is. So I want to thank you both for that. We're doing everything we possibly can, we will continue to do so, and I encourage everyone not to sign the petition that is circulating in the state, and I can stay that, not to sign the petition that would refer house bill 2001 to a vote. That is about not only maintaining our assets, the billions of dollars that citizens across Oregon have made in the transportation system, it is also about saving lives and reducing injuries. So thank you. Aye. [gavel pounded] let's move to the third time certain out of courtesy to some of our guests. Sue, can you please read item number will 609.

**Item 609.**

**Adams:** Commissioner nick Fish.

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**Fish:** I'd like to invite zari and dave to come forward, and I have a brief opening remark. Mayor and colleagues, we have a great tradition at parks of providing family friendly activities in the summertime, and we're very proud of what we've been able to accomplish in the past, free movies, free concerts, free swims, playgrounds, meals n good times these programs are important. During tough times, they're essential. And as you will recall, last year we faced minor crisis, when our lead sponsor of many years for the Washington parks summer festival pulled out amid some uncertainty about whether they would continue to have a viable presence in Portland. There was a remarkable coming together of our community of people who stepped up to maintain the Washington parks summer festival, which is a 60-year-old tradition. But also dozens of other individuals and businesses that stepped up to make sure that we would have what we call a summer free for all. These are our free programs throughout our system. We depend heavily on public-private partnerships. In fact, this year in presenting our lineup of movies and concerts, we have over 50 sponsors. Good corporate citizens who said this is important that we encourage free family friendly activities, particularly during tough times. One of the highlights of our series of course is the concert series at Washington park. And I encourage you to pencil it in. It's august 5-14, and because of the size and scale of this, where we reach on a good season over 30,000 people who come out to enjoy a wide range of music, we need a lead sponsor. I am so pleased this year to announce daimler is back. And they're back with us as our lead presenting sponsor. Now, we know daimler is a good corporate citizen, and this is not surprising to me that they have stepped up once again. But to those who ask the question, what does it matter to have a headquarter business here in town, what does it matter to have an assembly line operation? Of course it matters because it's -- it brings jobs and revenue to our community, but it also captures good corporate citizens who then turn around and say, in addition to our business, how can we help make Portland a better place? And that's been the tradition at daimler. And we're so proud to announce today they are back as our presenting sponsor, and because of their generosity, we'll be able to offer a full 10 evenings of first-rate music at the -- at Washington park. I'm going to turn it over to zhari santiagoer in, the director of our -- zari santner, and i'm going to introduce dave, we're going to give each a moment to say a few things, and at the end I want to highlight a couple of the things that I hope people pencil in that i'll be attending, and I want to encourage others to get out and join with us. Czar any.

**Zari Santner, Director, Portland Parks and Recreation:** Good morning, commissioners. Zari santner, director of parks and recreation. I'm very, very pleased to be here this morning to acknowledge and recognize daimler for sponsoring a signature event of our summer free for all activities. You all are aware of the fact that Portland parks provides low-cost recreation programs throughout our system, throughout the year. But summertime, given our gorgeous weather, is the time where the demand for outdoor recreation is at its highest. And that's why we have created the summer free for all program, such as concerts and movies and parks, family swim time in all of our pools, playgrounds, summer playground programs, in parks where we provide safe, supervised, day-long activities for children in some cases we provide free lunch to children. As commissioner Fish mentioned, over 50 businesses, individuals, neighborhood associations, civic organizations contribute to many of these free activities. And Washington park summer festival is the signature offering of this program. A little bit of history about this program. It started in 1940s. Again, where the diva of the parks recreation, dorothea lynch, exit continued to the late '80s with funding from city and from sponsorship. And then it went the stage at Washington park went dark for almost two decades,. Five years ago we were delighted to get a proposal from daimler with an offer tonight lead sponsor for this much loved and still remembered program by our citizens. Woe -- for four years, daimler funded this program, and we had lineup for two weeks in august, where thousands of people delighted in the offerings that we provided, and most importantly, we gave a venue to showcase the artist and the performers that this city is blessed with. And you heard from our commissioner last year, daimler decided that it could not afford to continue this partnership.

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When now retired chief executive officer of daimler chris patterson called us to inform us about this decision, he described it as a hiatus. He said that once the financial situation with the company improved, they intend to come back. Obviously we're incredibly pleased. Both because the daimler's financial has improved, and the fact they have kept their promise. Last year we had -- with commissioner Fish's help and many others, we had -- we made an effort and continue the program, but we really needed a lead sponsor, and we're very pleased daimler is back. And also this program is going to be assisted by funds from other businesses, safeway, mark expensor hotel, and trail blazers. I want to extend the bureau's appreciation to daimler for supporting this program, for the past five years, and most importantly, I want to extend our thanks to dave widrick, who has been working with our staff for the past five years, and has been the most wonderful and collaborative partner we could ever ask for.

**Fish:** Welcome.

**David Wiederrich:** Thank you very much. On behalf of daimler trucks north america, we appreciate the opportunity to be recognized in this way. As you mentioned, it was never a matter of if we were to come back, but certainly when we could, and we're very pleased that we're able to do that. I would like to extend from our new ceo, who is in germany right now, which he does frequently as you can imagine, otherwise he would be here today, he sends his regards and certainly it's to his credit that we are back doing what we're doing today. One of the things that I would like to express are my appreciation to Zari's staff, but specifically Lisa Turpel, who has been the other half of that collaborative effort. And it's been a very, very good one. One thing that we're doing as well is in addition to coming back to the summer festival, we're also able to again field a float in the rose festival starlight parade which we also had to remove ourselves from last year. And in an attempt to be as efficient as possible, when designing a theme for the float, we decided that we will depict the amphitheater in Washington park and have a band playing and promote the Washington park summer festival. Do our best to recreate that wonderful space in a 53 foot trailer so we'll see how that works. But for everyone listening, it's important to know that commissioner fish has expressed interest in walking with us in this parade and shoulder to shoulder with our float. And the theme is going to be one that is what's greener than a park and that is one of our freightliner natural gas vehicles. So if commissioner fish is going to be joining us, and we're happy to have you, I felt that it would probably be appropriate to equip him with the proper uniform. And I've brought a freightliner cap for commissioner Fish.

**Fish:** Thank you very much. We are very fortunate to have this partnership and to just give people a taste of what we have planned, we have posted on Portland parks.org the complete list of the summer free fall. If you love opera, on friday, august 6\_th\_ in Washington park, there will be a full opera performance by Portland opera. If you love jazz, on saturday, august 7\_th\_, the great female vocalists of Portland onstage for the first time all together celebrating jazz. If you like do jump, on friday, august 13\_th\_, also the night we'll do a special appreciation for daimler, that will be a performance. I have a couple of young kids, and I was looking at the movies in the mark. We'll be going to ed benedict park on saturday, july 17\_th\_, to see "transformers." [laughter] tom miller, chief of staff to mayor Adams, will be at the glenhaven park on friday, august 17\_th\_, at the death poll to downtown, the evolution of skateboarding in new york city. But I also want to emphasize that, thanks to the generosity of people throughout our community, there will be great music in community parks throughout our city, and i'll give you an example. I happen to be a big fan of darrell grant -- professor grant -- the jazz guy who teaches at psu and is celebrated in our community. Darrell will be performing at willamette park on july 21\_st\_. Stephanie schneiderman was profiled in the newspaper recently as one of the up and coming bands. She's performing at fern hill park on july 9\_th\_. And if you like devon phillips who, by the way, is america's ambassador to jazz and he follows in the footsteps of louie armstrong and some of the greats designated by our federal government as america's ambassador to jazz, he'll be performing at two different venues,

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including turn hill park on august 3<sub>rd</sub> with his band. There's an incredible, rich array of programs. This is movies, concerts. If you look at the website, you'll also find opportunities for free swims and free recreational opportunities across our rec centers. But there's still one piece left to be resolved, and that will not be announced until the mayor releases his budget. And i'm not going to give away the surprise, but I want to simply say that there's been some tremendous behind the scenes work, and I want to compliment commissioner Saltzman in particular to find a way to maintain our teen program there's summer, which is one of our most popular programs, and to maintain our playground program, which is one of not only our most important programs but, as many of you know, we link up our playground programs with federally subsidized meal programs. For children who don't get enough healthy food, it's an opportunity to make sure they get at least one healthy meal a day. We hope there's good news in the mayor's budget. I just want to thank you. I'm also pleased that you acknowledged lisa turpel who has worked so forward on this. The line-up is outstanding as far as music, and we're very pleased to be able to offer this program, and again we encourage people to go to [Portlandparks.org](http://Portlandparks.org) to learn more about it. I'd like to thank emily hicks of my team who is here who's been working on it with the whole team at parks. Thank you, and i'll turn to my colleagues if they have any comments.

**Fritz:** I have a question. Thank you, commissioner Fish. Other than the staff time -- the significant staff time that commissioner Fish just mentioned -- this is all private sponsorship providing these programs?

**Santner:** Yes. From neighborhood associations, civic organizations, individuals, and businesses large and small.

**Fritz:** Because we don't have general fund dollars to provide this vacation entertainment to the private sector, good citizens all over Portland have stepped up to donate to make sure people have something to do over the summer.

**Santner:** The summer pools program is funded by general funds.

**Fritz:** All of the entertainment, the concerts in the park, it's all sponsorships?

**Santner:** Yes. It's all private.

**Fish:** I think that's a very important point, because we had an announcement a month and a half ago that nike had stepped up to provide uniforms for all the children in our programs. Bank of america stepped up to provide movies in the park. Daimler at Washington park. So at a time when we don't have the general fund resources to maintain these great events but when they're needed more than ever, we depend on the generosity of good corporate citizens and neighborhood associations and individuals who stepped up to help us do it, and it is, to me, the best of the public/private partnerships to allow us to deliver the services people want and need.

**Fritz:** Thank you very much to daimler for doing that. If you have a list of all the sponsored posted on the website?

**Santner:** Yes. All the programs on the website. Absolutely.

**Saltzman:** I would certainly like to welcome daimler back and thank you for your past support as well. Did I hear you say you make natural gas-powered trucks?

**Wiederrich:** Yes.

**Saltzman:** Is that a large market?

**Wiederrich:** It actually is growing. We started that with the ports of long beach and los angeles in their efforts to help clean up the port area, and the response to those vehicles has been very, very good, so we are continuing to expand both compressed natural gas and liquefied natural gas.

**Saltzman:** Great. Much, much cleaner than diesel.

**Wiederrich:** Commissioner Fish will have a freightliner hat to go walking with freightliner in the parade.

**Fish:** When commissioner Saltzman and I are next in the market for a 16-wheel rig for our personal use.

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**Wiederrich:** Absolutely. I'll hook you up.

**Adams:** -- we'll make daimler and freightliner our first choice. Thank you very much. Really appreciate you being here. This was just a presentation, so there's no council action other than I hope that my colleagues will join me at a number of these events, and I hope that the public that is watches, including our friend, commissioner Leonard, who's watching us live from california, will join us as well. Karla, would you please read time certain 608? Not Karla.

**Item 608.**

**Adams:** Commissioner Saltzman?

**Saltzman:** While this is a rather technical them through procurement services, I felt it was also a good opportunity to inform council about some exciting habitat restoration work that will be happening over the next few years. The city's culvert replacement program improves habitat for Fish listed as threatened under the endangered species program. The city plans to replace nine culvers over the next few years. Most are publicly owned and would be processed through our normal competitive bidding process. But in the case where's a private party has offered to assist with culvert replacement, this exemption from our normal process is needed to expedite the work and to ultimately save taxpayers money. One such example is reed college who is partnering with the city to construct a green street and replace its culvert at 28\_th\_ avenue as a component of the college's larger, long-term, voluntary stream restoration efforts. We do have staff from reed college with us today to highlight their efforts, which will be one of the first such projects to require the exemption from the competitive bidding process. This is an emergency ordinance because the industry is limited to summer months and tracts must be in place by june 1\_st\_ to complete the projects.

**Kaitlin Lovell, Bureau of Environmental Services:** Good morning. My name is kaitlin lovell. Joining me today are jennifer bates from reed college and dennis o'connor who is helping to design the project. I'm going to provide some context, some background, and reed will then provide the overview and their great efforts in the canyon to restore the head waters of crystal springs. Culverts are an important infrastructure tool. They allow streets and other structures to cross streams and water bodies, and they also facilitate the shedding of storm water from our impervious surfaces. The down side is that historically we've built them without regard to the streams they impact. Over 200 known culverts in Portland impair the Fish and wildlife from accessing pretty good habitat upstream, and many of those also cause localized flooding. As a consequence, we've seen salmon, steelhead, and other native Fish populations decline. Streams are acting more like ditches, and properly owners can actually experience losses during large floods. These effects are particularly exacerbated in the face of climate change. You can see here I had to identify what the Fish was, but this is a Fish trying to get up a culvert in johnson creek, and this is the problems that we're dealing with.

**Adams:** That's so sad. Did he make it?

**Lovell:** No.

**Adams:** Did you help him?

**Lovell:** I believe they did, but this is before my time. I'd have to defer to my colleagues.

**Fish:** Sam, it's a she.

**Adams:** Sorry. I apologize.

**Lovell:** Hopefully we won't have to do that in the future, because we do have a solution that allows the urban infrastructure to remain while the stream habitats improve and storm water is realized for what it is, an important part of the cycle the streams actually need. Greater green has realized its potential, and I will very pleased to be here today to share with you how this seemingly simple infrastructure fix has turned into a community-supported, full-scale watershed restoration project in the heart of the city. I'm also asking for your help in supporting this exemption from competitive bidding which will allow one of the projects to move forward this summer. Greater green, one of

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the grams directed us to replace eight culverts in five years. Of the \$50 million identified, 2 million were allocated to the effort, which is a great foundation. The immediate question is which eight. The first alternative, we had an inventory of 200 culverts. We updated them with the current information, and we could take the top eight or we could spread it around equally among each of the watersheds within the city or we could try to match it up with the best habitat in the city. So we convened actually a steering committee that has been incredibly helpful in directing our work in getting us down this path. It included rep tips from the federal government, from noah Fisheries, from the state department of Fish and wildlife and also a representative from the johnson creek watershed council who was also in charge of culvert replacement for the u.s. Forest service. So we had the benefit of great minds helping us, and their recommend was simple. Put the money and effort where it will have the most benefit for Fish. So first we asked where is the best habitat potential in the city and then we worked backwards. The answer was immediately clear. Crystal springs jumped out as the obvious choice. It's located in sellwood, the first major tributary in johnson creek, no barrier between it and the ocean, save Portland harbor. [laughter] in a city where temperature in the water can be lethal for salmon, crystal springs jumped out as having very cold water. It's a spring-fed system, so it's got constant flow. It's relatively clean in part because most of the drainage is actually in the combined sewer system, so we don't have a lot of the pollutants from the storm water. It's low in the system and low gradient, prime attributes to Fish, and majority of the watershed is actually in public ownership. There are conveniently nine impassable culverts within the system, and they're mostly impassable to juvenile fire. In addition, back in the early 2000\_s\_, we had initiated an effort to replace four culverts in the system as part of the army corps of engineers 206 program, but the initial legwork had been done. It is by far an unparalleled stream in the city for salmon recovery. We expect salmon and steelhead to response immediately. It opens up opportunities for the first-ever endangered species act reintroduction program in Portland for chum, known to highly correlate to springs. Crystal springs creek is actually one of the few sites in the entire willamette basin where we could see a reintroduction effort. And it's not just about salmon. 137 species depend on salmon and a few more on crystal springs like fresh-water mussels, painted turtles, and red-legged frogs. In crystal springs, almost 60,000 Fish, 99.9% which are native. This map is a little hard to see but, in order to make this happen, according to pbot's estimates of that \$2 million, we needed to leverage 10 to one to get the work done. When we stepped back and thought about it, it's really hard to leverage money for culvert replacement. What we were really doing was a watershed restoration. These are just the boxes that you see here pointing throughout crystal springs the public effort involved. G that I want to highlight are the first we're working on at umatilla street, a private carport, and a culvert at tenino street. You can see the kind of urbanization we're dealing with and the opportunity that we have. We approach the house there, the brannon culvert, back in 2003. They have a carport that sits over the stream. The original plan was just to remove the carport and replace with it a Fish-friendly structure. With the passage of time, the situation had changed, and we reapproached the family. Their circumstances had changed, and they actually donated a generous portion of the sales price to the effort. They actually built this house and lived in it for 30 years, and they did this knowing that it was actually going to be deconstructed and the entire property would be restored and made a neighborhood amenity.

**Saltzman:** It's not just the carport. You're saying the entire property.

**Lovell:** The entire house. I have a picture of it. They're really excited about this. This is a picture of the house from the backyard, and that's what it looks like today. And where this green trailer is is actually where the stream is, so that is all going to be removed and the flood plain restored and replanted. We'll even have a trail there so the neighbors can go and see what kind of restoration we have going on there. We also know that Fish are using this area. We witnessed coho here trying to respond in this area this past fall. There are tremendous partnerships happening. Metro has given

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us a \$311,000 grant which you just approved today in the consent agenda, so thank you very much for accepting that award. The Johnson Creek Watershed Council, Trimet in Westmoreland Pond directing some of their mitigation dollars for the Portland/Milwaukie light rail. They'll help parks realize their master plan in Westmoreland Pond which realizes our watershed restoration efforts. Neighbors and residents of Reed College, who's here today. Following the traffic study, this is a little more upbeat about the traffic safety report, but actually in this area around the Brannon area, there have been traffic concerns and safety issues raised by the neighbors.

We have actually heard and listened to that and are now meeting with transportation on a bi-weekly basis. The one project that is going forward this year that we do need the exemption for is Reed College.

**Jennifer Bates:** As Kaitlin mentioned, Crystal Springs is a spring-fed creek that drains into Johnson Creek before entering the Willamette. The project that we're discussing is located at the headwaters of Crystal Springs on the Reed College campus where this groundwater bubbles from a site on our campus. City-funded watershed planning efforts over the years have repeatedly identified Crystal Springs, especially its headwaters, as a high priority for restoration to benefit steelhead, cutthroat trout, and SOHO. Oregon Department of Fish and Wildlife sampling of Crystal Springs in 2001, 2002 gave the creek the second highest index of biotic integrity score, 52 out of a possible 75 of all the tributaries sampled in the city. Species observed by Oregon Department of Fish and Wildlife in their study included lamprey, cutthroat trout, rainbow trout, coho, chinook, steelhead, and more. The Reed College campus canyon could or does support healthy populations of western pond and painted turtles in the lake, red-legged frogs, specific tree frogs, salamander species, wood ducks, blue herons, kingfishers, and beavers, among others. For decades, the Reed College canyon existed as a neglected jewel in the heart of the campus. Students avoided it, neighbors kept out of it, and alumni swapped stories about it in the old canyon. In 1998, conversations with an alumni supporter led to a lead gift of \$50,000 for canyon restoration, launching a five-year project to remove invasive species, improve the creek running through the canyon to replace it with a fish ladder, and plant a native species to create a welcoming habitat for wildlife. In addition to alumni, Reed College raised funds for this project and a wide array of funders including Oregon Watershed Enhancement Board, the Oregon Department of Fish and Wildlife, the City of Portland's Bureau of Environmental Services, and a number of private foundations. In the years since the project got under way, the Reed College canyon has become a cherished feature of the campus in Portland itself. Neighbors walk along the trail that rings the lake, and parents bring their children to watch birds glide along the lake surface. The bulk of the restoration project lasted between 1998 and 2003. Reed College has demonstrated its support for this project by continuing to fund the restoration work in the canyon to this day. Since 1998, \$1.5 million has been spent on the first phase of this restoration project. 500,000 of that was composed of grants and gifts from individual supporters. The remaining \$1 million has been funded by Reed College's operating budget. The implementation of the canyon strategy has achieved the following objectives. It's improved the diversity of wildlife habitat by managing basic species and restoring native plants throughout the site, contributed to the health of the 54 square mile Johnson Creek watershed overall by affecting Crystal Springs. Increased potential habitat for salmon and other resident fish species by providing fish passage via the fish ladder to the Reed Lake, the only naturally occurring pond or lake remaining in the innercity area as identified in the Johnson Creek Basin Protection Plan. Through the plan, we've contributed to efforts by the City of Portland to respond to the National Marine Fisheries Service, a listing of eight species of salmon and steelhead in Washington and Oregon, neighborhood outreach programs. Hundreds and hundreds of children take guided tours of the canyon. Twice each year, Reed invites the public to Canyon Day a day-long eventful of opportunities to take part in the ongoing restoration work of the canyon. With that, I'd like to turn it over to Dennis O'Connor who will talk about our next phase of the project.

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**Dennis O'Connor:** So the next phase of our crystal springs enhancement project includes extending the canyon habitat west onto recently acquired property adjacent to the campus. There is a minimal direct storm water influence on the creek, as kaitlyn mentioned, and southeast 28\_th\_avenue we do have water influences. While water quality and vegetation is good above the area, the ability for migrating species to come in through this culvert, they're not able to access the habitat to get up. So the proposed actions. We're going to -- I don't know if you've been to the site, but we're going to remove the concrete and wood walls that are on the channel, that have been channelized straight right through the farm property, and we're going to remeander the creek and widen it to six feet and increase the length from 325 to 400 feet, put in a total of 10 new pools and ripples, and we're going to add large wood and use the existing gravel on the site to support Fish spawning and rearing habitat. There is which small-scale springs that come out through the property, too, and we're going to make small channels and plant those with natives and use those to regenerate the water in the new channel. And we're also going to put large cedar and douglas fir logs through the channel and flood plains as the channel is being reconstructed. On the new banks of the creek, we'll use root-wads and put those in an overhanging fashion, and then we're going to put cuttings of willow and dog food in along the bank, and that's going to help create cover for the Fish along the new stream. Water run-off will be intercept said to treat before it enters the creek. The non-native species will be removed, and the site will be revegetated with riparian and wetland community found upstream of the site. The upland portion of the farm property will also be a meadow, oak prairie habitat. And in the southeast 28\_th\_avenue culvert, the most impassible culvert on crystal springs, so that culvert will be replaced with a four-foot by 12-foot cast in place box culvert with a natural channel bottom and passable slope.

**Bates:** In closing, we are committed to restoring the habitat, and we've invested a significant amount of time and money. We recognize this is an important project for the college and the city and look forward to working together on it.

**Adams:** I want to check out a rumor I heard, and the rumor is that Fish have been spotted in the middle of reed college.

**O'Connor:** Could you get the video?

**Adams:** You have video? Did I miss it?

**Lovell:** You did not. We had technological difficulties is what we have.

**Adams:** And my impression, commissioner, is every time we remove one of these barriers, we actually get a lot more Fish utilization then.

**Saltzman:** Um-hum. Kaitlyn mentioned in her statement that Fish find out right away, and they start migrating to their new and improved habitat.

**Lovell:** They do.

**Saltzman:** They communicate well.

**Adams:** I just want to confirm that that beautiful, young female Fish you did help up into the pipe?

**Lovell:** Let me get my technical staff up here. Oh. Apparently not. We turned it downstream. Do we have internet? We could pull it up.

**Adams:** Is there a teenager in the audience? We'll go to the slide.

**O'Connor:** So there's actually a camera in the Fish ladder.

**Saltzman:** Oh, yeah?

**Adams:** Oh, well. We'll put it on your website later. Great. Unless there's anyone here that wishes to testify on this fantastic proposal --

**Parsons:** No testimony.

**Adams:** -- and if there is no discussion by council, please call the vote.

**Fish:** Now we're mixing our -- it's very confusing. No, mayor, I want to put down a rumor. I was not sighted at reed college. Sorry. Thank you. Thank you for an outstanding presentation. It's

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very encouraging. And delighted to learn more about the efforts that reed is making. As someone who loves to go in the summer to reed to see chamber music northwest, i'll take my next opportunity to walk around and see more of the good work you're doing. Thank you, dan, for your leadership on this and for the innovative collaboration demonstrated. Thanks for your presentation. Aye.

**Saltzman:** Well, thanks, reed college and kaitlyn and all the other people, the great people at the bureau of environmental services, who are passionate about improving our watersheds and making them more Fish-friendly. I think nothing excites citizens more than seeing salmon and other Fish in places where they haven't been seen in centuries. And so this is really, I think, nothing more exciting to bring the civic spirit and identity I think all of us have with salmon more than this restoration work that we're doing here. And so i'm really pleased to support this and, once again, good work by everybody. Aye.

**Fritz:** Thank you for this interesting report and great project. Thank you very much for telling us about it and for the partnership with reed. It's a great example of government and community partnering together. Thank you very much for that. Aye.

**Adams:** Well, thank you, commissioner Saltzman, for your continued decade-long, years-long advocacy for these kinds of improvements to our city of both the county and city and to this great team, public and private, profit academic. This is very Portland-like and just really fantastic. Thank you. Aye. That gets us to the regular agenda. Please read the title for second reading item number 637?

**Item 637.**

**Adams:** Please call the vote.

**Fish:** Mayor and colleagues, you know by now, as parks commissioner, I have placed at the forefront of our agenda improving recreational activities for young and old alike. The reality is that Portland is not a leader in offering recreational opportunities in part because our fields are used at such a level it's difficult to maintain them and because our friends have made investment in 16 these thick fields and resources for young and old alike, but we have set a goal of substantially enhancing our existing system, important not only for recreational uses but to promote a number of other values which we care deeply about, health and wellness, healthy living, as well as the chance for people to come together in organized sport. As the great Charles Jordan once said, there's more to fun and games. There's more to this than fun and games. By that, he meant, when we provide opportunities for young people to come together in some organized athletic activity, what we're really doing is building good citizens, teaching things like skills around team work and working together for a common purpose, providing adult leadership and role models and accomplishing many of the important goals we have. I want to thank the team from the planning bureau as well as the parks bureau for their hard work in getting us to this point. I'm going to support the proposal before us for a number of reasons. First I believe it is a balanced and common sense approach, how to deal with changes going forth. It balances the level of change or improvement at the appropriate level of review and neighborhood input, addresses neighborhood concerns as well as the need to provide opportunities for organized sports and provide the community with important health and social benefits that i've identified. It formalizes a good neighbor agreement process and establishes a formal good neighbor agreement policy to follow. None currently exist in the code. Bleachers and accessories expand in footage. It does not do away with the land use review process. Conditional uses are still required for the more extensive proposals, including things like field lights, amplified sound, new fields, sites that don't have an existing active use, larger concession buildings and seating areas. Those are the areas of concern i've heard the most from citizens throughout our community. Those are the substantial increases which therefore have an impact on people who come and use a surrounding neighborhood. This is an extensive public review process, including over a dozen opportunities for citizens to provide input, no fewer than seven community

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meetings, and contacts with over 1000 citizens who had concerns or points of view. And while I do not believe that it is our job to always defer to the recommendation from a body that's making a recommendation to us, I do think it's important to note that the changes that are proposed before us come with the unanimous recommendation of the citizen committee that we've put in place at the planning bureau to make these types of recommendations on land use matters. We are of course free to agree or disagree with the recommendations. When they come to us with anonymous recommendation, I believe we need to engage with them seriously. I want to acknowledge the terrific work of Brett Horner at Parks. In the year and a quarter I've been a Parks Commissioner, colleagues have begun to get to know many of the 400, 500 or so employees we have, and Brett guides so much of our planning work, and I'm just grateful for his wise council member and his hard work. I believe this is a common sense proposal which allows us to move forward but also maintain an appropriate level of community consultation. Therefore I'm going to vote aye.

**Saltzman:** Aye.

**Fritz:** Thank you to staff from planning and parks for good work on the project. Thank you for citizens who have been extremely involved and the planning commission who put in lots of time to consider the bigger project. Thank you to Commissioner Fish and your office for discussing the issues with my staff and for being able to debate them in an objective and civil manner. I greatly appreciate that. Thank you to Commissioner Saltzman for allowing me the opportunity to debate the pros and cons by seconding my motion last week. As stated last week, I believe we need more time to process and speak to the various neighborhood groups about the proposed changes. This part of the project has not been given the attention it deserves in neighborhood associations. I'm very concerned about parks assignments in neighborhood associations without gate keepers without having discussed it with me or the neighborhood association. It's no substitute for appropriate engagement. I believe that good neighbor agreements are a good means to have a dialogue. This does not address the mandatory stuff such as parking. They're not enforceable if they don't have a link to the code. The one that we have with PGE park is linked to the code as a condition of approval off a conditional use process, which is how it's supposed to work. The enforcement -- the planning commission supported the good neighbor process only if it could be enforced. While the current commissioner -- there is no question that the current commissioner has exactly the right intentions and will watch over this very carefully, but in the future and in the process, there is no guarantee that enforcement will occur, especially if the problem pertains to uses that don't need a field use permit. Figuring out what else is needed to make it work for any particular use. Having the enforcement of the good neighbor agreement in the zoning code would make enforcement possible. And understand and encourage the collaborative approach being proposed, but there is a greater need to provide due process. Taking rights away from citizens that they are now after forwarded is not a good trait. Having staff decide whether a public meeting and good neighbor association should be established determined by whether a higher power thinks issues have been resolved to their satisfaction, I believe having objective and impartial authority such as a hearings officer to make the decision ensures that impartial decisions can be made and decisions can be appealed to a higher body. Most of these rights have been taken away and replaced with either no process at all or a process that depends on the discretionary decision making of a parks staff person. I hope that as the good neighbor process moves forward we will consider it so that appeals can be directed to a hearings officer. The type and staffing required by a good neighbor agreement with parks staff will not be funded whereas some staff would at least be funded. 10 days is not sufficient for neighborhood associations or concerned neighbors to give notice about the good neighbor agreement and to hold the meeting. If it was going to be assigned to the neighborhood associations, I would have wanted a third discussion at the coalition level and my office. A significant number of the most affected adjacent residents should be able to call for the good neighbor agreement whether or not a neighborhood association supports their request. In the current process with a type ii or 3

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conditional use, any affected party has the right to participate even if the neighborhood association does not agree with them. The proposed process sets up neighborhood associations at gate keeper decision makers while individuals should have the right to due process with elected officials and their staff. This is a problem independent of the lack of discussion about it. On spectator seating, I believe it does not address the overflow issues that will occur or the fact that, in many cases, no seating is required or provided and that providing adequate seating may require a conditional use process unless discouraged under the process. I understand the difficulty in counting spectators at every event, however the issue of how many people are likely to attend affects the neighbors. When providing the new facility, that's when you look at parking and noise, concessions, bathroom issues and put standards into the conditional use approval that require the applicant to make those improvements. Under what's being adopted today, there's no ability to do that. I do not believe additional recreational fields should be allowed without conditional use review regardless of existing fields. I was planning to filibuster this thing by reading the entire consent agenda word for word, but I will not do that. [coughing] excuse me. Additional recreational fields means more people, more cars, more noise and needs review. Concession time, quantity and time limits for use need to be stipulate inside the code. I understand the good intentions behind these proposed changes. I appreciate commissioner Fish and his points of view on this matter and his belief that this will work and I appreciate that we can agree to disagree in a manner befitting this public body. However, creating new code should not be taken lightly. More process, I believe, is needed to get this right when it reaches council. We had amendments introduced on the day of the hearing last week which citizens had not had the time to look at or organize to be able to come in and testify about. Think about the amount of changes that went into the final north reach river plan after discussions with stakeholders, citizens, and city staff. That process took months and, in the end, still needed more work when it came to council. There are many more examples of when we have taken the time to get things right, and I believe more work should have been done on the code changes once it gets to council. I would want certain elements to be continued to be looked at by the land use process. There are some problems where some can be hostage by some. That's the way we do business in Oregon with set time lines, appeal dates, appeal bodies so that decisions can be made in a timely manner. My staff is looking after me. In many cases, I believe that people will abide by the rules established by the good neighbor agreement. However, I can't support giving people false hope that the good neighbor agreement can achieve equivalent infrastructure and provisions of enforcement mechanisms as it currently the case in the conditional use process. For these reasons, I must oppose this ordinance. No.

**Adams:** We are one of the organizing principals of the Portland plan that is very much in process is that every part of Portland should be a 20-minute complete neighborhood. And that includes access -- nearby access -- to affordable and healthy food, services, and products people need and want. It's also to provide recreational parks and nearby outdoor opportunities for being active, staying healthy. As fortunate as we are to having the best places to walk, we still suffer from a higher obesity rate than we should. The national goal is 40% for a city, and I think we're over 50%. I think an opportunity to address that is to break down the bureaucratic wall that has existed between the various owners, various operators, various jurisdictions that manage open space, potential recreational space not only within the city but also -- not only within the city government but between the city and school districts and other open-space providers. So I think that this approach does it with the ambition of providing a level of ongoing decision making and accountability that commissioner Fritz so eloquently conveys in terms of her concerns. And commissioner Fritz has been at the losing end of not focused just on parks but as other residents around the city have been at the losing end of sort of bureaucracies -- bureaucracies that are not good neighbors, and so I respect that. I'm voting for this, though, enthusiastically so, because I know that our parks commissioner, commissioner Fish, has as high or higher ambitions in terms of not only breaking

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down that artificial bureaucratic barrier that exists to more effective provision of recreational opportunities in the city but also doing it in a way that is of a highest and higher standard than we've ever seen in terms of being good partners with surrounding neighborhoods. He has committed to bringing this back for a look in one year. I think that's appropriate. I want to thank you, commissioner Fish. This has been a problem in the community for decades, and you found a way forward that I think will actually improve the partnerships and improve access opportunities to recreation and do so in a way that actually is showing better partnership for maintaining government in recreational facilities. Aye. So approved. Please read the title for items number 638 and 639. I apologize. I'm going to do the 4/5ths because I have to go at noon. I move to suspend the rules to consider a 4/5ths agenda item which would be titled -- numbered 640-1. It is to grant a revocable permit to the saint johns bazaar parade. It's part of the parade functions to close north philadelphia avenue between north lombard and north ivanhoe from 8:00 a.m. To 7:00 p.m. On may 8\_th\_. Do you want to read the title?

**Item 640-1.**

**Adams:** Through an oversight of the organizers, they forgot to submit this, so we need to do it or there will be grumpy people in north Portland.

**Fish:** Is this rather unconventional application that you're presenting to us in any way linked to commissioner Fritz marching in the saint johns parade and facilitating that?

**Adams:** Well, I have to march as well, and I don't want to be the recipient of unhappy parade goers. There is anything else I have to do, ben?

**Parsons:** How about the two pulled items?

**Adams:** Anyone wish to testify on 264-1? Please call the vote the 4/5ths.

**Fish:** I'm not only enthusiastically supporting this ordinance, but I look forward to marching in the parade. Aye.

**Saltzman:** I look forward to being there saturday. Aye.

**Fritz:** Aye.

**Adams:** See you at the st. Johns parade. Aye. There are two quick items that were pulled.

**Fritz:** I'm intending to vote for them if you want to vote for them.

**Adams:** Please read the one item that was pulled, 625?

**Item 625.**

**Adams:** Please call the vote.

**Fish:** Mayor and colleagues, this matter has to do with bridge financing to get us to a point where we will actually receive a grant, and so this authorizes some bridge financing in anticipation of a grant. It is a relatively uncontroversial matter, but I will say that my friend, commissioner Fritz, directly and then through our respective chief of staff has raised an issue of whether, assuming we're successful in getting these funds -- whether we would be amenable to using existing capacity within the city to do the planning process, that and could include folks at the bureau of development services or elsewhere. And my answer to that is of course. So this does not -- in supporting item 625, we are not addressing the question of who does the work. We're simply lining up the funding.

And I think the suggestion that my colleague has made for us to consider using existing capacity rather than contracting with some third party makes sense, and we've committed to explore that with her. Aye.

**Adams:** Gotta be fast.

**Saltzman:** Aye.

**Fritz:** Thank you, commissioner Fish, and kudos especially to the citizens and staff who have been involved in this. I have some detail questions about the mechanism for applying for this loan and the funding for it which I can follow up with your office afterwards. Aye.

**Adams:** Aye. The next one is 629.

**Item 629.**

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**Adams:** Please call the vote.

**Fish:** Aye.

**Saltzman:** This is a very potentially major acquisition of open space for the Portland area, and I think commissioner Fritz's question is related to identifying the appropriate operating and maintenance cost. We have done that at this point, although it is a preliminary estimate, but this is - if we get this grant, parks and bes could be involved with a major, major open space. Aye.

**Fritz:** I think this is a wonderful application, terrific for heaver purchases the property. I pulled it to highlight for the council that i'd like us to have a discussion at a future date on how we fund ongoing operations and maintenance I think it would behoove us after the budget process. Aye.

**Adams:** Aye. Please read 640.

**Item 640.**

**Keith Witcowsky, Portland Development Commission:** We have a short powerpoint. We can make it very short. So i'll give an abbreviated, brief introduction. Today you'll be amending the enterprise-owned policy. Sierra can get into details, but essentially the portions we're amending are when a company gets a tax abatement, they'll be 15% of the value of the abatement that flows into the fund that then flows to either workforce training or business development in the community. What we're asking to do today is basically codify and action taken by the pdc board last month which says the community committee that determines where those resources go gets increased from seven people to 11 people, bringing in more small business representation. The amount of money that's flowing to the business development fund, which is the one that's kind of a microenterprise community association, their percentage of resources goes essentially from 30% to 40%, so they get a greater share of the resources that a company has to put into this contributions fund. That's essentially the actions that you're taking today. Why don't we open it up for questions, and sierra is the smart person on this and knows all the details.

**Adams:** Questions from council? How many people do we have signed up to testify?

**Parsons:** No one signed up.

**Adams:** Please call the vote.

**Fish:** Aye.

**Saltzman:** Aye.

**Fritz:** I'm disappointed that we didn't get to see the power point. I hope you'll put it up online. You've done the study. This is one of the best programs I think that we offer to promote business, jobs in a very sustainable and thoughtful way, so thank you for your work on this. Aye.

**Adams:** Great work. Aye. All right. I have to leave, so i'll leave it to the president to hear the next two items which are not voted on today.

**Fish:** Actually, I have an item i'm going to amend at the end on some budget matters, if you don't mind. [laughter]

**Saltzman:** We're going to convene at a budget committee.

**Fritz:** Don't worry about it, mayor.

**Fish:** We're making some minor tweaks on bes, parks, and housing.

**Fritz:** You forgot the oni piece.

**Fish:** Item 638.

**Item 638.**

**Fish:** Good morning. It's close to good after noon. Who'd like to lead off?

**Ruth Lane, Bureau of Transportation:** I'm looking for the notes that I had prepared.

**Fish:** Take your time.

**Lane:** Thank you. My name is ruth lane at the bureau of transportation. I'm here to present the marquam hill meter district. Thank you for allowing us to present today. I'll give you a bit of background to introduce the subject and then introduce the members of the revenue allocation advisory committee who are here to speak. We have a map. How do I make the map work?

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\*\*\*\*\*: There you are.

**Lane:** Great. Thank you. Marquam hill is our smallest meter district of the three with \$210,000 current gross revenue per year. This meter district is a jay sent to ohsu property and the homestead zone c neighborhood, incorporating a portion of southwest gibbs street, which is going along the top next to sam jackson park road. Then following the curve of u.s. Veterans hospital road down to the v.a. Hospital driveway where it becomes gains street and then curving back to 9\_th\_avenue again, plus the 6\_th\_avenue drive, the little tail at the bottom going down the back of the hill towards bancroft street. There's the meter district boundaries.

**Fish:** That was the most economical power point I think we've ever done.

**Lane:** Following a project advisory committee's recommendation and a pilot, Portland city council approved the permanent meter district in august, 2004. The district is operating well, allowing short turnover as well as long-term parking and heavily used pay parking environment. Through this ordinance, the rack requests the council approve its plan, which includes a meter rate increase and allocation of half the net revenue to be set aside for use by the rack beginning july 1, 2010. Current city parking meter district policy allows a majority of net revenues to be allocated for use on transportation-related projects in the new district. The rack is composed of the two major stakeholders, ohsu and homestead neighborhood association, plus recently a member of the bicycle transportation alliance. The rack has created an agreement between the two major stakeholders and a plan to spend allocated funds on transportation-related projects. The current meter rate is 135 per hour. The rack requests an increase of 25s to be effective july 1, 2010. This would increase the rack's share and provide more revenue for the city. Rack members presented their plans to the advisory committee last fall and received their approval to approve the rate increase in the budget submittal, at that time also added a member from the bicycle transportation alliance. The plan includes sidewalks for several streets an homestead and a contribution to support ohsu's bicycle commuter program. The stakeholders reached out to their constituencies and will report on that. Council approving this ordinance will allow the rack to move forward to impliment their plan. Any further changes to the spending portion of the plan could be approved by the pbot director. And now i'll turn this presentation over to anton, susan, and michelle.

**Anton Vetterlien:** My name is anton vetterlien. I've been a member of this allocation committee since we started working on it quite a while ago. As you may know, marquam hill is a place of stark contrast. We have medical institutions built out to a downtown level of density and amenity, infrastructure amenity, but the adjacent multifamily residential area has such poor infrastructure as to look like an area recently annexed from the county. City data shows a high percentage of commuters in the neighborhood. Old data had 25%, which is pretty astounding. I haven't seen any recent since this data. But I think that's mostly students and employees of ohsu and the v.a. Medical center who choose to live and work nearby perhaps because of the difficult driving and parking environment up there. The proposed sidewalks are on transit streets that trimet buses run on throughout the day. All three of the streets. And the transportation system plans, pedestrian classifications for these streets, are city walkways. Yet they have no sidewalks or they have sort of scattered sidewalks here and there but not a continuous sidewalk in the system. And there's also, especially on 11\_th\_street, a very uncontrolled parking environment where you've got cars parking, no curbs or sidewalks, so it's pretty uncontrolled and pedestrians generally end up in the street. The streets, gibb street is an extension of sam jackson park road that eventually becomes marquam hill road, the main artery on the north side there. Gains street is on the south side. There's a ravine in between, and that's kind of a continuation of v.a. Hospital road. They do all get a lot of traffic. We're looking at 4.5 block faces of sidewalks on 11\_th\_street, four block faces on gibb street, and just a half a block base on gains street to complete a continuous sidewalk on both sides. City policy calls for these streets to have walks. In the marquam hill plan, there's the policy of the marquam hill community that says create a shared sense of place and community for the people

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who live and work on marquam hill, and there's an associated objective that says reinforce a sense of physical integration of the residential and institutional areas through enhancements to the pedestrian network. There's also a transportation objective in the marquam hill plan that says encourage implementation of the goals at the pedestrian circulation development concept which defines the streets as primary pedestrian connections. And then there's also several action items, notably one that says a transportation action item that says provide continuous pedestrian access by sidewalks along southwest gibbs, southwest 11<sup>th</sup>, and southwest gaines, and pdot and ohsu and the neighborhood and the property owners are all listed as implement for that action item. The need for the sidewalks was reiterated in a report for the same streets. We have policies that call for the sidewalks, but we've had no funding mechanism to build those sidewalks up until this point. You probably have learned that building sidewalks is one of the big planning issues in southwest Portland, but funding is always the sticking point. With this man, we have a fairly noncontroversial way to fund them. Given that sidewalks are quite expensive, we will need every penny we can get ahold of in order to build out the needed sidewalks on these streets. I urge you to approve this revenue allocation plan and the rate increase as soon as possible so we can start accruing the revenue in this coming fiscal year. We've already lost around \$300,000 of accumulated revenue from this metered district to other pdot needs for reasons largely beyond the control of the neighborhood association. It's taken about five years to get this far, so we're eager to start accruing this money.

**Fish:** Before I recognize our third distinguished visitor, sue, how many people have signed up to testify?

**Parsons:** We didn't have anyone sign up to testify other than --

**Fish:** It looks like we're on track to have a very positive outcome here, but please go ahead.

**Susan Egnor:** Commissioners, my name is susan egnor. I'm president of the homestead neighborhood association. I have only been involved in this process for four years. It began a lot longer than -- a lot before my time. I am, however, very happy to be here at last to speak in support of the council's adoption of our plan and the attendant meter rate increase. We conducted outreach regarding the meter rate increase, as is required. We asked for feedback on the meter rate increase, the parking rate increase, at our december and january neighborhood association meetings. We featured a description of the project and the need for feedback in january, also asked for feedback from our neighborhood through our e-mail list. We used a comment card with a five-point scale with responses to two questions. First question, it is important to increase marquam hill parking rates to help fund transportation projects that benefit the neighborhood. Second question, it is important to reduce commuter trips and foster alternative modes of travel on marquam hill. We got nine written responses. Eight averaged between agree and strongly agree to both questions. One respondent who didn't circle any of the numbers available stated -- and I happen to know height was -- she supported the increase if the neighborhood association would have assurance that it would be actually able to use the funds for neighborhood projects as outlined. Written comments also supported the increase. I want to thank those from homestead who have worked on this process over the years beginning with the project advisory committee and no doubt even before that, to acknowledge in particular dr. Keith claycomb who has come here to witness what we see as the end of the beginning of a program that will make the area around ohsu a safer place to work for those who live to walk rather for those who live and walk up there. Dr. Claycomb is a former prime minister of the homestead neighborhood association, a former president of our area coalition southwest neighborhoods, inc. He was in on the beginning and helped us through the push, beginning last year to, a final plan. It is good to have him here today. I also wish to acknowledge the constant support and help of ruth lang from the bureau of transportation without whom I suspect we would still be waiting for what comes next. In conclusion I ask you to support the proposal so we can get on with our projects on the hill.

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**Michelle Rhoads:** My name is michelle roads. I'm with Oregon health sciences center with transportation and parking. I'm here to reaffirm ohsu's commitment to this project and to be a good neighbor with the homestead neighborhood association, the city, and other partners in the area to minimize the impact of our constituents upon the neighborhoods and other folks involved with not only the marquam hill but also the water front. We also want to enhance transportation access to the hill in the most sustainable waive as possible with that in mind, we did survey our employees and students, and the responses were split to two questions. We asked is it appropriate to increase the marquam hill meter district parking rate to help fund transportation projects that improve sidewalks in the area and enhance transportation access to marquam hill? The second question was it's important to -- is it important to reduce single occupancy, car commute trips, and to promote alternative modes of travel? We received 49 responses. It was pretty much evenly split where about half the respondents supported or agreed or strongly disagreed with both of those questions. Our efforts must continue to educate our constituents on the most sustainable and best ways to get to marquam hill include the the recommend travel if someone does choose to drive their car to not impact the neighbors. We did solicit input from the v.a. Hospital and to this point have not received any comments back in favor or in disagreement on this plan. So we did make an outreach effort to the v.a. Hospital as well, because they're also a partner there and a neighbor and some of their staff do park in that area as well. We will continue our efforts to support transportation options to our employees and students. We suby died bus passes, have a bike incentive program which, for the coming year, we'd like to use our share of the proceeds towards improving our bike incentive program and infrastructure. We also provide carpool permit reductions. We priced our parking permits in a strategic way to help. It's one of the tools we used to manage the vehicle traffic to marquam hill, some of our strategies there. We also encourage walking, which is what I do to work every day, so i'm with you. I support the safety and pedestrians, because that's my path of travel. And we also support the streetcar for our employees to be able to ride. As mentioned earlier by anton, the tram is another means that we use to minimize the impact on marquam hill.

**Saltzman:** This is a first reading. We'll be voting next week. But I did want to just acknowledge dr. Keith claycomb for being her and anton beddorline for long-time participation. Susan, I guess you're just a relative piker.

**Egnor:** I am.

**Saltzman:** The doctor and anton have been fixtures on the neighborhood association. I want to acknowledge and thank them for their leadership and thank ohsu and ruth for your good work here. I will be pleased to support this next week when we vote on it.

**Fritz:** I have a question about the funding going to the bicycle part of ohsu's commuter program. Don't you currently provide that?

**Rhoads:** We do.

**Fritz:** Why would revenues from park go to that program.

**Rhoads:** From this meter district? It would actually help supplement it more than anything. The approximately \$123,000 we're talking about right here is actually just a contribution to what our overall costs are. We're anticipating this calendar year of expending about \$170,000 in incentives to people. We have about 1200 people who are participating in that bicycle program, so it's a really huge commitment in many ways for ohsu. And so this \$23,000 will help towards that. But, again, it's not only for the bike incentive program but also to improve the transportation access in general, including bike infrastructure, parking and such. And the way we like to look at it is the more people we can encourage to use these alternative modes of travel to get to marquam hill, that actually gives people who park more opportunity to find parking spaces, because there's some people who just truly, for their own situation, maybe cannot use alternative modes of transportation, and so it's kind of an interesting twist. But, yes, parking actually helps alternative transportation and vice versa.

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**Fritz:** I do understand that, but i'm wondering why public money should be supplementing what ohsu is required to do.

**Rhoads:** I think in the plan we're actually supporting this because it's good for the whole, and it's also to support the marquam hill plan which the city and the ohsu have partnered onto reduce that reliance and impact on the neighborhood.

**Fritz:** Thank you. I have a question for susan. Supposing the neighbors on the streets designated for local improvement districts decide not to form them.

**Egnor:** That's a very good question, and it is a question that we will answer. It's a bridge we will cross when we come to it. We thought about trying to do what ifs, and we can't do it. We're holding a meeting on the 7\_th\_ of june with the property owners on the affected streets, bureau of transportation's expert in lid\_s\_ addressing that meeting and talking to -- we'll get an idea of what the response will be. When we started the process, the major property owners involved were in favor of having -- doing the process. Unfortunately one of those persons has died, and those properties have been sold, and that family is no longer the player it was. We don't know how the current set of property owners will respond to this at all.

**Fritz:** I have questions about from the bank down to the emergency room. You have to cross over and cross back again. Thank you very much. And I want to thank susan eggner and anton for your service in the neighborhood association, also rich davidson and dr. Claycomb. Thank you so much for being here and all your work over the years on this -- let me thank our distinguished guests for being here. We appreciate at the city when citizens testify and compliment city staff, so thank you for your kind words.

**\*\*\*\*\*:** Well deserved.

**Fish:** We really appreciate you doing this. To our friends from ohsu, I currently get my healthcare actually through my wife. I opted out of the city because she's a public employee covered under another plan, and so i'm now getting my healthcare from ohsu. And I get my basic coverage by going down to south waterfront and to your building that has easy parking 'cause it's underground. But both my son and I have had substantial eye problems so we go to the eye clinic. In fact I never tire of telling the story that, shortly after his birth, now six , I was diagnosed with strabismus, a very serious case. In plain english, his eyes did not focus. His eyes went all over the place. It's most extreme. It has the potential of getting in the way of talking and development, because you can't have monocular vision. Some very talented pediatric doctors at casey who specialize in that did some research, and it turned out they're the national leaders. My son, at age three months, was operated on, a stub shall surgery, and he now has not only eyes that are perfectly aligned but he has perfect vision, and he's doing beautifully in public school as a kindergartener. So kudos to ohsu. And since you mentioned the tram and the trolley, i'd be remiss if I didn't put a plug-in for my friend, don bach, to tell people there's other ways they can commute, ands that also the 4t\_s\_. Trail, tram, trolley, and train. The max, the trolley. And it is an extraordinary hike when you start at the zoo. Take the trail and then bring the tram down, take the streetcar to the max. So it's another way people can get there without using their cars. Thank you all. This'll go to a second reading next week. Appreciate it. Sue, please read council item 639.

**Item 639.**

**Fish:** Welcome, team. The hour is late, so i'm hoping you can be as economical as possible.

**Christine Moody, Bureau of Purchases:** Christine moody, procurement services. Just to keep this short. It's a procurement report recommending a contract award to the low bidder for the 2010 local improvements districts. I will just see if there's any questions from council.

**Fish:** Anyone signed up to testify?

**Parsons:** I did not have a sign-up sheet.

**Saltzman:** Do we bid lids in in a package?

**Andrew Aebi, Bureau of Transportation:** Andrew aebi, local improvement district administrator.

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This is the third year we've done it, and we've gotten really extraordinary bid results. This particular contract package includes a very small item of work at southeast 31\_st\_evidence lid which we tried in the past to bid as stand-alone jobs, and they're so small that contractors aren't really interested in bids on them, but we were able to package this and another small nonlid project with the northeast 109\_th\_avenue lid, and consequently we came in significantly below budget. 42.4% below the engineer's he is mate is the bid, and I know i'll have very happy property owners on 31\_st\_avenue. It's a really nice way to bring the cost down and it's simpler and easier for the contractor to bring in cost savings to the property owners and obviously doesn't cost the city anymore money.

**Fritz:** That was a really good question. I'm following up on that. Have we determined that this is the size so we don't preclude other companies from bidding?

**Aebi:** Could you repeat your question?

**Fritz:** When we've had humongous contracts going out, we've encouraged trimet or whoever to break them into smaller contracts because we want to make sure the small companies have an opportunity to bid on them as well. Do we think this is about the right size that even a small company could bid on this project?

**Aebi:** It's interesting. We've gotten some firms -- and maybe I should let christine answer this question, but I go to the bid openings, and i've seen firms bidding on these contracts that i've never seen before, so I think what i'm seeing is two trends. One is some of the smaller firms bidding but also some of the freeway contractors who are really hard up for work bids on it as well. My general sense is that having these contracts in the range of 1 million or \$2 million is kind of a sweet spot in terms of bidding it. I think we had a really large project, a mile and a half or two miles, that's kind of an example where we would want to break it up. I think this is in a range where just having a single contract going out to bid makes sense. When we do go to bid for subcontractors to get involved, even though we don't have the smaller contractors involved on the prime effort, there's opportunities for them to be involved in the sub prime efforts. It ultimately all comes down to what the projects cost. If I can put together more lids, then there's more contracting opportunities. While the small contractors aren't bidding as prime, they can at least get in the door as sub primes, and it's a win/win for everybody, the neighborhoods, the contractors, the property owners, and the subcontractors.

**Fish:** This moves to a second reading. Thank you.

**Parsons:** I believe we do vote on it. It's a report.

**Fish:** I apologize. Do I have a motion to adopt the report?

**Saltzman:** So moved.

**Fritz:** Seconded.

**Fish:** Let's take it to a vote. Aye.

**Saltzman:** Aye.

**Fritz:** Thank you for your good work. Aye.

**Fish:** That concludes our agenda. We're adjourned. Thank you.

At 12:29 p.m., Council recessed.

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

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

**MAY 6, 2010                    2:00 PM**

**Adams:** Did you have a good lunch?

**Parsons:** I did.

**Adams:** Can you please call the roll?

**Parsons:** Leonard, Fritz, Adams.

**Adams:** Here. Quorum is reason of the city council and we have two items on our agenda today. Each -- sorry? We have three items on our agenda today. We have ask keep each first item to an hour, the second item to about 45 minutes, and then we have 15 minutes for the final item. We are all glad that you are here. How many of you have been to the city council before? All right. A few things to make you feel comfortable in the protocol of this room 678 we try to maintain a level playing field, a level field of citizen input so if you like something, feel free to do your hands. If you don't like something, feel free to do this. But we want people whether we agree with them or not who are testifying to feel comfortable speaking their minds. So we do not allow clapping, booing, hissing, cheering but it also provides good exercise for you so think of it as calisthenics. If when come to testify and unless you are invited, we are trying to keep everyone within the three-ish minute range. Please state your name, full name. We do not want your address. There's a clock on the table there that will help you count down from three. Finally, if you are representing an organization as a lobbyist, or you are authorized to represent an organization, just provide that as part of saying your name at the front of your testimony. We are really glad you are here. And we are enthusiastic to hear from you. Can you please read the title for item number 641.

**Item 641.**

**Adams:** Ok. I understand you will be kicking this off. Someone.

\*\*\*\*\*: Yes.

**Adams:** Glad you're here.

**Djimet Dogo:** Thank you. Thank you. My name is Djimet Dogo. I represent the african community. And I want to welcome you to our community o-communities of color coalition presentation. Thank you, commissioner, thank you, mayor, for taking time to listen to us and I also want to welcome the audience and thank them for coming. Today we want to present the finding that we, after the research that we did regarding disparity within our community of color. The communities of color include the asian, pacific islander, the african immigrant, refugees, african-american, hispanic, and native american. So after the brief presentation regarding the different color, we will have a recommendation to the audience here, especially to the commissioner, and the mayor.

**Lee Po Cha:** Good afternoon, mayor Adams and members of the city council. My name is Lee Po Cha. I am co-chair of the coalition of communities of color. To continue our presentation I would like to take a moment to thank the city for supporting this project by also supporting funding to allow the coalition to partner with our Portland state research team, to really do this critical work. And I am hoping that you will find the information that will be presented to you will be useful because it is very critical for our community. So that you could actually have some tools and some ways to continue beyond just what the every day try to tell you. But anyway, let me not take any more time to really share with you a little bit about the communities of color. The coalition's mission is to address the socioeconomic disparity, institutional racisms and inequity of services experienced by our families, childrens, and community. To organize our community for collective

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actions resulting in social change, to obtain self determination, wellness, justice, and prosperity. Now a little bit about the coalition. We actually formed a coalition back in 2001. And the coalition among the various minority community. We do come from a long way and we also learn very tough lesson on our own. And so especially when we try communicate to policymakers or when we try to represent our community to provide a voice and talk about the needs of our communities, we often get our community pit against one another, whether or not it is social issues, political issues, or economics or economic issues. Usually, when we go on our own, you got a lot of lip services. And political answer. So therefore we learn it the very hard way. We very quickly come together. We said, look, we ought to come together and do this together because we have a common issues among us. So we have really begun forming these around the county, Portland school age, I mean Portland youth and family service system when they try to change it to the school age policy framework. And today it is the sun service system. So around that, you know, our community like el programma, the urban league, the native american youth and family center, the agency family certain, latino network, self enhancement, africa house, called the slavic coalitions of Oregon, and so on. We have come together for a very common goals and a very common cause. With that, I will turn it to ann to really share with you in depth about the projects, our findings and the work we are doing. Again, thank you.

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

**Adams:** Thank you.

**Ann Curry Stevens:** My name is ann curry stevens. I am on faculty with the school of social work where we have been partnering with the coalition to prepare this research work. I am not sure if you know but today is actually marks the release day of the full report which is 150 pages in length, of which we are presenting to you a set of highlights of the findings along with the full recommendations that are being made by the coalition. So to just to begin this, i'll just flag that we have a few other funding sources in addition to the northwest health coalition or health foundation which has financed us for three years, plus the city with mayor Adams' contribution encouragement of funding from the city, we have had county money. The coalition themselves, the member organizations have contributed a significant amount of time and energy to help strengthen and build this report and Portland state through release time in addition to a bit of funding has also contributed to the work. I am going to go to the season they sis of the findings now and just want to set the scene for this. It's a distressing set of data that we are report, to you on today. It's hard to face. We ask that deep attention be paid to the fullness of it, encouragement to let yourself be moved by it, and to be willing to be led in terms of directions for change by the coalition, who, on behalf of about a quarter of our population, is advancing a racial equity agenda that we ask be moved on at all levels of government. So the core findings that we have today is that the numbers of people who are members of communities of color are sizable and growing in numbers. There is an issue around the visibility, which often ties back to traditional counting measures, which are significantly problematic, which I will review in some depth. The findings reveal very deep and wide disparities of communities of color in their comparison with experiences with white communities. The next piece to flag is that we, we looked at some comparison issues, some comparison dimensions to the data, and found that we are performing worse here than in king county, home to seattle. It is worse here than national averages on most measures that we looked at. And there are a couple of ways we have looked at data over time and the disparities are almost universally worsening. With that bad news story comes a sense of home in terms of the prospects for change, that different policy environments, different policy platforms hold more promise in terms of better outcomes for communities of color. So in the space for distress, we also find hope. I am going to spend the next couple of slides looking at the numbers of the size of communities of color in the county. And we find today that the numbers between whites and communities of color is narrowing. Communities of color today in Multnomah county make up 26.3% of the population.

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In the city, communities of color make up 26.2% of the population. Now, these are traditional, conventional measures, and they as I will explain in a moment are subject to problems with undercounting. The next piece to flag is that our communities of color are younger and growing quickly. And while, on average, we make up about a quarter of the population, we actually make up close to 50% of the school population. And what we see here now is a significant pattern of narrowing of people of color taking up a larger, increased, and rapidly larger portion of the population of school-aged youth where white communities made up 70% of the population just 10 years ago, today they make up 55% of the population. Communities of color make up 45% of the population. The data for Portland public schools in the city is 44%. So very equivalent levels of students of color in our schools. We now encounter the question I want to try to tackle head on, the issue of how communities of color are counted. And there are very different ways to do it. Conventional measures are through the American Community Survey, which is put out by the census bureau, which has three different, typically three different measures of communities of color. There are alone figure, meaning you hold a single racial identity. Or you hold an alone or in combination with another race are ethnicity. Or you may hold an alone or in combination with or without a hispanic identity. There are three different measures which can be quite convoluted. In the alone figures there is a significant undercounting of communities of color. In order to address this issue, which is a very important one, given how numbers are tied to visibility, to status, and to funding, we really are aiming for a much more accurate count. Numbers of our, many people on our coalition have been active in the census complete count for 2010, and are working very diligently to try to encourage as full turnout as possible in order to address in the official sources the kinds of undercount that have plagued the community.

**Adams:** Do you have any impression of those early efforts?

**Curry Stevens:** I am not sure about the response rate I haven't been tracking how the response rate is going. People are working very hard to increase turnout. Some of the issues that are thwarting turnout are everything from how canvassers are trained and we have been pushing for a more comprehensive training events to try to encourage racial identification for people. In addition to trying to encourage the census bureau to hire people of color from those local communities in order -- who speak of languages. There have been some glitches and some tough times in that process. And we are hoping, if 2349 last report, in the last -- sorry -- two figures ago, you can actually see there's a -- oops. The pointer won't work. A very significant narrowing and that's the bump-up as a result of a census year. So we are hoping that we get another bump-up again now.

**Adams:** We will be getting a report this afternoon from the complete count committee.

**Curry Stevens:** Separate and apart where commissioner Kafoury and I will be give be an update to the council on how we are doing and what we think is the return on the investment we made through the small grants to cultural competent groups who are helping us with outreach.

**Curry Stevens:** Two of our communities will not be counted at all. The decision to drop the long form by the census bureau means that the possibility for the slavic community and for the african immigrant and refugee community disappears altogether with the addition just to go to the short form. So that's posing some amount of consternation and ideally we will see a much more robust in 2020, a more robust possibilities for canvassing all of our communities. So this is what, we are going to turn to the next slide now which shows the profile of communities of color. In these numbers, you can see a very sizable set of numbers for our communities. And in -- these right conventional numbers. In the lighter bars above the native american and the latino counts, we have started to explain those, we have started to begin to develop alternative counts for our communities where we know that there's such a pronounced undercounting dynamic that we are wanting to look at culturally identified alternatives. These are draft results. The results of two of those efforts so far. They are underway and we look forward to a more full reporting on that in the near future. The numbers that you see in front of you are the best official numbers that exist today. These are what

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we call the alone or in combination with or without hispanic numbers. That does result in what we call an overcount of about 7.7%, but given how profound we think the level of undercount is, including the native american community, which is approximately a 50% undercount, we are able to say that this, the 7.7% of overcount is still the numbers we want to see used for official purposes so far. Little bit about the background of undercounting, turning to the next slide. There continues to be a whiteness bias in most conventional surveys, from everything to how race and ethnicity get decided, from who reports, who fills out forms, are they self reports? Can you identify more than one race or ethnicity? These issues are quite complex and generally, the bias has been towards minimizing and undercounting our communities of color. So this dynamic continues today. The second place is that many of our communities are quite honestly unwilling to complete the forms. Everything from history of genocide and persecution to fear to current-day distress of governments to how the data will be used despite commitments from the states that these data won't be used in any harmful way, to a desiring of whiteness, where numbers in our communities of color would prefer to identify themselves as white as opposed to being a person of color. So this dynamic of whiteness continues to pervade and influences how people self identify. English language and spanish language capacity, continues to plague accurate counts. About 5% of the county's population do not speak either english or spanish in order to participate in most conventional surveys. We also have poverty-related issues with frequent moving, absence of a phone, that reduces reporting rates. And so just we -- we are not sure the scope of the reach of these undercounts. But we know they are historic, pervasive, and they continue today. What are the impacts for all of us through this undercounting process? For communities of color, it's really clear that we end up with invisibility and tokenistic responses to need. We also have a significant financial impact. The brookings institute recently updated the census bureau's estimates to say that approximately \$1400 per years per person fails to come into our region for every person that's undercounted. One of the core pieces in all of our services to maximize the official resources available to us and an accurate count is important. There are political consequences in terms of representation. The final piece I want to address in this slide is that there are significant research consequences. And we are really just beginning to understand the full reach of this. Every time a researcher does a study and decides whether their data is representative of the community at large or not, they compare their figures back to census bureau data. Often older, often alone figures as they are quite often confused by the alone or in combination with or without hispanic dynamic. So every time a piece of research gets done where there is any kind of comparison, both in terms of recruitment and in terms of assessing whether you have representative samples or not, there is a bias that serves to undercount our communities and has a significant impact for all research and almost all social research that exists. Very few researchers are aware of this. We are hoping to bring much more attention to this issue as we go ahead with the project. So we are advocating and are engaged right now in community verified counts. We are working with the research method to be led by communities of color who are guiding us to say this is how better counts of our communities can be selected. And so you see in this text some of the specifics about how this is being done. So far we have a variance of anywhere between close to 10% to close to 50%, information around undercounting is in that range. We are interested in the possibility of doing a post census 2010 surround who is not filled out the reports to get a better sense of undercounting numbers. So that may, we are looking at a way to do this later this summer. The stand of the coalition in terms of what numbers to use. This has an impact on how research gets done, how funding gets allocated, how social problems get understood. The coalition is advocating the position that we want to use alone or in combination numbers with or without hispanic until the time when our community verified counts are available. And at that point in time we ask for those to be used as the official counts of our communities. What I am now going to turn to is the details of the disparities that are challenging communities of color. Today marks the day of the first full report on communities of

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color and in the next -- in the coming months we will have -- in the coming months we will have a set of six community-specific reports will be made available so there will be one on the asian pacific islander communities, on the slavic communities, on the african-american communities, et cetera. So there will be a specific report made available in the next stretch of time. What have we found? The magnitude is alarming. What I am now going to do is highlight some of these findings.

So the first five we have -- the first slide we have here is on the income levels between white people and communities of color. And we are -- so the green bar is, are the values for communities of color. And you will see this pattern, for those in the audience have a hard time reading the font size on the overhead. The green bar is communities of color, even just a quick scan you can look at the significant variance between those two groups. The place I draw your attention to is the far right, which is the individual income level. It is half. The individual income of white people in this county are \$33,000 a year whereas it's \$16,500 a year regardless of the construction of one's family, these levels of disparities are upheld. What I am now going to turn to is those that are living in poverty. And again, a quick scan of the difference between the gray and the green bars shows that poverty levels are at least double and often three times as high for communities of color as for white people in this community. If we tally and calculate the child poverty rate, one in three children of color lives in poverty while one in -- I believe one in seven white children live in poverty.

**Fish:** There's a statistic I heard the other day. Numbers sometimes to me overwhelm the discussion so you look for the concrete.

**Curry Stevens:** Sure.

**Fish:** Someone told me if you filled every seat in the rose garden, which I think is about 19,000 seats. So imagine a soldout blazer game. If you filled them all with children that's the number of children just in Portland public schools, one ever six school districts in Portland, who live below the poverty line. 19,000 children, the entire rose garden for just one of six school districts.

**\*\*\*\*\*:** Wow.

**Adams:** 47% of all native american children in Portland live in poverty.

**Curry Stevens:** When we turn to another system, we have taken a look at education. Educational attainment. I am going to draw your attention to the left side of this chart and the right side of this chart. On the left side we have a massive variance amongst those, the likelihood of different groups in our society that are not likely to finish high school. If you are white, you have a 1 in 14 chance of not graduating high school. If you are a person in color, you have an almost one in three chance of not graduating high school. On the far right-hand side in terms of chance of having a degree, it is double, 40% of white people have a bachelor or advanced degree. 20% of people of color. A double level of access to post-secondary education. Now going to turn to some of our school -- some of our achievement gap data and so we have -- we have collated the data across the county so we are covering all the school boards in this dimension. And what -- and all of the communities of color, and we see a massive gap between, particularly in the area of reading and literature, and a worsening as students get older, between white and students of color. In the math gap, it starts bad and it stays bad and worsens. The other piece to add is the full report that we have available today shows that some gains made earlier in the decade have been lost, and that the achievement gap is widening across time. I am going to turn now to a clutch other school measures. One is preschool disparities. We had access to a kindergarten readiness survey and we actually find that the readiness for learning capacity is already different by the time kids enter kindergarten. In the discipline arena, kids of color are disciplined much more frequently than white kids and in p-ps, of middle school students, a quarter of african-american students have been suspended or expelled while only 1 in 14 white students have received such punishment. Dropout rates are significantly different. And you will see dropout rate graph in the coming slides. And I draw your attention back to that first piece on education in terms of who doesn't graduate high school. That's the 7% and the 30%. Here's a long-term view around dropout rates. The magnitudes of the difference have

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been pervasive across history, across the last 10 years. They are pronounced. They are roughly double. While they have been worse than double on a few points in time we still have levels at this point in time that are double.

**Adams:** This is using the most optimistic I can set of data.

**Curry Stevens:** Absolutely. As you can imagine the labor market is similarly ripe with disparities. I am going to draw your attention to the far left bar, which is the access to management and professional jobs, where one in every two whites has access to high status, high-paid work in those areas whereas only one in every four people of color have access to those positions. So at far left are the worst -- sorry, the best of our jobs. The next column over are the service jobs, which are typically understood to be the worst of our jobs, the lowest pay, the worst working conditions typically, and at that point, we have an inverted pattern where people of color are highly overrepresented in the service industry.

**Adams:** Do you have in the bigger report, do you have any trend data on that last slide over time?

**Curry Stevens:** Not -- no. We have it in the last two years. So we have the recent data.

Additional disparities, unemployment rates, 35% higher. Now let's get to a couple of pieces that hit closer to home, and in city public service. In terms of the hiring levels, 16 pi 6% of -- 16.6% of city employees at full time levels are people of color. We would expect if there are no barriers to hiring that that level would be 23.3%. The county does somewhat better with 21% employees of color while 24.3% is the appropriate target. The targets we looked at are those that are over 18 years old, the population comparisons in those areas. In the city contracting process, which is where many communities of color have aimed to get a start, and have expected greater equity, less than .1% of construction contracts go to minority-owned businesses. Then even in the protected contracting program, we have a dynamic where that program is still being used, it's being used most heavily and most successfully for white men. And then the last point is that in the contracting, the full contracting dollars, the protected sheltered markets actually give those that are registered with the program sort of first disabilities on trying to receive the contracts. Ultimately, only 1/4 of 5% of the total contracting dollars end up going through to communities of dollar.

**Fish:** Can I make two quick comments off this slide? The first is that the mayor and I are working on the new disparity study as I think people know, which is assembling the data which will allow us to come back and make recommendations for strengthening the sheltered market program. That's underway. There's a lot of outreach going on. I suspect many of you have already been contacted or will be contacted by the team that's doing it. But I have a question on to the hiring and public service.

**\*\*\*\*\*:** Yes.

**Fish:** That 23.3% that you identify as parity, that's based on the -- that's based on the number that -- the boosted number that your chart indicated what it should be or that's based on existing data?

**Curry Stevens:** That's based on existing data.

**Fish:** Have you -- when you did your analysis, did you take into consideration the trends in terms of people hired over the last few years and what category those fell into?

**Curry Stevens:** We did look at that. And I note in the power point that it's improved over 13.4% which was back in 1999. So there have been improvements.

**Fish:** I think for what it's worth, I think that yvonne deckard briefed us and said close to 50% of people hired during a particular period of time were people of color. I have to check that data but that would be new hires and to -- but obviously, you have to start somewhere and start -- your hiring practice v. To improve and then you look at how you have done in the last couple of years. I would be interested in actually looking at that data.

**Saltzman:** I think that briefing, yvonne deckard, I think the city's figure now is 20% employees of color.

**Curry Stevens:** Would that include the part-time workers, would be my guess?

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**Saltzman:** I don't recall. I know that 20%, I was, you know --

**Fish:** Both the trend line of how we are doing as well as the baseline.

**Adams:** And the other to be slightly defensive about the sheltered market program which I helped put together as a staff person, when we started out it was 2% contracts going to communities of color. Now it's 11. So progress is possible. We're not even close to before we should be.

**Curry Stevens:** Yes.

**Fritz:** I think it's also important to note that the program is designed for emerging small businesses, too. So partly the white men that were getting the contract were emerging small business. I thought that there's a lot of interesting data in that particular audit that the auditor did and what was really interesting to me was that the particular communities of color, particularly native americans and african americans, had not done as well under that program as -- made significant progress in other communities and it's very helpful to be look at these and figuring out what we could do better.

**Curry Stevens:** Yes. Thank you.

[captioner change]

**Curry Stevens continued:** Of color we have a particularly difficult situation facing african-american and native-american children where they are held for very long stretches of time. Housing dimensions, significant numbers of people of color are burdened by their housing, which is typically if one spends more than 30% of your income in housing. More people of color face those challenges than white communities. Homeownership, people of color can't afford to purchase homes with a significant variance of whites, 62% compared to 45. In terms of current housing vulnerability and being engaged in the subprime market, we have again a particularly devastating situation in terms of communities of color having higher rates of high-cost mortgages, and much worse treatments in the lending industry where they're denied loans much more frequently, even where they're at the same income level. Access to housing support programs. The chart on the left gives you a breakdown of those that are poor, 45% of them are people of color. We have a fairly bright spot there in that there seems to be pretty close to equity in those that received tenant vouchers. We haven't yet been able to unpack as to whether or not those are ones that actually use those vouchers as opposed to being awarded them, we haven't figured that out from the data yet and look forward to more dialogue about it. But in the public housing arena, communities of color face significant barriers in terms of access to public housing. Homelessness data, significant overrepresentation. If you can imagine the cascading effects of income and occupation and unemployment, and housing impairment, ultimately people are without housing. And so this is the data for the homelessness profile, and we have particularly that our native american and african-american communities are overrepresented in that data. We in terms of dialogue about this, it's very likely that the latino and asian communities are undercounted. The couch surfing and doubling tripling, quad rupeing up and staying with short-term arrangement with friends is more pronounced there and so we're looking forward to the better count for the homelessness count to we think will get a better picture of what's happening at this point in time.

**Fish:** When you say a better count on homelessness, we estimate 1600-2,000 sleeping outside last night, another 5,000 people we consider the hidden homeless, sleeping in cars or Couches. We have thanks to mark and join, we're working with the sen stackhouse do a purchase better count of people who are Homeless. Is there another count you're hoping we do to sharpen the numbers?

**Curry Stevens:** We haven't had a chance at the coalition to look at this in more full detail. There are some meetings planned with people in the homelessness initiative to talk about this. The better count was to start capturing people that are precariously housed in terms of the couch surfing, which didn't show up in these numbers in the year prior to this year. A bright spot, voter turnout. A

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breath of sense of balance, a little bit after balance. Voting patterns are improving for communities of color. The voter turnout rate surged significantly from 39% to 54% in 2008. There's stale variance with white communities and it's believed particularly important that candidates of color are more likely to increase the turnout rate for our communities of color. What i'd like to do now is to turn, and i'll move through this very briefly, is to look at some of our comparisons. Our first one, the comparison with king county, with an average worse count in terms of disparities of 33%. On these important measures. Second piece is to look at the national averages. And in this arena, we looked at income. And what we did, in these different income levels, we took a look at how people compared to the national average and how people compared to their local experience comparing whites in Communities of color, and the green bar essentially show the economic hit to communities of color that comes from living in Multnomah county as compared to sort after generalized experience of living elsewhere in the usa. Those are distressing. What's particularly distressing is that that's in the face with a bump up for white families, individuals, and those that re- at retirement levels. And so there's a disparate impact -- economic impact of living in this region.

**Adams:** Can you go back to that-- I want to make sure -- the green is bad, is that right?

**Curry Stevens:** The green is communities of color. Anything to the left of the vertical bar is a hit.

**Adams:** The bigger the green bar, the worse off.

**Curry Stevens:** Yes.

**Adams:** Ok. And then how do I -- so ideally just so I understand the depiction, there would be a balance between the green and the purple? Is that right? The more balanced the two bars are, the better --

**Curry Stevens:** The absence of disparities between the national and the local. If they were both at the same, it would show an absence of disparity. We wouldn't aim for all the gray or purple bars to be on the left, but that would show an absence of disparity. But the point where there's a hit for communities of color where if there's a perk for White communities is particularly troubling.

**Fritz:** Why is the all households in aggregate moved over to the left side for the white communities, whereas in individually they're all on the other side?

**Curry Stevens:** So our best way of understanding that is the household figure also includes two-income friends living together. It's not an aggregate of all of the above, it's a completely different measure. So it's every household. And so it's capturing a scenario where individuals are together or they're -- there are multiple families together that wouldn't be captured in the above data. Some researchers work with households, others work with families, and it captures both those dynamics. I'm aware that we're running through time. So I will move --

**Adams:** It's really insightful work.

**Fritz:** Is this power point going to be available for people to get online?

**Curry Stevens:** Absolutely. We'll have the specifics for you in a moment.

**Fritz:** I think the public will want to look through the data carefully.

**Curry Stevens:** We will skip some of the slide, and in that case -- so rather than showing you the specific data, we'll just go ahead and move on to the recommendation.

**Curry Stevens:** Can I just take 30 seconds? This is the first time anybody is seeing a profile of the experience, specifically of the African immigrant and refugee community, and for the slavic community. And so this is a source of new information for us to look at, and it's quite alarming and unique -- in unique ways. The other piece to say is that while the asian and pacific islander community typically does really well when you look at national data, it does not do well when you look at Multnomah county data, in fact, the asian community looks much more like other communities of color than it does the white community. Which is where our most common understanding of their economic performance is.

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**Nichole Maher:** Good afternoon, nicole maher, tlingit tribe and native american youth and family center. I'm going to give a little bit of a summary. We worked very hard to come up with so dated recommendations that all of our communities are united and want to present those to you today. So this project has taken us two years to complete. One of the greatest challenge that all of our communities have faced is that we know we have great disparities and they are deep, and what we've commonly experience second degree rather than really having a dialogue around the solution and what we're going to do, the tendency has been to really debate the data, talk about, well, maybe this is a mistake on this point, and what the full report really does is it takes literally every piece of data available from the city, the county, the state, and looks at it all, and it all Tells the same story, that we have significant disparity and that people of color are living a very different experience than white folks in this community. And so it was very important to us that we all come together, compile this report, and end that debate and move forward to a real conversation about what we're going to do differently and how we're going to behave differently. The most important thing for us is talking about moving forward and vtion strong allies and courageous leadership and making true change. Some of my counter parts going to talk about those specific recommendations. I actually have the first two, I apologize. The first two recommendations are actually one of the things that we did is we went through, we not only looked at the need, but we also looked at the outcomes and how different things were taking place. We looked at not just how many people are homeless, but what percentage of the dollars that serve homeless people reach our populations. And there's great differences, and I think they gave me this slide for a reason. We looked at -- when you look at the county and when they do specific investment in cultural specific organizations, they have significantly different outcomes. When you compare Portland to seattle, and you see that seattle has really worked very hard to embed services in the communities that have the greatest need, they have very Different outcomes. And so one of our first recommendation assist that the city of Portland really needs to look at strategic ways to ensure that the populations with the greatest needs are served by those that have a demonstrated track record and an ability to do that. The city is really behind in this area. There's been a lot of apprehension to do that, and the results of many of the city programs speak to that. The other piece is that we really believe in a comprehensive equity initiative that really looks at the city. And are looking for leadership and commitment from this council to do that.

**Lee:** As a second recommendation, we would like to ask you to do, we are urging all of the funding bodies to begin to implement a need base funding allocations to stick to really look at the chal things exist among the communities of color, and looking at resource and committing your resource accordingly. The third, favela-martinez siegz poverty reduction strategy. Poverty reduction must be an integral elements of meeting the 19th of communities of color. A dialogue is needed, immediately to kick-start economic developments efforts to hold the needs of community of colors in high policy implementation and so these are the couple of -- the second and third recommendations.

**Adams:** Please introduce yourself.

**Victoria Libov:** Victoria, I represent a Grass-roots Oregon in Oregon -- roots organization in Oregon that represent as diverse population of population from oaf yet union. I urge to you look at the slavic data. Before that I would just say thank you very much this, is the first time for our community to have data and be heard. So thank you for your support. So the fourth recommendation is a reduction of disparities with firm time lines, and resources. The goal -- urging the state, county, and city governments to establish firm time lines with measurable outcomes towards those disparities each and every year. Plan for disparities reduction must be developed in every institution, be developed and be developed in partnership with the communities of color. And of course accountability must feature into these advances.

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**Gerald Deloney:** I'm with the self-enhanced incorporated, representing the african-american perspective. I wanted to say hi to the students that just walked out of the room. [laughter]

**Adams:** What was that all about?

**Deloney:** They saw me coming.

**Adams:** Happens to me all the time.

**Saltzman:** Here gerald goes again.

**Fish:** I was at an urban league forum recently, and there was question we were given in advance which didn't come to me, and I was hoping all night would it come to me, because I want to the say a great man once said That we don't have a problem with children in this community, we have a problem with adults. You might know who i'm talking about.

**Deloney:** Oh, yeah. He signs my paycheck.

**Fish:** There you go.

**Deloney:** So you're right. Before I start, I wanted to say that through the misery index there's a relationship between all of those different items that we looked at, and you can't get a good education if you don't have access to health care. If you have -- if your opportunity structures are different so you can't get employment, you can't do these kind of things, there is an interrelationship with all of the measures that we saw, so we can't take a one, a single focus approach and think that we can fix this area over here, and the other thing i'd like to sigh is that this is systemic, you know, it's like people of color have been like the canaries in the mine. It's like the financial sis ternlings or education system. When it caves in enough, we say -- before it caves in we say, those people have a problem. But once it starts caving in, then we've got a problem. And so we finally entered that point that we've got a problem. And so as we go on with the recommendations, we're talking about those councils we talk the before, we need to "get smarter" counts. I know especially in the african-american community, we have people that may be a mixed Race and just choose, though there is -- they're as dark as I am, they choose tobacco caucasian, or they choose to be another race rather than, you know, there's racial confusion as well. Those kind of things. So we get undercounts all the time. And then the other thing is prioritize education and early education. Education is done on a continuum, and if we ever say that they're ok now, that we're not giving them enough, support is over, we start losing kids.

**Carmen Rubio:** Good afternoon council and mayor. My name is carmen, i'm with the latino network. The seventh recommendation is to implement research practices that make the invisible visible. It's critical that research practices that are transparent easily accessible and accurate -- are implemented across all institutions. The eighth recommendation is to fund community development. It's the critical that institutions invest in community development by building line items into state, county, and city budgets for communities of color to self-organize and develop padsways to leadership and civic engagement leadership within an & outside their own communities. And one example that was highlighted earlier is an -- is diversity in civic leadership project component of oni. There's still a way to go to achieve pair to my recollection yet it's an important acknowledgment of the need for Community development resources for all communities of color. The last two recommendations are very important and very relevant to the city. Certainly disclosing exprais ethnicity data for all programs and activities is very, very critical. To be very frank, as we went through this process for 2½ years, we worked with and partnered with the state, the county, you name it. And one of the greatest challenges we faced was really an organizational culture issue amongst each of the bureaus within the city. A real defensiveness to have this conversation, a real resist toons releasing the data, in no other circumstance did we wait for the length of time to get data, and no other circumstance did we repeatedly have to reclarify to do public information request ras they're than partner with the different bureaus to get it, and in many occasions we actually had to go through a process of actually going back and saying, we did get the actual data, what you're sharing with us doesn't match. So what we are concerned with, and we

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want to be specific in a very hopefully helpful way, is to really talk about the leadership needed by this council to help change that culture of defensiveness. It's clear we're not at a place at the city where middle management and leadership can feel comfortable saying, we're not doing that well, we need to do better. It's much more, we tried this, or, we're going to mess with the Numbers 90 looks ok. And that's a real leadership issue, a really saying, it's ok to admit we're having challenges, but let's work towards improving it versus having the debate of, it's really not that bad. That's really what we experienced across the board with the city, to be quite honest. And so really, that level of transparency and honesty, we have no desire as the coalition to make someone feel guilty, we're not looking to blame anyone, we're looking for change if we don't identify where we have challenges, we're not able to do that change. So there's a need for allowance for honesty, so we can move forward. The last piece, again, very uncomfortable, but we've looked at all of these indicators. Clearly something is amiss in this community. And so what all of these indicators tell us people are being treated differently in the community and it's directly tied to their race and ethnicity. We're uncomfortable admitting that so we avoid the conversation. And that holds everyone back. When 50% of your children are communities of color and they're having this experience, that means our entire city is having this experience. So we need every ally, and every resource to resolve this issue and part of that is naming our problem, which is partially racism. The last piece is talking about next steps. We would like to work with you to establish a very concrete time line in the next two months to meet and talk about a real action plan. We want to commend commissioner Fritz, who has already been initiating some of these meetings to have these conversations, and we want to invite the entire council to make this a priority. I think we've been very clear with our recommendations and I think we want to resolicit rest of the time today hear from the council about their response to some of this data, and some initial conversation about what are some concrete next steps we can take together.

**Adams:** Questions from council?

**Fish:** I have a couple of questions. One is, what are a couple of examples of ways in which the county, when presented with this data, has changed their existing policy or practices in a way that begins to move in a better direction, that is illustrative of some things we should be thinking about when we do our follow-up?

**Maher:** I can answer that. For several years back, the county made a commitment that as part of their sun services and their programming, they wanted to have a focus on children and poverty. And so we feel like that's an important priority, we support that. In 2001 we noticed that while 67% of the children living in poverty were children of color, in the target areas they were discussing, only about 5% of the Resource were reaching children of color. And so we worked very closely with the county to talk about the variety of services that were part of that portfolio, we established very clear recommendations about having targeted outreach contract, meaning you would not discriminate against anyone, but you would develop services that directly tied appropriate services to those demonstrating the greatest need. So while they contract services for antipoverty, and certainly everyone is expected to serve those in need who present themselves, there are targeted contracts, and they ensure that a decent and adequate proportion of those contracts goes to target communities of color who demonstrate the greatest need. So that's one very concrete example, and when you disaggregate the outcome from the city and the county, you will see the county has been more effective at serving communities of color. It's not a perfect system, there's still room for improvement, absolutely. But it has much better impact. Seattle has done similar work and there's also some very promising practices that have taken place in Minneapolis and Chicago. I have more example, but those are a few. Consistently what we've heard from folks at the city is this real, no, we can't could that, we don't want to discriminate, so it's almost like we'd rather keep doing things the way we are versus risk discriminating, so There's a real fear, I suppose. So we've encouraged

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some of the attorneys at the city to talk with some of the attorneys at the county. Again, the county is not a perfect model, but it's something to examine to start the conversation. Does that help?

**Fish:** Yes. And we can continue this conversation, bureau by bureau, and in the follow-up, one of the things that occurred to me is the housing commissioner, is that without greater transparency, it's hard to track this stuff more generally. So I'll give you an example of where the conversation that we initiated two years ago with communities of color has changed a practice that I think is going to bear fruit, and we'll be able to judge that based on the findings of awarding contracts and dollars into housing. But, for example, at the Portland housing bureau, the director has done a new process for awarding money within urban renewal districts. And she's doing with a notice of funds availability rather than the old technique, which was, frankly, if someone had a good project and they could get in the building, they could make a deal. It didn't mean they were not good deals. But they didn't give us the same transparency in looking at the range of providers and needs, and being able to publicize that. In addition, snag we've learned and I know we're in the sort of baby steps here, but is that Before doing rfps, there's an opportunity to bring more people to the table and say, let's look that the rfp, who can compete? Does -- is this rfp skewed in such a way that certain kinds of groups will not be able to compete for the work? That's what I would consider part of this learning curve of testing, and I appreciate the point that you make, and I think we share, which is this is into the defensive exercise. This is a process of jointly learning about how to do things better and differently.

**Deloney:** I believe you have the point right there. Taking a real look. When we start talking about, we look at things like rfps and they turn out because they are the way that it's always been done that they are exclusionary just by the fact they're there. We have bureaucracies that will always stay in place, elected officials, bureaucracies go on longer than elected officials, unfortunately and you have a chance to impact that right now. And so our thing now is how do-to-learn and how can we include people that have been excluded all the time even if the decision-making process, there's points of decisions where decisions are being made, and you have people of color not even being at the table to offer insight into how can we get these resources to these communities in a better way? So that enlightened thinking, how can we go outside of the box to include people in their opinions so we can get resources where they're badly needed?

**Fish:** I would simply say that As we develop these new models and experiment with things, and I think the nopa, and I'll toot Margaret's horn, because she's worked hard with coalition partners to get to this point, is a good example of a new way of doing things that's more transparent, but the proof is in the results. So when the results are announced, we'll look to see under this process who is getting the money. Which projects are being funded. -- funded. But to the extent we have successes, I'd like to share that information. I think there's a sincere commitment to address a lot of these issues, and I think to the extent there are wins along the way, we also need to be share that as markers for not just other bureau, but other governments.

**Adams:** Commissioner Fritz, and then I'm going to say a few words, and we're going to meet again.

**Fritz:** This is going to be an ongoing conversation. Thank you for being here and thank you for the great amount of work that's gone into preparing this report and bringing it to us. It's shocking to see not only the disparities but also in almost all categories, the disparities have grown. We recently had the state fair black Oregon report that the urban league brought to us in 17 years, basically no improvement. And that's not acceptable. That's not the Portland we want tonight we're talking in the Portland plan about equity in Every part of what the Portland plan needs to be, the mayor and I are talking about equity. And people in the community who are coming to the Portland plan are also talking about equity. We need to broaden to the community. And we need to start with ourselves right here in the city of Portland and what we do with hiring and promotion practices to be more equitable. It was shocking to me, I think the recent law that was passed in Arizona has been

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a smack in the face to everybody where we -- they legalized racial profiling. We don't have any laws that prohibit racial profiling in motorist and pedestrian stops. When I was looking at some of the other disparities, in arizona the graduation disparity is 23% whereas here it's 36%. So in addition to taking action to express outrage about the legalization of profiling, we need to put our own house in order and we need to look at what we can do in the city of Portland to make it more equitable. It's really who we are, and i'm committed to working with you. I appreciate the request for an all-council work session, I would be very happy to participate in that. We need to look at the specific actions that you have done the research to tell us what needs to be done, and then we need to look at how we can get it done. Thank you very much.

**Adams:** Obviously as someone who promoted funding for this, I start out very hopeful about this project, but you have far Exceeded my expectations in bringing forth a sad, shameful, and very compelling reality that is amongst us. Portland is recognized nationally and internationally as great city, but what your report shows is that it's greatness is just not available to all Portlanders, and that exclusion breaks along the lines of ethnicity, and race, and factors that are not notorious. So we talk about wanting to be the most sustainable city, but we also need to spend equal passion and wanting to be the city of the most equal opportunity. And we've got a lot of work to do. The great thing about your work, as difficult as it is for progressive city to have to listen to, because it isn't I think it shows that we're not living up to our own ideals, what it means to be a fair and just city, it also is a road map. A really important road map, and that is really hopeful on ways that we can move forward in very conexpreet accountable ways. I would add another recommendation, and that is, we've got to start being able to talk about race in this city. And we've got to figure out a way to talk about race in the city with 60, 70%-plus percentage of the residents and workers in the city that are caucasian, white. So that's going to be very difficult to figure out how to do that in a way that it doesn't feel like to the white community as a zero sum game, that I have to give up something in order For somebody else to get a fair and equitable opportunity. But this is good, this is great work, and I want to thank you for that. And we will follow up. So we'll meet with you -- i'd like to read it, and follow up with you and figure out the best way forward. So thank you all very much. Really appreciate it.

**Fish:** It's great to see you again, carmen.

**Adams:** We'll have a three-minute recess before we go on to our next item. [recess]

**Adams:** The city council will come back from recess. We're going to hear item number 643. Sue, can you please read the title for item number 643.

**Item 643.**

**Adams:** I'd like to welcome forward our distinguished little -- it's a little noisy here. I'll wait one second. I'd like to invite forward county commissioner deborah kafoury, mark joeland, and sanji.

**\*\*\*\*\*:** I think colin mccormick.

**Fish:** Please come forward. Mayor and colleagues, i'm honored to introduce this item this afternoon which is a report to the council, a brief report on the activities of the 2010 census complete count committee. I have the privilege of cochairing the complete count committee with Multnomah county commissioner deborah kafoury, who is also the county lead on housing issues. She is here today to introduce the presentation and the community partners who have been working tirelessly to make sure That we get a complete count. Deb a. It's habis al saoub always an honor to have you here, thanks for joining us.

**Deborah Kafoury, Multnomah County Commissioner:** Twice in one day. Can you believe it? So lucky. Deborah kafoury, Multnomah county. Thank you very much for allowing us this opportunity today to talk to you a little bit about the census. I'm sure you all know, you've hopefully been barraged by the ads and the hits of why the census is important, but i'll run through real quick. Basically it boils counsel to three things. It's important for the information that we collect. You just heard a very powerful report about who lives in our community, and that

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information comes from a lot of it comes from census materials. So we're going -- we're very lucky to have new numbers next year to help us inform us who lives in our community, what we look like, how old we are, what our race and ethnicity and so on. The census is also important because it brings money to our community. And for every 100 people not counted, Multnomah county stands to lose 1.2 million dollars every 10 years. That works out to about \$1200 per person per year. The last reason it's important is because it's the law. It's didn't census is the foundation of our democracy. It's a chance for every person in our community no matter how old you are, where you were Born, what your name is, it's a chance for every single person to participate. When we looked to do the census count this year, 2010, we looked around our community and saw things look different than they did 10 years ago. We are in an economic downturn, there's a higher level of distrust in government, and the folks that we have relied on in past census counts to help get the word out are community partners, were also struggling. 3 having trouble raising finances, their work was being stretched thin and they didn't have the time and energy to devote to helping us as they usually do. So we decided through the great work of my cochair commissioner Fish and our community partners from all over Multnomah county, that we would try to do things differently this year. So through a group process we decide one thing we could do is to help our community members get the word out to their communities, the communities in which they're the trusted and respected voices, we decided it would be better if we could help them financially. So we proceeded to raise \$150,000, both in kind contributions, to give mini-grants to these community partners to help them do the work. I'm going to now turn --

**Fish:** If I could acknowledge. I want to thank my colleagues and the mayor for contributing \$25,000 from the city toward that enterprise. And it was interesting that when commissioner kafoury and I were Trying to figure out a better model for how to do the outreach, we both of course fell back on what was most familiar to us, when which is an old fashioned campaign. And by enlisting nonprofits that were skilled gait keepers, and by funding them, what we've done is generate add campaign. To supplement the work of the census and I appreciate that my colleagues agreed to that investment, and the united way was good custodian of those dollars.

**Kafoury:** For those of you who understand campaigns, this was a different sort of campaign in that we were actually targeting the folks that don't usually vote. We were targeting usually in a campaign you target three out of four voters, and we were trying to get people to turn in their census who don't speak english, who maybe haven't lived here very long, they're sleeping on their friends' couches, we had a hard group of people to target. And I want to say another thank you to the mayor for his great work with the lgbtq communities, and the psas he helped produce were fabulous. Thank you. Colin?

**Colin McCormack:** Good afternoon, mr. Mayor, commissioners. Thank you for your time i'm colin mccormick, representing the united way of the columbia-willamette. I would like to talk today a little bit about our grants process and united way's involvement with this effort. The complete counts committee create add grant subcommittee to Ho discussed and planned what they'd like to see in a grants process. When the time came to roll out an rfp and evaluate applications, a ratings panel was made up of individuals not linked to one of the applications. The members of that panel represented the city, the county, pdc, census bureau, and united way. The panel supported an approach that would encourage collaboration within target communities, and an effort to have the broadest impact possible. Ultimately the group approved nine indications for 16 different community-based organizations. With credit due to commissioners kafoury and Fish, more recess -- more resources than anticipated were raised, which allowed for additional funding of three nonprofits serving seniors and people with disabilities. The united way was very interested in involved -- getting involved in this project for a number of reasons. The united way is committing to supporting diverse and underrepresented communities, including but not limited to racial tribal ethnic, youth and seniors, people with disabilities, those experience homeless, and without regard to

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country of origin, in achieving equal access to service and success in full participation in our local communities. United way believes funding and other resources to facilitate That goal should come from individuals, families, communities, private interests, at the thrill anthropic world and government as well. We wanted to be part of the evident to bring every federal dollar possible into this city and to Multnomah county. United way actively seeks collaboration with other funding partners and through our grants process. Collaboration has been a hallmark throughout this process, and the tremendous efforts of staff and representatives of the city and county governments are funders, and the nonprofits who have and continue to carry out this tremendous work is worthy of notice. That is a segue, i'd like to share the full list of funders and community organizations who have contributed to this significant project. Our funders were the bank of america, city of Portland, collins foundation, comcast, equity foundation, kaiser permanente, legacy health systems, metro multifamily housing association, nike, northwest health foundation, Oregon community foundation, penny family fund, pge, providence, standard, u.s. Bank, united way of the columbia-willamette and wells fargo. The mini-grantees serving their respective communities included africa house, the african women's coalition, center for intercultural organizing, Oregon action, self-enhancement incorporated, urban league, asian health and service center, The asian family center, catholic charities, russian-oregon social services, hacienda cdc, latino network, native american rehabilitation association of the northwest incorporated, native american youth and family center, the arc of Multnomah and clackamas counties, cascadia behavioral health care, elders in action, and join. I know those were long lists, but with the tremendous effort involved, I thought it fitting to share all of those names. With that, it's my honor to introduce a great community leader and my former boss, nicole.

**Fish:** Can I also, before we welcome nicole back to say that we want to thank mark levy and howard clink and the whole team at the united way to ho have embraced this. When a certain participant in the city club forum was knocked out for other reasons, mr. Levy pinch hit and did much better job than this commissioner would have done. So we want to thank him for his leadership on this work.

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

**Nichole Maher:** I'm here to talk a little bit about one of the efforts that took place in the native american community, and while the center was the fiscal agent, the leadership in the real work really took place with a collaboration between the Portland indian leaders round table, the confederated tribes civil rights indians, and with a 10,000 dollar grant from this process, these groups worked collaboratively together to hire several young adults as interns, And those youth did some phenomenal work. They contacted 750 households in the native community to remind them to turn their census form in. The collaborative efforts organized 40 adults to be tested and trained to become potentially census workers as well. Of which three were hired. Although I will say that over half scored above a 95% on their test. They also were able to set up and do census outreach in many organizations throughout the community, both tribal and native nonprofits. And it has we believe has significant impact on our community. Our community has gone from a place of viewing the census as a real point of frustration, to really looking that the as social justice campaign, to ensure that the rest of Portland knows that we are a large and thriving community. And we're looking forward to seeing the results. Thanks. And i'd like to introduce one of my favorite people, mark jolin.

**Marc Jolin:** I'll try to speak up. I'm the director of join, and throughout this process we have had a homelessness subcommittee made up of impact northwest and central city concern, and join, and we had representatives from the housing bureau and from the county there as well. Our goal was to target three subpopulations within the homeless community. Those who are doubled up couch surfing, those in our emergency And transitional housing programs, and then those folks who are not sleeping on the streets. And the census bureau has strategies themselves for all of those groups

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and our goal was to support those strategies to make them as effective as possible. With the mini-grant we received, the subcommittee received, we hired a community census trainer who was able to spend two months going out and worked with over 35 different agencies, engaged with over 400 front line workers building managers, case managers, to explain to them the importance of the census, how it would work, and with the goal being they would leverage their relationships with folks they were working with or whose buildings they managed to get them to participate. So she reached those 400 individuals and they hopefully in turn reached thousands. We also put on a number of community events around the census at various agencies, ice cream socials, all kinds of things, just to get people excited about the census and get them to come and engage. And liaison also really worked closely with the different agencies to communicate their concerns with the census bureaus. So if an agency felt like they weren't going to be counted, we could help with that, or if they didn't like the way the bureau was engaging with them we could try to engage that process as well. We also relied on the committee to end homelessness as a resource, the census bureau came to the coordinating committee to share time lines. The subcommittee of the coordinating committee helped the census look at their and develop their street counts method, helped them identify sites where people camp, and then also at the end of the day helped train some of their enumerators who did the street count. The street count itself which was a big effort, it's a one-night -- they put hundreds and hundreds of noel ulep enumerators on the street, we had a last-minute change in date that complicate add little bit our ability to support that effort, but we were able to do some training for the enumerators. We had a group of seven homeless people who went out with targeted groups of those enumerators in areas we worried would be hard to count along with some agency staff. I'd say the sense sun bureau really did a very good job working with us, took our feedback throughout property says, they made some steps to try to hire people experiencing homelessness to be part of the process, and overall the feedback that we got from the agencies whose clients and participants were counted was that the enumerators did a good job. There are things that we're hoping time prove next time around, there's a report that is being put together to dined of identify some of those things, but on the wholly think things went pretty well. We don't have a number from them. At this point, but reading between the line, we think that the method of counting people in the service agencies and on the street has probably yield add number that's within the realm of what our own methods have yielded in our shelter count and our street count. So one place where we don't know yet how well we did is on capturing people who are doubled up. We know we did a lot of outreach, but it's hard to know exactly who of the people who mailed back their forms were mailing back from a double-ed up situation.

Thank you very much.

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

**Mayor Adams:** Thank you very much, we really appreciate it.

**Fish:** Can we also acknowledge becky lee?

**Kafoury:** Yes, thank you.

**Fish:** And becky took the lead on so much of the work, and in fairness, you did more than 50% of this. We were co-chairs, but this would not be the success that it is without your leadership so thank you for your hard work on this enterprise.

**Kafoury:** Thank you.

**Mayor Adams:** There is nothing to vote on.

**Parsons:** This is a report.

**Adams:** But there is no actual report. Is there a motion --

**Fritz:** Moved.

**Fish:** Seconded.

**Adams:** Moved and seconded. Would you please call the vote?

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**Fish:** Thank you all for the outstanding report, and just to remind people, the stakes here, our share of \$400 billion, in the sixth congressional district for Oregon, and a formula-based, a formula which impacts everything from the roads to our schools to our health care facilities, so getting this count right is vitally important, and again, I want to thank my colleague at the County, debra, and everyone working tirelessly on this project, aye.

**Saltzman:** Aye.

**Fritz:** Well, commissioner Fish, you are busy people and yet you stepped up to help the people get this important count done, and you did it in a very innovative way. If you are watching at hole and haven't sent in your census, there is still time. Aye.

**Adams:** I want to thank commissioner nick Fish and debra kafoury for leading up the efforts on the government side and tualatin partners mentioned, and all the volunteers that have been part of this. Thank you very much. Aye. [gavel pounded]

**Adams:** That gets us to, to, to time certain at 3:00, and we are running late, and sue, would you please read the title for item number 642. [item read]

**Item 642.**

**Adams:** So we've been working to further refine and improve these drafts that have been out for seven weeks, and, and so for discussions today, recognize commissioner Fritz.

**Fritz:** I would like to note, I would like to substitute exhibit a and the substitute ordinances which has been distributed, and which copies are available for the public.

**Fish:** Second.

**Adams:** And moved and seconded. And sue, would you call the vote on the substitution request?

**Fish:** Aye.

**Fritz:** I am going to go through what, what is in the substitute, but essentially, Responding to the feedback that we heard at the advisory committee on monday. Aye.

**Saltzman:** Aye.

**Adams:** Aye. [gavel pounded] Ok. I'll go through the items that I worked on, and then you could go through the items you worked on. So, looking at the substitute ordinance, the underline, strike out g, there was a concern that has time moves on, and, and folks in our positions, we might change, we might not be here, let it be very clear that, that it is our goal to provide an opportunity for people to stand and sit on every block face on every sidewalk. And that it is our legislative intent and part of the legislation in g on the last page of the substitute ordinance that it would be for life safety reasons only that would not be allowed, so for example, good example of concerns about safety would be, let's say in front of powell's books, the sidewalk is, is for, for five feet wide, sitting on a sidewalk like in that would force people in the street, and, and/or sitting on the curb would have folks very close to cars, so that it would be the director of transportation that would have to, um, proactively affirmatively note the block faces we're for safety reasons only, we're there would not be the whole sidewalk would be, would be maintained for pedestrian use. That's g. And that would have to, the sidewalk would have to be marked, and those exceptions to The basic rule would have to be noted on a map, on a map of the area, which would be maintained for public on the website. And again, it would have to be for, for life safety reasons. And this is to, to, um, address the ability of folks to sit and commissioner Fritz, do you want to go over yours.

**Fritz:** Yes, thank you. And essentially, what we are doing, as the mayor said, is trying to make sure that it is a safe place for people to move along the sidewalk, and there is a safe place to sit and do whatever anyone else wants to do on the same sidewalk, so, it's like dividing up the street into traffic lanes and parking lanes that, that we don't want true traffic in the parking lanes and don't want people sitting in the true traffic lanes. So, I added k, which is underneath the two sections that mayor Adams just mentioned, and which requires the Portland police bureau to give an oral warning and the opportunity to comply before, before issuing a warning, and especially for the first six months that we wanted to make sure that it's about education and information, and making

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requests rather than, than enforcement, and so, that the, the written warning would be maybe issued as to, if the oral warning does not prompt compliance, so that's that one, and in the code, we added language, this is after the discussion at the advisory committee on monday, and we added language about, about this, this, if somebody needs to go before a judge, that it's an affirmative defense, that, that The behavior, if the behavior is close and the person thought that they were complying, that the judge will consider they have complied, unless there are clear markings on the sidewalk, so, it's intended to help folks who do end up before a judge, if they were intending to comply and not willfully disobeying, to help them to get that, to get canceled. And then we had a discussion last week with commissioner Leonard and i, regarding freedom of speech and assembly, and the whole place of the ordinance is to require that there is freedom of speech and freedom of assembly on every sidewalk for every person in the city of Portland. And so, we're not going to have an ex empty. What i'm deleting is the exemption that people could assemble or have freedom of speech in the pedestrian zone. Anyone can stand in the pedestrian zone. The key thing about the zone is the ability to move quickly and fast, so, anyone can assemble in the pedestrian zone, anyone can assemble in the sitting zone, and the key thing is that if anyone wants to sit to do a freedom of expression or assembly, we want them to sit in the area so that the other people can get through on the sidewalk. This is all about making sure that there is a space we're people will not be disturbed if they want to sit or lie, and they can be there as long as they want and say whatever they want, and there is a place that, that the people want to be, to Have through passage, they get to do that, so we didn't feel that there was a need for freedom of speech and assembly because the ordinances is about that so, we took that part out. We also deleted language in the ordinance regarding police officers in plain clothes or uniform, and we had a discussion about this at the advisory committee, and with the minority who felt this was objectionable, I thought that the argument was compelling, and the police officers can be plain clothed or in uniform, so we didn't think that language needed to be in the ordinance, and so we will remove that about the plain clothes or uniformed.

**Warren Jimenez, Mayor Adams' Office:** And just wanted to stress and just, for clarity sake, that the intent with g and h, and also throughout the ordinance, is to bring more clarity when folks are out there on the sidewalks, so that includes marking the zones in the higher traffic areas and you could see in h, providing those marks we're, that we don't have the city activity this is those areas, so, we are trying to make this as clear as possible, as well as providing maps and online maps that dictate these areas and to make that really, really clear.

**Adams:** And on the sidewalk, itself.

**Jimenez:** That's correct.

**Adams:** And we have an assistant district attorney to provide us additional information on, on the concerns about, about -- hi. How are you? Lori abraham.

**Laurie Abraham, Multnomah County:** It's abraham.

**Adams:** I knew that.

**Abraham:** Lori abraham on behalf of the D.a.'s office, good afternoon.

**\*\*\*\*\*:** Good afternoon.

**Adams:** So there have been concerns raised about that this leads to, can lead to criminal prosecution, and, and wanted to give, wanted to air out this issue in terms of you are the office that deals with these. How do you deal with these? Has it led to criminal prosecutions?

**Abraham:** What I can tell you is this, is that, is that our office does not actually review violation level offenses under the criminal law, and, and so, for point of information, and there are three levels of criminal offenses. They are felony, misdemeanor, and violation level offenses, and, and it used to be that we talked more about infractions. So, some people when they think of, of a traffic infraction, that is actually a violation level offense. And, and violations are non arrestable, non jailable criminal offenses. And they don't carry jail as a penalty. So, therefore, there cannot be an arrest warrant issued for the person when they couldn't possibly go to jail if they were actually

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convicted of the offense. So, for violation level offenses there are not arrest warrants issued in any point. And the office doesn't look at these violations like I said, and review them because, because we took the, the posture many, many years ago that we handle misdemeanors and, and felonies, not, not violations. However, a violation could come as part of, of a misdemeanor or felony arrest. So it is possible that we would look at it then. I can tell you, I don't represent the court, and I should make that clear. I will preface my remarks that way. I can tell you, though, historically how the court handles violations. Obviously, there are violation level offenses running a red light, right, that's an example of a violation level offense, and the city code, you have things like not riding a bicycle on the sidewalk in the no-bike zone, which is downtown Portland, essentially, and those are violation level offenses, and when police issue a citation for a violation level offense, they either go to traffic court, if it is a traffic coming out of the traffic code violation, or if they are non traffic are they come out of the city code or they are not traffic out of the ors, they go to community court, so, in community court, when they get violation level offenses that are by themselves, or stand-alone level offenses, they have a, a standard off that they give people, which is you can, you can pay a fine or you can do eight hours of community service work if you have been through community court, that will escalate upwards, but the general first time there you can do eight hours of community service work and your citation is then dismissed. If you come through a community court, a second or third or fourth or, or how many times You've been there, they won't dismiss the citation, they will still give you the option of doing community service work rather than a fine. I can't ever say never because you never know. I suppose a judge could, could, on their own, decide to put out a contempt warrant for somebody if they felt that person needed to show up in their presence, and judges do that for a variety of reasons, and I have never seen it done on a violation level offense when someone failed to appear, but to give you an example of about how the sidewalk, the previous sidewalk obstruction ordinance worked, when people came to community court on that, those citations, if they were there, they chose, whether they wanted the fine or the community service, and sometimes they can tell the judge that they didn't want either and the judge would go along with that, it's up to a judge, of course, with each individual person, what anywhere going to do. I can't always tell you what's going to happen but on those citations, most of the time, they either took the fine, the community service or sometimes they got a science of discharge, which is, which is no sentence at all. And, and if they failed to appear, and this is what happens in general with all violations, then, the judge has a right by law to find the person guilty, and even though they are not there, they are guilty in an sent youia, and a default judgment is entered, and was fine is entered against the Person. That fine then goes into, into the Oregon department of revenue system and acts as a, as a, as a judgment, essentially, like a civil judgment would, as well, that, that, eventually, if that person gets any money back from the state, the money will be taken out. I don't know whether they ever make any effort to get that money. I have no knowledge of that because I don't work for the department of revenue.

**Adams:** Is an arrest warrant issue?

**Abraham:** It cannot technically be issued ever on a violation level offense.

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

**Adams:** Thank you very much. We'll move to, how many people have signed up?

**Parsons:** 22.

**Adams:** Weather center, we'll do two minutes each. And testimony is limited to the amendments.

**Arwen Bird:** Good afternoon, council, mayor Adams, and i'm, i'm here representing of the human rights' commission, and have a letter that will be presented to you that I would like to, to read into the record. Mayor Adams and members of the council, on may 15, 2010, the human rights commission reviewed the proposed sidewalk management ordinance with the intent of determining our position on the ordinance and our role in insuring that the city policies such as the sidewalk

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management plan be implemented fairly and justly in our community. And based on our mission and Commitment to further the principles embodied in the declaration of human rights, we believe that the ordinance infringes on human rights, and we cannot support it. Several concerns arose during the discussion, which we would like to communicate to you. To begin, we believe that the titles and focus of the ordinance does not accurately represent the intent of the ordinance. The americans with disabilities act is the construction -- is the crux of the ordinance. However, this is much broader. The members have communicated concerns regarding the dynamics the ordinance has created. And it unintentional pits communities against each other, will not, while not considering other methods to prove, to provide sidewalk passage and access. For example, improvements may make a greater impact than managing the sidewalk usage. And from the hrc perspective, the ordinance restricts individual rights and creates segregated zones on sidewalks that may unnecessarily separate people from one another. These restrictions and separations affirm an existing bias in our city's approach to people with mental illness, alcohol and drug addictions, and people who are poor and homeless. The ordinance grants police the authority to move people who are, "are in the way without addressing the root causes of their presence on the sidewalks and without guaranteeing places to rest. The ordinance also creates enforcement challenges which could lead to further negative impacts. We are, we are convinced that the citation reports will show a desperate impact on these members of our community. With your premise, I just have one more paragraph to read.

**Adams:** Go ahead.

**Bird:** And we want to assure council if the ordinance passes, the human rights commission is prepared to plan, to play an active role in referring the reports, and we understand that the, the sharing public sidewalks advisory committee will receive enforcement data and we will work with this community to analyze enforcement patterns, and our community and police relations committee will request an opportunity to evaluate the police bureau's plan to enforce the sidewalk management plan and provide feedback and recommendations. We're also prepared to provide assistance and leadership, with further dialogue between the affected communities to address inner group tensions and misunderstandings. And thank you for the opportunities to provide our perspective on this community issue.

**Adams:** Thank you very much, I appreciate your testimony again.

**Bird:** I failed to introduce ourselves, and you can introduce yourselves, too.

**Donita Fry:** Good afternoon, council, and mayor Adams. I am donita frye, a human rights commissioner, and also work with the native american youth and Family center. I appreciate the opportunity to hear the information that's presented to you today. And also, serving on the human rights police community relations committee, as well, too, and just wanted to amplify the, the fact that our concerns over the human rights violations involved in this ordinance and support.

**Fritz:** Can you tell us what you think the human rights violations?

**Fry:** There are implications for many. My perspective individually comes from the fact that i'm a part of the native american community, and as so, we experience the highest rate of homelessness and bias in racial profiling, and all of those reasons that lead up to being present in the streets, and part of that population that potentially could be heavily impacted from the citations issued for obstructing access on the sidewalks. Overall, the ordinances doesn't get at the root of what causes the reason for people to be present on the sidewalks. There is an immense list of human rights violations that can be viewed behind that reason. We had discussion at last night's meeting about our concern over not getting at the core root of why people are homeless on the streets or what we can do as a city to hold up those needs rather than this ordinance, which doesn't seem to address those issues.

**Emily Gottfried:** Emily gottfried, human rights commissioner, and I reiterate what they said, and I want to Point out regarding one of the amendments under section g, regarding the benches and

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chairs, and that might, more benches might be helpful in allowing more people to have a legitimate place to sit. I want to reiterate what donita said. This ordinance is more like a band aid. It doesn't reach the root causes. It doesn't give people who don't have a place to be during the day any place to go. It just gives them a place that they cannot be. And it's just not humane.

**Adams:** Right. And this is, as you heard last time, we're -- we make a significant investment in the other aspects, of the many other aspects of this issue. More than any other government, local government in the region. And we'll continue. In my last proposed budget working with commissioner Fish, we increased funding for affordable housing and homeless services, even though we cut almost every other aspect of city government from current service levels. So, we take a balanced approach. If you were to look only at this, I would, you know, I understand I would understand and go with your point of view. But, having courtesy and compassion on the sidewalks is what we're attempting to accomplish here. And we invest in the aspects, as well, in what you are talking about. So, reasonable people can disagree. But, you know, \$109 million in homeless programs and affordable housing and building one of the nation's most innovative resource access centers, and we're going to stay at it. This is, by far, this is by far not the majority of what we do. But, we do have a responsibility of trying to manage the sidewalks with courtesy and compassion.

**Fritz:** The ordinance says people have the right to stand anywhere on the sidewalk or be in a mobility device anywhere on the sidewalk. It says they have the right to sit in line and do whatever they want outside of the pedestrian zone, so it does give a place to rest. I didn't understand the, the letter. I appreciate the clarification and your willingness to work with this sidewalk's advisory committee to monitor the enforcement. Thank you.

**Gottfried:** We constantly looked at the universal declaration of human rights, which is what we base our work on, and we found many places in the universal declaration and human rights that we felt were, were violated in this ordinance. And we do understand --

**Adams:** Did you look at our budget? Did you look at the city's budget?

**\*\*\*\*\*:** Oh, the city's budget?

**Bird:** We have not yet as far as putting a human rights look at it? I would like to add that I really appreciate the work that you are all doing. I think it seems like from what I have heard from all of you, that we have a shared intent in terms of the level of compassion and desire to provide places for people to be able to rest. I think that the disagreement for us comes in whether this ordinance will provide that.

**Adams:** Actually, you go on and say it doesn't provide for the kinds of investments that everyone up here believes in, as well, and that's true in terms of only looking at this ordinance. But, during the testimony last time, I just offered the facts in terms of how much we're investing in all of the other services, which is more than all the other local governments combined on an annualized basis. So, again, I appreciate what you are, your point of view. It's one that we considered very carefully. We're trying to weigh all the competing uses on the sidewalks, and we spend and invest in exactly what you are talking about. So, encourage you to take a look at it and would love your feedback on the resources, you know, general fund resources of the city, \$11 million. We could spend on anything, going into homeless services, the next highest is \$2.9 from clackamas county, \$600,000 from Washington county. It has a general fund that's almost as large as ours. \$600,000. So, we need your help to advocate to other local governments, to join us in our level of investment. There are homeless people all over the county and all over the region.

**Gottfried:** Actually, I am a member of the human rights council of Washington county, and I have just listened to what you said, and I will pass that onto my fellow councilmembers. I wanted to say one more thing, our commission yesterday, it's not particularly reflected in the letter, but there was a sentiment that we do understand that council, you, all are trying to deal with an issue, and it's an issue for the community. We're not, I want to put this in the right way -- we understand

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that you are trying to make a difference and make things better for everybody in the city of Portland with this ordinance. We just weren't comfortable with the way it was.

**Adams:** Fair enough.

**Fritz:** One more clarification, this doesn't try to package everything together in the previous sidewalk, the safe process, the street access for everyone. It was a bundling of the more benches, more services. More return for something. This is only maybe the bandaid, the small piece of how do we move around the sidewalks. So there is a lot more the council is committed to working on.

**Adams:** Thank you all very much. I appreciate the dialogue. Sue. How are you?

**Jason Barbur:** Fine, thank you. For the record my name is Jason Barber, and I am not doing any presentation or anything, I'm simply reading the notes from my, from my notebook, and I volunteer almost, almost monthly with once a week program in southeast Portland that serves meals to those in need, no questions asked, so I know that help and services is beneficial to people's lives. To echo some of the things that we just heard, if people have limited places to go on the sidewalks, where are they going to go? And yes, this should be part of the larger framework to expand services and increase the quality and usability. And I am concerned of the ordinance and the amendments don't address this, this, this situation. I realize that there are people who don't really appreciate the sidewalk regulations because it's the regulation on their lifestyle. To put it in perspective, the people through the government, past regulations on homeowners that regulate their lifestyles, and the people in the government past regulations on renters that regulate the lifestyles, and the people pass regulations on drivers and vehicle owners that regulate their lifestyles. And this is not just about, you know, the homeless in 2008. It was nearly impossible to walk through downtown or, for that matter, the Hawthorne district without being constantly annoyed by petition pushers and people demanding that everyone update their voter registration with them. The conditions leading up to the elections this November are not much better. And with more people needing to sue sidewalks because TriMet is insistent on cutting transit services at a time when, when there is an additional need for those services, we should be using the amendments to the proposed ordinance as an opportunity for the city to work with other governments and businesses to encourage expanded services, as well as more jobs in housing suitable for the community located not only along major transit lines, but also closer to one another, and I agree with freedom of speech. However, Portlanders with somewhere to go also have the right to say no, which should be respected. As a Portland citizen I support this ordinance. Thank you.

**Adams:** Thank you are sir. Welcome back.

**Joe Walsh:** I am Joe Walsh, and I am a member of a lot of different organizations. However, when I am going to say today is just my own opinion. I wish that you would stop. Don't do this. I want to understand something in the senate of the United States, I look to people, who is Bernie? Where does he stand on this? He's a good temperature taker for me. When I look at the house of representatives, I try to understand what they are talking about. I look for our own congressman here, DeFazio, and I look to people, what are they saying about this? When I look at the local politics, which I freely admit to all. You, I am an amateur. I looked at the road. When they say stop, you stop. When the human rights commission says stop, just stop: And say, there is something wrong here because these people care about the people living on the street, and they tell you not to do this, but you are going to do it. And you are going to go home tonight and say, we did something to clean up our streets. We did something to flow. We did something to make the streets better. And you are lying to yourself because you are not. You are kicking people to the curb. That's what you are doing. So, when you go home tonight, don't look in the mirror and say, I did my best because you didn't. This is a shame. Just a shame. Thank you.

**Adams:** Thanks for your testimony. Next three. Welcome to the city council. Glad you are here. Go ahead and begin.

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**Dale Hardway:** Sure. First, I will identify myself, dale hardway, a resident of the city of Portland in the southeast. I will try to make this as brief as I can. You know, I have heard a lot of testimony, so I will make it easy and paint everybody a box here. If you are going to use the ada act, as a smokescreen for this ordinance, I represent a few people that suffer with disabilities or have loved ones who suffer with disabilities every day. So let me tell you what our plan will be. Under the ada act, there are no exemptions for any stationery objects in that six to eight feet that you are trying to quote in here as being for people with disabilities. That means sidewalk cafes, that means hotel kiosks. Anything of that nature. So, here's what we propose to do -- every time that we come downtown, which is every day, every time that we see a sidewalk cafe set up, we're filing a federal ada complaint. Every time we see a hotel kiosk, we're filing a complaint, and there is plenty of us. It will end up costing the city a bunch of money before we are all said and done. Let's just paint that box real clear. If we are going to use the ada, let's tuesday all the way, which means that there are no exemptions. That means no cafes, no hotel kiosks, nothing commercial. Not even a planner can be in that six to eight feet. So I would advise you to go back and look at the ada ac before using the cover for this. The judges have told you before, you have tools in your arsenal to cut down on the behavior you are talking about. Use those, not this as a smoke screen, it's wrong. My girlfriend has a hard time Going downtown, but you know what, she's not afraid of street people. I was one myself once. And then one of us could be here again.

**Adams:** Thanks for your testimony. I appreciate it.

**Ken Loyd:** I'm the pastor of [inaudible] if this is not about controlling homeless people, why do we juxtapose telling how well the city has done towards homeless people in the same meeting --

**Adams:** That's part of the testimony. It's responding to testimony.

**Loyd:** Jesus had a brother, and his name was james, and he has made some remarks in regards to this issue. My brothers, and this is to believers, but I am thinking it's more universal than that. My brothers, don't show favoritism. Suppose a man comes into your meeting wearing a gold ring and fine clothes and a poor man in shabby clothes also comes in. If you show special attention to the man wearing fine clothes, and say there is a good seat for you, but say to the poor man, you stand here. Move over there to the curb, you are showing favoritism. If you really keep the royal law found in scripture, love your neighbors as yourself, you are doing right, but if you show favoritism, you sin and are convicted by the law as law-breakers. What we are saying in the city of Portland, or proposing to say is this -- if you have the goods of this life, if you have the privileges of this life, come And sit here in a restaurant on the sidewalk and enjoy the breezes of summer, enjoy the sun on your face. Have a cool drink. Have a well-presented meal. If, on the other hand, your life has kicked you to the curb, and you have none of the privileges or benefits of living in this society, then go and sit by the curb. Don't sit up against a building or relax. Don't lean up against the building and rest, but just sit over on the curb. This is unfair. You are showing favoritism, and my job, the god that I serve, says that you are sinning, and that you are lawless in doing so. Thank you to letting me speak.

**Adams:** From your point of view, there is no way that we could try to manage the many competing uses of the sidewalks and not be a sinner.

**Loyd:** I am saying if, if you let someone sit in a restaurant, I just walk by a tangle of chairs today, which would be an absolute nightmare --

**Adams:** Would you -- would you support any kind of management of the sidewalk in terms of we're people can walk, we're people must stand and we're people can sit?

**Loyd:** I think as long as it was fairly applied to all classes of society, I would be in favor of, of some, I don't know what right, I can't speak specifically right now, but I would say I would be in favor of some, you know, some rules regarding to the use of the sidewalk. But right now, the rules, as they will be applied, will be applied against homeless citizens in the downtown core of Portland, Oregon.

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**Fritz:** Our friends outside can bring a chair, their own chair and sit in many sidewalks with plenty of space. That's where most people are sitting now. They are not sitting against the building, but between the tree well, and people under this ordinance people will be able to bring their own bucket or chair or whatever and sit there and enjoy the breezes and have a picnic.

**Loyd:** I think the practicality of that, if you are, everything you own in this world is on your back, carrying an extra chair is absolutely unreasonable.

**Fritz:** We're not going to correct the, the, all the ills of society that some people have and some have not, but what we are going to do is make sure there is a place for everybody to sit on every sidewalk, whether they are sitting, whether they can afford to sit at a restaurant or on their backpack.

**Loyd:** And I am hearing you say, then, that if I have a backpack, and I walk up next to a restaurant, a sidewalk restaurant, I can sit down up near the building on my backpack?

**Fritz:** No, on the other side --

**\*\*\*\*\*:** On the curb?

**Fritz:** If you look at downtown, many of them are very wide, and there is more space for people who are not in the pedestrian zone than there are in the other. And obviously, we'll disagree this. Any benches that are in the pedestrian zone, are specifically exempted. The benches provided and permitted under the awnings, everyone is welcome to sit there.

**Adams:** Thanks for waiting.

**Julie McCurdy:** Hello, I am Julie McCurdy, and I come to you as a concerned citizen, but also, as a writer for Street Roots and a founding member of "Right to Survive." I am glad you are looking at this, but I think that the situation you present to the public is not quite accurate. While you sat there congratulating yourselves last week on a job well done, your actions have failed an entire community. I am going to read this because I'm very nervous speaking in front of people I don't know.

**Adams:** You are doing great.

**McCurdy:** Ok. And what you have done is used disabled people who are vulnerable and marginalized to harass the unhoused. This ordinance has been overturned before as unconstitutional, and yet, you are bringing it to the table again. It remains unconstitutional. I know what you are doing affects us because I talk for people every day that live in the street. And I have not once seen any one of you out there asking any one of us what we think or what our possible solutions would be. So, we have not been consulted in a way that shows any sort of respect or concern. I'm sorry, I'm nervous. Ok. We did demonstrate very effectively last week in how we can effectively deal with many of our own issues and concerns in a non violent, inclusive manner. That benefits all parts of the community. Oddly enough I didn't see you there, either.

**Fritz:** What was in that.

**McCurdy:** The festival of resistance which demonstrated safe camping techniques, skill shares to promote self support in a non violent way. And what that said was that you are not interested in alternatives which save the city money or solve the problem. You are interested in solutions that pad the pockets. This is really what that this to me. And what I got out of last week's session was that I, as a human being, have less value than a cup of coffee. Let me explain. When you say that we are allowed to sleep next to the curb on the street at night, without being criminalized, what you say is that it's ok for us to risk our lives by sleeping right next to we're the cars park. That enables us to inhale exhaust fumes, and that enables us to risk our safety by being possibly hit by those cars that are parking next to that curb. During the day, if we sit there, we are still inhaling fumes from passing vehicles. I don't think that that's legitimate or ok. And many of the people I spoke with on a regular basis agree with that. What the intent is, and what the effect is are two different things. What you have said to us is that you are going to use the, our perception is that you are using the adage to divide and conquer both of us are marginalized communities.

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**Fish:** Can I clarify one thing. I'm on the front lines of trying to address the question of camping, and i've been working with monica and the court on that issue. But, you alluded to camping. And my understanding of this ordinance, the hours of operation are 7:00 to 9:00, is that correct? So, and again, I may not change your views on that aspect but it would not impact camping, whether it's legal or unlawful because it would end at 9:00.

**McCurdy:** I understand what you are saying, and I appreciate that input. But, what i'm telling you is our perception. I'm not a professional.

**Fritz:** You did a great job.

**Fish:** I'm not trying to argue with you on the point, but I want people fond --

**McCurdy:** What you are saying it's ok for us to camp up against buildings if we have no other place to sleep. We don't have to sleep on the curb?

**Fish:** We do not enforce our camping ban. We do not prosecute anyone for the camping ban. We have an untenable situation but the city does not actually Enforce that camping ban. I'm trying to come up with a much better place than people sleeping on the streets because I don't think that that should be the choice.

**McCurdy:** I understand what you are saying.

**Fish:** We have not had a prosecution of the camping ban in a couple of years. So, de facto, but that's a different issue for another day. I wanted to be clear about the hours of operation.

**McCurdy:** Ok.

**Adams:** We have to move on. And you expressed yourself incredibly effectively. I appreciate it. Thank you very much. Can you mention the next three speakers? One thing on the ada, the last version of this said that there was no sitting, no lying on the entire stretch of the sidewalks. And so, in order to come up with something that was more than just sam Adams or amanda Fritz or any opinion on council on how wide a pedestrian use zone might be, we looked to the ada requirement of passage. And that's we're the mention of ada comes in. We tried to be less than just purely individualistic, selective on how much a pedestrian use zone, how wide a pedestrian use zone should be. We have a third person who is --

\*\*\*\*\*: It was ibarra. He can't be present.

**Adams:** The next person, then. Is shawnee here? Come on up. Hi. Welcome.

**Trillium Shannon:** And yeah, thanks to letting us speak for two minutes. My name is trillium shannon, a community radio producer, and I have been someone who slept at dignity village, as well as interviewed people and slept with people on the streets, so I have talked to many, many people, and I would like to speak, also, not just for myself, but there is so many people who can't be here today. And so, let's cut through the double speak and get to the point of what this sidewalk management means. This is about criminalizing poor people. We know would say going to be targeted with this sidewalk management. People who are already the most marginalized. I don't have faith in the police being trained to enforce this ordinance without bias, and I don't have faith in their intent to preserve people's dignity, their rights or their property. When i've been talking to people on the streets, i'm hearing that this ordinance is a tool for the annual sweeps to get homeless folks out of sights for the festivals, like the rose festival. So, mayor Adams, the amount of money allocated in your budget does not simply translate to support of the human rights in this city. I oppose this ordinance and all ordinances that violate human rights, and I would like to ask commissioner Fish how it is that the camping ban is not being enforced just because people are Not being prosecuted in courts. As you know, many homeless people are being taken from their camps. They can't get a good sleep. This is related to the sidewalk management because if people can't get a good night's sleep, they will have to find a place to rest. It's hard to function when you can't get sleep. I would like to know how it is that if the police are enforcing this, sweeping people from out from under bridges, how it is that, that there is any legal camping here and any place for people who don't have the privilege to have a place to lay their head at night to get a good night's rest.

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**Adams:** Thank you for your testimony. Hi. Oh, sir.

**Jacob Lancy:** Hi, and I am jacob, and I am homeless in the state of Portland, and I have noticed the police have been recently started rousting people out, and coming by and playing obnoxious music on the loudspeaker to wake up individuals, such as myself, and on several occasions coming by at 5:30 to wake us up when, when I don't think that there is any reason to wake us up that early yet. I was wondering, do you have any reason why that would be happening?

**Adams:** This hearing is on the specific sidewalk ordinance, and --

**Lancy:** I understand that.

**Fish:** And amy stevens is here and can meet to deal with your specific question, but here to take testimony on the sidewalk Ordinance. Thanks.

**Fritz:** That's a good question if he wants to talk to amy.

**Adams:** She's right there.

**Chani Geigle-Teller:** I wanted to thank all of, of our friends and allies in the room for speaking their truth today. I just really find people's testimonies very hopeful for me. I am shannon, and I am with sisters of the road. Good afternoon, mayor and commissioners. Last week you heard from people who said that they would object to being cited by this law as there is no way to protect themselves in any case of the law being enforced unfairly. And if you pass this law today, it could start being reinforced today. If there are any mistakes or someone condition, for whatever reason, follow their citation, it could mean that person could get wiped off of housing lists. And this last monday we attended the sharing public advisory committee and learned that there is no structured process for the oversight of the new law. Earlier, mayor Adams shared half of the input he received from Portlanders is concern that this law will target people experiencing homelessness. Without great concern from the community and the history of these laws validating those concerns, we continue to insist that council vote against this ordinance and work with the community to find healthy, creative solutions for all of us that do not end up with some of Us being criminally targeted. If you do end up choosing to pass this ordinance, sisters strongly advocates for civilian oversight committee, as well as the sunset date on this loss, but evaluation and concerns are addressed with or without the courts motivating the city to do so. And it is also our understanding that, that an amendment today, which was introduced, would prohibit freedom of speech and assembly in the form of sitting in the pedestrian use zone. Last week commissioner Fritz asked the question, what use is there to enact this law when there is any exemption. Again, speaking of exemptions, we raise the issue that tables and chairs in sidewalk cafes are more rights to be in public spaces than people. People violating this law would receive one written warnings but businesses get three. This hardly seems just. We want to continue to work to make our city safe and equitable for every person who calls Portland home. If you pass this law we are confident a legal battle will ensue, and people's lives will be hindered and we will waste our resources on this unnecessary law. Like mayor Adams, we want to work on solutions. For sisters, that includes restoring the level of federal funding allotted for affordable housing back to the comparable levels of the 70s 70s. We are ready for that struggle. We have begun that with our sisters at the west coast regional advocacy project and Our partners. Please stand up against the sidewalk management ordinance today and continue to work with us to create a Portland that is humane, safe, and livable for all of us. [applause]

**Adams:** No.

**Fish:** As you know we've been working through a section 8 task force to figure out what are the barriers to people with vouchers getting rental housing, and the city funds project clean slate to help people remove criminal record citations, which are a barrier to getting a job or housing, so the question of, of doing anything, which limits access to, to housing is something that, that is, is of great concern to you and to me. Could you help me understand how a violation translates into any

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barrier for someone? A violation would be like a parking ticket or something else. In practical terms how does that impact someone's ability to get a rental apartment?

**Geigle-Teller:** I would absolutely encourage to you speak to any of the housing specialists in town that are working --

**Fish:** I fund most of them.

**Geigle-Teller:** And I have been one of those people. I've been a front line staffer for community house organizations before I worked at sisters, and while something might seem cut and dry for you and I on paper, when it comes down to creating more barriers for people who are in survival mode, who may be dealing with physical or mental illness, like -- it's not as easy as you think. It is. It scares people away from engaging in the process. It makes them feel less than human, and it's just not healthy.

**Fish:** But it's worse if we were to stick with the status quo we're you have the police enforcing the laws on a criminal basis because that will show up.

**Geigle-Teller:** You have people who were experiencing homelessness last week that told you that's not true from their experience.

**Adams:** The tools we have left would not be violations. The tools that the city, absent this violation, the lowest status, and the lowest class of, the lowest class of, as we heard from the district attorney, it's a violation, not a misdemeanor, and not is a felony. And we just have an honest disagreement about what's humane. I think not having the tool, and I want to, to correct something for the record, oral warning, written warning, and then, and only then do you get a ticket. But, not having that in our tool kit for trying to manage the competing uses means that, that we're issuing criminal citations, and I just -- I would just -- I totally respect we're you are coming from, but I actually think that the unintended consequences, that is it will prevent people from being eligible for housing assistance and it's a question of degree. A criminal item on your record is, is pretty devastating. So, I just respectfully disagree. Thank you.

**Fritz:** May I clarify, mayor. I wasn't clear on the sidewalks advisory committee. It will have the enforcement data, we just heard from the human rights commission that they receive the data, and, excuse me, and as I said last week, the council is the oversight committee and we are responsible for taking the feedback of the sidewalks advisory committee and the human rights commission and doing something about it if there is a problem.

**Geigle-Teller:** Can I just ask to clarify. I'm curious to know what enforcement data is so everyone knows.

**Fritz:** The same kind of information we got from last time in terms of gender, age, housing status, making sure that the oral warnings, written warnings were done in accordance, finding out what happened. So we can look at it.

**Adams:** There are three steps to the sidewalk cafes. Three steps on this process.

**Parsons:** 11 more.

**Adams:** Welcome back to city council. Glad you are here. Do you want to start?

**\*\*\*\*\*:** Sure.

**Monica Beemer:** My name is monica beemer, and I am the executive director of the sisters of the vote. Let me just start by saying thank you for the work that you do for affordable housing and, perhaps, we don't say that enough recently you asked me in an email, mayor, what I would do. With regard to this, and my response was much of what everyone has said today, and but, included using existing laws that, that we know have, target people homeless, but also, would not create a new law that would target people that are homeless, and your response to me was much of what you said to the human rights commission today about the good work that you have done around affordable housing. I just want to just emphasize that, to me, the good work you do on affordable housing is commendable and does not justify creating a law that is not, that goes against people's human rights, so, to me, it doesn't -- it doesn't equate to, to earlier what you were saying about, about, um,

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about if you just looked at one, then, um, then you would understand how it wouldn't make sense. I think the good works we do don't justify doing anything that is not a good work. Goes against you, but I do thank you for your good work around affordable housing. So, we must stop blaming targeting and stereotyping people because they are homeless, and I am proud of our community and our staff at sisters for being steadfast and always saying no to the violence of the laws that, that are targeting and always standing up for each other's freedoms. Sisters is a cross class community and we get to learn each day from each other's stories. Ticketing does not address these causes, and, and to us, as you know, at sisters, we don't Understand the cost in this, it seems wrong to, to use the ada, but to make exceptions for business? Why is business more important than people, especially people poor? We have to stop giving tickets. We have to stop having people who get tickets, clean up the streets for the businesses that are advocating for the law and stop saying that this is about, about the sidewalks being safe, the Oregonian doesn't seem confused on what this is about. That this is about, um, about stopping people who are panhandling in our downtown streets, and that's wrong. That's freedom. We can do better. We have to do better. We hope that you will, you will be visionary and no longer punishing the people simply because they are poor. Thank you.

**Fritz:** Can I ask a clarifying question. Could you talk to me about what you have done outside the sisters cafe on the sidewalk?

**Beemer:** So, we have, you know, we have had crowding issues, as well, and received lots of accolades, including from, from our neighbors, one person who is office looks up the sidewalk for what we have done. It's been successful, and our strategy has been to ask people to move to make it clear we're people can stand and sit, and people can sit against the law. They can't probably put their feet out. We have marked a spot. So, um, so, but, basically, we just use discretion in asking People to, to respect the space of others in explaining why that's important.

**Fritz:** You do have the street zone, so your main concern that the sitting area is on the curbside rather than the building side?

**Beemer:** That is one concern that we have similar to what julie was mentioning about the safety of it. But for us, much of it is that people can't lean against the wall. People can't -- the, of the inconsistency of, of the, of the exception to businesses is classicism to us, and the, just the use of, of the ada when we feel that it's not about that.

**Adams:** But you -- it's been my impression, and I want to give you a chance to correct it, if it's wrong, you wouldn't support any sort of demarcations of the sidewalk?

**Beemer:** As far as being clear about where it's good for people to stand and not stand and asking them not to stand? We are doing that at sisters.

**Adams:** So you would support a sidewalk management planning that had a different pedestrian through zone?

**Beemer:** We would, we would probably not support something that would likely target homeless people, which this is targeting homeless people.

**Adams:** So is that no?

**Beemer:** No.

**Adams:** You would not?

**Beemer:** No.

**Adams:** Just want to make it clear that we could change this in some way and you would still not support it?

**Beemer:** These laws have been, you know, proven unconstitutional because of their targeting and we need to get more creative than that.

**Fish:** The sit-lie, which I do not believe this was, was declared unconstitutional because it was claimed to be preempted by a state law. It requires you use a criminal sanction, not a civil sanction to address regulation of through-ways. Not that it targeted or infringed on first amendment rights but that it was preempted, and that the courts admonition to the parties was, use the tool of a

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criminal prosecution to address the legitimate concerns of a community to keep the, the freeways clear. And the plaintiff's counsel said that the city, we encourage you to use those tools, which, which are criminal sanction, and I just found that, that -- I have to say, as someone who cares about human rights, I found it odd that we were advocating for a harsher remedy and tool to do something which u. Just acknowledged that you do with the people in front of, in front of sisters cafe, and presumably if people don't follow those guidelines, they don't get asked to come inside and partake in a meal. So I have to say I find that a contradiction. I struggle with that.

**Beemer:** We are not giving out tickets to people, and they are not making exceptions for business and saying that business is more important than poor people.

**Fish:** But i'm going back to This, it's a philosophical point. I have enormous respect for what you do, and, and this is, with all due respect, when someone said we were sinners for having a agreement. I don't think we are sinners as allies. If we start appropriating the language of the right to, to create these kinds of divisions over any policy disagreement, I shutter to think we're we are headed.

**Beemer:** I was just pointing out the difference.

**Fish:** I want to say, as much as I respect your view on this, I also respect the absolutist position you take. In a way, I think sisters like the aclu, like a lot of groups, they put a firm marker at the outer limit of the discussion to, to force the, the more honest discussion about the underlying issues and I appreciate that, but we can still have disagreements on individual policies, just like we might even have disagreements about how to get it, at poverty or address the housing crisis, but I think at the end, we share the values. And that's the important part.

**\*\*\*\*\*:** Ok, so this is really important.

**Adams:** Thanks for your leadership of a great organization.

**Beemer:** Thank you.

**Adams:** Mr. Handelman.

**Dan Handelman:** I am dan handelman with Portland cop watch, and thank you, mayor Adams and commissioners. We raised the issue that the Americans with disabilities act talks about objects in people's path, and does not talk about human beings. I have since done a bit more research on that, and I still have not seen any proof that it discusses human beings on the sidewalks. You said that there is a bevy of lawyers ready to debate that with me. Bring them on. I'm ready. And why didn't you wait for randy Leonard to be here? He's concerned about the free speech provision, which now being stripped from this, he had to wait for the chief sizer to come back. And now we have to take commissioner Fritz's word what he thinks about this. Commissioner Fritz's own human rights commission does not support this. Commissioner Fritz's own human rights commission does not support this ordinance, I repeat. And --

**Fritz:** It's an independent human rights commission, not mine --

**Handelman:** It's under your jurisdictions.

**Fritz:** No, it's not.

**Handelman:** The only exemptions are, are for, for people with permits now to, to carry on demonstrations. Which is a problem because your own sidewalk policy says that if you have less than 200 people you can have an event on the sidewalk --

**Adams:** It refers to the section of the code that governs assemblies. The way you described it is not The way our lawyers describe it.

**Handelman:** I don't see a reference in the code. And I also think that if more than three people, less than three people want to sit on the sidewalk with a sign that says I object to the management plan, they should be allowed to with their free speech rights. This will be declared unconstitutional. I guarantee it. And you asked about what happens, why someone might not be able to get housing. Well, if they have a lean on your money and you are trying to get section 8 housing, does your money go first to pay off your ticket because you sat on the sidewalk illegally or go to house you?

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**Adams:** Only when you get government refunds.

**Handelman:** I'm bringing up a point.

**Adams:** That's the answer. I asked the same question.

**Handelman:** Ok. And we raised this issue, I think, monica just raised this issue but I want to say this again, we raised this in our letter to you. And referencing your own spending on housing and an important business alliances commitment to the say amenities that they have done, those are good things, but it does not allow you to buy away people's rights and dignity. When a parent says, you ungrateful child, I cook and clean and sew for you, that does not allow them to abuse that child, and that's what it feels like when you you say look at everything we are doing. We're going to kick you to the curb.

**Adams:** It is not intended to do that, dan. What it is, there is an absence of acknowledgement from folks with concerns about what we're doing here about, about the bigger picture. It is the absence of looking at the totality of the efforts. That's what this is about. And when we sit down with other folks who are concerned about this issue, we have very have him conversation, with them. Folks that say the city is anti-business. And so on. So, we're trying to get folks to engage and struggle with the issues that we are dealing with by having dialogue. The real live, on the ground, issues that we're dealing with, to try to move beyond just slogans, on all sides. I'm not just saying folks that care about, about issues, the folks in this room, but we're trying to get the city, the entire city to focus on all aspects of this issue. That's what this is about. That's why i, when I talked to the business community, I will talk to them about the fact that we are not fully serving all of the folks here in Portland at a very difficult time in our economy. That we are overrun with requests to help and services. I have that conversation, and very, just as plainly as I am having this conversation with you with members of the business community. So we are seeking to create dialogue, and maybe we have to Be the adversaries because it doesn't seem like folks accept commissioner Fritz's group, doesn't seem to be the full sort of swath of stakeholders on this issue, but there is plenty of work to go around here. And plenty left to do. Thanks for waiting.

**Jessica Rove:** Thank you. I am jessica roy, and I really just want to echo what was said by human rights commission, as well as sisters of the road. And you said several times that this is courteous and compassionate, and I done believe as a citizen of Portland, I grew up here, and giving the Portland police the authority to enforce something that directly affects the most vulnerable is compassionate or courteous. I work with people who are, who live outside, and they have story after story about how they were targeted by the Portland plea, and I know you have heard them. So I don't need to repeat them. It concerns me that the way that we are going to solve the problem of the sidewalks being crowded is by ticketing people who don't have anything already, and by giving the, the police department the authority to say ok, you are in the way. Like, it just concerns me. It is not compassionate, and I don't think it can be called that. And I appreciate what you have done for housing, and I do appreciate that. I am grateful for that, and, but this has nothing to do so with that. They are separate issues, and I Just wanted to, to express my concern. I do think this is a human rights issue, and I think that, that it decorates people. It pits people who have and people who have not against each other. And literally. Down the middle of the sidewalk, and yes, that's all that I have to say.

**Adams:** I appreciate your testimony. Thank you. How many more?

**Parsons:** Ago more.

**Adams:** Great. Welcome back.

**Martha Perez:** Hey, sam. Hi, thank you, council, for having me. I am martha perez, and I am fortunate to reside at 920 northwest kearney street number 110, Portland, 97209.

**Adams:** We don't want addresses.

**Perez:** Ok, thank you. And I speak individually as the commissioner for the resident advisory council, which is an ad hoc committee directed, percy redmond of the section 8 public housing hud

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programs. And I speak because I see what's happening, and so if I can't do a battle of wits with the council today, and I do agree with you, and, you know, I am about, you know, some of the counter points that your council is making, you know, and I am sorry I missed the last meeting dealing with the immigration issue in arizona, taking up time. Also, my campaign, so, um, looking at the exceptions, line two, the prohibitions in Subsection b do not apply to a person, and then going down to c, performing street music while complying with the musician partnership agreement, one of the concerns constituents came to me was about that, was why doesn't it include people who sell art? We had a situation we're constituents, were attempting to sell their artware on the street corner in the heart of the pearl district, and there was some sort of conflict with the artists selling their goods on the sidewalk as opposed to the art gal rest that were hosting their own art shows, so that was a, a letter that I e-mailed to you about, sam, that you may have recalled receiving. And so I do agree that we don't want more harsh punishments on, on our homeless. We don't have enough shelter for everyone, and we have to find, continue to find ways to, to foster increased shelter and look at innovative ways to do that but we have a weight list of 5,000 people waiting for section 8 and public housing respectively. I want you to consider my comments. Thank you.

**Adams:** Thank you for waiting.

**\*\*\*\*\*:** Hi.

**Becca Lewis:** Hi, similar becca. This is the first time that I have testified at a city council meeting here in Portland, and I wanted to talk a bit about your position on arizona, and the fact that you have come out against the law in arizona that targets the specific section of the population. I think that this law is Designed similarly. I think it targets a marginalized community and that it will be selectively enforced against that marginalized community. I don't have any confidence that the Portland police will not single people out because of the way that they are dressed. Or because they appear to be an unhoused person, and I think that that's a civil rights issue. I would urge you to reject this. I think it's totally unconstitutional.

**Adams:** Ok. Thanks for your testimony. Mr. Nolan?

**Patrick Nolan:** I am patrick nolan, the co-director of soapbox under the bridge, non profit in Portland, Oregon, and the first thing that I wanted to mention was I was, i'm, I maybe under the false assumption that when we come here, we come to sway your opinion one way or the other. And I was hoping that all of you could say that you have not made up your mind yet.

**Fritz:** I am hoping to hear what's on the amendment.

**Adams:** You can change my mind, with the quality of your argument, patrick, not with slogans or yelling or clapping, and not you, just saying that the quality of the argument you present. Other testifiers have changed my mind on issues.

**Nolon:** It worries me that commissioner Saltzman is not here to hear my testimony, and this probably, he'll probably vote on this. I wanted to say that I have serve on the city committees and Boards of directors of non profits, and served in consensus organizations, and this seems like an organization that has made up it's mind and decided what's going to happen. As far as the, the changes, the only one that I was concerned with last time, really, was the same one I am concerned with this time. Assembled with others, and I was really disappointed to see that we had taken that out. I was hoping that it would be a symbol because the freedom of assembly is important to me. As a society, we have a time, place, and manner clause that says that we can, we cannot give you that right if we, for some reason, have that. I don't think that we should legislate that, you can always not do it in this part of our society. We set up ourselves to -- you can only do it in this part of our society. This will be used as a move-along law. It has been as it said, the first one is a verbal one. And as far as the six-month wait, I want you to get it over with, have it, and I can go out and sit on the sidewalk and I can get a ticket for it and we can challenge it. Thank you.

**Fritz:** It's not a six-month wait. It's a six-month period for having the oral warning to see how it's going.

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**Nolon:** Let's get rid of that part.

**Fritz:** Thank you for that advice. That part is really important to me and since I proposed it, you are probably not going to change my mind on that piece. The move along piece, we're asking people to move to another part of the same sidewalk we're they get to sit, stay for as long as they like, so that's really different from the previous versions of any of the ordinances, we're the ordinance was specifically designed to move people out of the downtown. This is asking people, and asking anyone who is sitting in a sidewalk cafe in the pedestrian zone to put down the other side, and it's saying if you want to stand, assemble, do anything you want in the pedestrian zone you have to be able to move when asked so the others can get through. I am really not seeing how this is a human rights violation. And I am not seeing how it will be used to target different people because it's aimed at targeting, whether you are sitting or standing in that particular area.

**Nolon:** Sorry not commissioner, but mayor Adams has said, friends can disagree, and we'll find out in a few months.

**Fritz:** Thank you.

**Adams:** Thank you very much for your testimony. Really appreciate it.

**Adams:** Mulch for waiting. Would you like to begin, sir?

**\*\*\*\*\*:** Sure.

**Dory David:** I'm joey davis, thanks for having me. And -- do you have a map of the city and the zones illuminated in a way that people could physically understand them because what you are saying is not clear, to be honest, and I Think it would help a lot if you guys put it, you know, in a medium that people could see. I'll just say that first to be constructive. And courtesy and compassion you don't instill these things in people. You evoke them with communication and honesty and you don't underestimate their common sense. I understand you are doing a balancing act between the businesses because they are the ones complaining on, let's be honest, when was the last time that, that a disabled person or a homeless person called and complained about somebody out on the streets sitting there? It doesn't happen.

**Fritz:** Last week in my office.

**Davis:** Once?

**Fritz:** I had three people talking about a particular challenge. It does happen.

**\*\*\*\*\*:** Ok.

**Davis:** And let's see here. I don't feel like it's going to regular movement. I feel it will regular risk more than movement. Let's see here. I feel like sugar coating it with, with, i'm not trying to be rude, but I feel like surgeon coating it with, oh, well at least you won't be arrested, doesn't make it any better, you know, and the thing that people don't have a charge, sort of, will legitimize the police being able to usher you here and there and wherever, you know what I mean. It makes it feel like that to me personally s and I think it's Going to make a lot of other people feel that way. Just because someone doesn't get a charge doesn't mean that the police are not going to wake them up and say, really rude things to them. So many people have told me of horrifying experiences, with the police around issues like this. Like the camping thing, and, and I think that, that people are, are not as angry with you as the police, and I think that, that there's been a lack of accountability leading people to believe that, that no one cares.

**Adams:** Thank you for your testimony. We care. Your time is up. I gave you a little more time.

**\*\*\*\*\*:** Go ahead.

**Adams:** Thank for your testimony.

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

**Lloyd Minten:** I am lloyd mintn, and I scribbled a few notes here, were you I agree with the ordinance, and, and I don't see it as a human rights violation. I don't understand why the homeless have to, have to hang around the sidewalks and downtown Portland, except to, to panhandle or do drugs when there are so many other places around the city to, to find rest. And my comments were

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with the, you know, with the kids and the dogs and, whether they are drug addicted or not, I don't believe that they are using the, the sidewalks as a, as a place to rest. I feel that they have their own agenda, whether it be panhandling or drugs, and I just want to say that, that, that Portland is a front runner Nationally for its compassion. I do a lot of business around the nation, and I know that Portland has an extensive abundance of social services, and, and I believe that it's due to the significant generosity of the taxpayers, as well as the compassionate city administrators. I think the city is, is, has done tremendous work in providing shelter for the homeless. Thank you.

**Adams:** Thank you.

**Andrea Meyer:** Mayor Adams and members, andrea, legislative director for the aclu of Oregon and before I get to the free speech, two issues. I really strongly urge you to consider putting a sunset provision in this. I know when I spoke to commissioner Fritz about this, the radoslav nesterovics and laws don't have sunsets, but what that does in this case, as is important to do, it forces uncomfortable possible conversations and public accountability by bringing it back and revisiting it. Second, mayor Adams, I wanted to clarify on the information about the sidewalk cafe enforcement, as I read this, there will be an oral warning for sick months and then one written warning, and for human beings that is a lifetime warning that travels with them, and according to the sidewalk cafe enforcement, cafes will have three warnings before the enforcement every year. So, there is a big difference. And free speech. I am distressed. We are distressed at the change To removing that section six of the free speech assembly provision. I do not want to see the goods and services provision or the partnership musician partnership provision go away. But you have removed something similar, when assembled with others in the observance of expressive event, if the assemblies [inaudible], in fact, that person refuses to comply with the order of police officer to moderate the assembly on passage along the sidewalk, and therefore you are taking into account that you will have lawful free speech gatherings, or someone could be sitting up against the frontage. There is still the ability for walking and moving around, and why i'm concerned, and you may remember in 2001, when under mayor katz I got involved in the sidewalk, street and sidewalk use, and I look at the administrative rules in front of plea, and it was to maximize the safety of the street and sidewalk, and to minimize the inconvenience to the public, and disruption of public services from the street and sidewalk permits and provide the public with an opportunity to exercise the rights of expression, and that provision included the, that under 200 people gathering, particularly at spontaneous events following the traffic signals, could gather.

**Adams:** And I will let you have more time, I like that dialogue, and not just back and forth is, that was a very different ordinance. Very different ordinance we're if we didn't but the that in, it Would have raised all kinds of flags, and we can talk more about this when we're done here, but because we're allowing a place on every, on every sidewalk frontage, we took it here because it's covered in a different code of the city. Do you see it differently?

**Meyer:** Let me explain what I see the dynamic possibly happening. Which is you do, and I worked on this, and, and to your credit, aclu made a number of recommendations and you send them, and as I said last time, we used this around the city. To promote it as a successful model, but what I am worried about is the --

**Adams:** It was ruled illegal by the courts.

**Meyer:** No, the street and sidewalk use permitson that's affected by the change. The one that talks about when it's ok and the permit system and the decision you made was, you have got a permit structures, a liability and immunity and costs and it all worked really well but the provision is for under 200 on the sidewalk, you don't require a permit or have the insurance and liability that other jurisdictions put on. What that means without this new ordinance is, if there is a spontaneous gathering in downtown, you know, some event happens and people gather, and it's under 200, on the sidewalk, and one or two people of that group sit down against the frontage, so i'm not speaking of an even we're people are sitting down and blocking the sidewalk. And I don't think that, and I

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think that you are, the six. Didn't allow that anyway. I'm not speaking of in that. We're no one can get through, but if you have got this event, 125, 50, 100 people gather to protest and one or two choose to sit down against the wall to get out of the way, as people move around and stand around, and you now have given the authority for law enforcement to come in and ticket them. It may be that law enforcement in most cases will wisely choose not to do that, but it's very difficult for an organizer of that event to be worried about if someone is sitting out of the way, participating, and listening, you have removed that, and what's so workable about six in there, the previous six, was that it had the authority of law enforcement to make sure and moderate, so that if 15 of the people sat down and no one could get through, they could moderate that, but if people moved to, to the curb or the frontage, it was fixed, because your section e, then, mayor, the language you currently have about participating in the rallies and parades, that language still is written around only the permitted events, so, i'm really concerned we're losing that piece from the administrative rules.

**Adams:** But it says in compliance with street use or other applicable --

**Meyer:** Permits.

**Adams:** It doesn't say just permitted events.

**Meyer:** You don't require a permit.

**Adams:** So that's why it says --

**Meyer:** Street use or other Applicable permit. I read it as street use or other applicable permit. If they come and say, the street use --

**Adams:** Or other code. The reason we didn't get into it, you might persuade him --

**Meyer:** We thought we were on the same page, he agreed under 200 would be subject to law enforcement coming in and they probably wouldn't.

**Adams:** May I finish? We're relying on that code, the other aspect of the code that I headed up putting to go back when I was a staffer and you were very, very good to work with me on it, and we're just allowing that, but we're not trying to get into the business of that title of the code, that chapter. We're letting it do its work. We, as I understand it, back, back with that particular iteration, which is different than this one, had to put that in because we were trying to say no sit, no lie anywhere on the curb. And this is very different.

**Meyer:** For the last one but in 2001 I don't remember what scheme you had in place. I agree that the reason for subsix, last time was a different reason. But, I am worried and I still do read the street use, and I can't, I don't think you can read it otherwise, you are saying a gathering of 150, where it's not, you do not need a permit --

**Adams:** If we just reference the other section of the code, we would be fine?

**Meyer:** No.

**Adams:** The other section of the code allows for assembly without permit.

**Meyer:** Right, unless you are also going to allow as part of that the sitting against the frontage, and i'm not interested in asking to you make an exception --

**Adams:** We learned since 2001 that sitting next the wall, is that what you mean?

**Meyer:** Correct.

**Adams:** Is state law, trespassing.

**Meyer:** If you are saying it's trespassing to sit against the wall of a business, I don't know what we're doing here today to talk about an ordinance because to me, I have always understood this ordinance. The issue going on is to, is the ability to walk on the sidewalks, and I have not seen a lot of issues to be, to be around the downtown and people sitting in the middle of the sidewalk.

**Adams:** We've been told sitting, we don't enforce it unless someone complains but standing or leaning, not standing but leaning against someone's private property is trespassing.

**Meyer:** Let's assume the wall is something they are not using it make sure that we are focusing on the issue, which is that you have got 150 gathering, no permit is required on the sidewalk, and of the 150, four people for various reasons are trying to sit down to participate in this event, are not

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able to sit near the curb. And that might be we're a lot of people are moving around and it would be dangerous. They would then choose to sit towards of the wall, towards the frontage. The front angle be I thought that was the language, to be out of the way. They would be unprotected and they would be subject to, to a warning, a written warning and a violation. Not trying to disrupt.

**Adams:** I don't agree with you but we'll have david come up and give his point of view. Did you have other things you wanted to say?

**Meyer:** I think that more than covers it and I appreciate the time to dialogue about this.

**Fish:** We always appreciate your point of view on this.

**Meyer:** I hope you will consider it, and I know you don't want to bring it up. You don't get to repeat yourself.

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

**Adams:** Who else signed up? Thanks for waiting.

**Wyatt McMinn:** No problem. I am wyatt, and I am a union painter, and I work a lot downtown. I paint most of the high buildings that we have got. And maybe this is just like the way, I think this is horrible all together but the way that it could affect working people, is I don't have a clean place to eat and I can't afford \$10 a day to get a cheeseburger from one of the fabulous cafes. Even a cup of coffee at starbucks. Me and my crew have kicked out, we have nowhere to go for lunch, and we are not allowed to sit down. And just like trying to look at it a different way and, and how is that going to affect like people who don't, who, who, you know, don't have, have an office or have like, you know, a truck to sit in or anything like that at all and they want to take a break? I think it's very offensive, actually, like that. We hang off the tops of 20-foot buildings and at lunchtime, you know, we have to ask for permission. We can't lean against the wall, and I think it's disgusting classes, and if it's not disgusting classes, what is it for, you know? You can't sit against the wall and lean out my legs. It doesn't make any sense or we can sit in the gutter, and, and, you know, for an hour or whatever the break is over, so I think that it's, it's a terrible ordinance and, and I don't know, you know, how it affects people who, you know, who don't have a place to eat lunch for an hour, you know. So, that's all I have got to say, thanks.

**Adams:** Appreciate it. David, anything? Anything, anything by way of, of the, or any questions from council? Anything on the exchange with miss meyer? That you would suggest to be changed? Based on that exchange?

**David Woboril, Sr. Deputy City Attorney:** Let me lay out our understanding of what this code would do. First, it would not impact the ability to assemble on doesn't Address it at all. Clearly I was sitting outside of the zone during the assembly. The question for you is, should a right to sit on the sidewalk in the pedestrian use zone automatically attach to an assembly? Should a right to sit in the assembly use zone be there when there is an assembly? The old version because there is no sitting, council felt the need to automatically allow sitting. You have a considerable amount of the sidewalk available for sitting, and my sense from you is, is you are not concerned about the availability of sitting. As you were before, and you have made it available by permit. There is no permit required below 200, but certainly, the code anticipates that anyone with any assembly at any size that wishes, in fact, to sit in the pedestrian use zone can apply to the bureau of transportation or the licensing bureau, the various bureaus involved in these decisions, and ask the city for that permission. So, what you have done is you have, like crafting the code as you have, you have allowed considerable sitting, in a typically face, and there are other provisions in other parts of the code that would allow sitting even in the pedestrian use zone upon application.

**Adams:** You are fine with the way it's written.

**Woboril:** We think that this is well within the reasonable time, place, and manner authority, Yes.

**Adams:** Thanks.

**Woboril:** Sure.

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**Adams:** Is commissioner Saltzman on the line? Ok. We have a quorum. The quorum is three of five, sir.

\*\*\*\*\*: Where's the third?

\*\*\*\*\*: Am I invisible? Am I invisible?

**Adams:** Sir. We have plenty of lawyers here advising us on what is a legal meeting so I appreciate your question, but we're not going to engage in a cross room banter. You have had a chance to testify. You had a chance to testify. [gavel pounded] Are we ready? Unless there is any concerns, objections from council, commissioner Saltzman will be voting by phone. Sue, please call the roll.

**Saltzman:** Aye.

**Fritz:** Thank you all for being engaged in this. I think that this is a reasonable ordinance, and I didn't think the previous one was reasonable. I don't think that managing the sidewalks we're you can be on foot and we're you can be sitting is unreasonable. As I said, I think it's like dividing the street to where you can park and driver. And we're you can ride a bike. And I appreciate the concerns. What this does, and let's be very clear, this legalizes the right for anybody to sit, lie, Stand, pan ham, do whatever they want on part of every sidewalk downtown except we're there is a safety concern because the sidewalks are not wide enough. So it doesn't allow the police to move people on. If they are sitting in the place we're they are allowed to sit, they can be there as long as they want and they can do whatever they want. I understand that there is a lot more, actually, you have to go. I know that there are many other points that we need to work on and we are committed to working on them. We need to be very careful about equal enforcement, and particularly, between people on sidewalk cafes and garbage cans and other things that walk the, that block the sidewalk am we need to, we need bikes on sidewalks and the dangers of that and skateboards to pedestrians, and looking at selling crafts on sidewalks and other street performers. We need, we are working on controlling dogs and looking at the rights of those who use guide dogs as well as those who sues other devices. And of course, the need to help those on the sidewalk because they have anywhere else to go, and don't doubt this council is committed to that, and I believe this ordinance does give people who have nowhere else to go a place we're they are, they have the right to believe. So in closing, I would like to read from the message I got this morning from the julia west house. We support the adoption of the sidewalk management ordinance, So do many of our guests, and it seems most reasonable to us that a portion of the sidewalk has been maintained as pedestrian thoroughfares, and keeping the sidewalks usable for everyone is necessary if we want to maintain livability and access to services and businesses for everyone. The proposed ordinance does not seem harsh or unreasonable to us, nor z. Does it target or criminalize homeless or low income residents of the city. The sidewalks need to be opened for everyone to pass. And the sidewalk management ordinance will help us to be good neighbors. That's from people who are, who have been demonstrating to care about people who live outside. I care about people living outside, and I will continue to work on this with the management advisory committee, and thank you all for those who participated in this, and we'll continue to watch and make sure it work the way that we hope it will. Aye.

**Fish:** Thank you, we slipped out a bit but first I want to thank everyone who participated in this debate, at all the hearings, including today, and I want to assure someone who raised the question of whether we are listening to the testimony and trying to, to sincerely engage the issue, and I can tell you that I believe that all my colleagues are doing so. And I have considered carefully all the points of view and I have had a chance to hear from many of you both in the public Forums and private daigle dialogues. And I believe that, that this proposal is a common sense and balanced ordinance to regulate competing uses on public sidewalks. And I thought that it was important to hear from my friends at sisters about the efforts that, frankly, they are making voluntarily in front of their own space to try to bring some order to competing uses. And I take that to be a sincere effort.

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To, to regulate competing uses done by people at the, with the best of intentions, and I believe that this is a sincere effort to regulate competing uses done with the best of intentions. And the fact that commissioner Fritz and the mayor have taken the lead on this, gives me additional confidence that the intention is just. Now, i'm a housing commissioner for the city of Portland, so for me, I have a particular concern about the arguments, and the question is why are we talking about homelessness and housing, we're talking about it because some of the arguments have been raids against this address those issues, so I would say it will be disrespectful not to engage those issues since they have been used as primary rational to ask us to vote against them. So, there has been a lot of discussion about the first amendment impact of this ordinance, and I don't think that there is anyone on this council that has staked out a claim on the first amendment and implications in public spaces [inaudible] than randy Leonard, and the concerns that he has raised and have been brought before us have been, incorporated into this ordinance to make it stronger. An issue has been raised about this ordinance targeting one class of people. I would not be a party to any ordinance which targets any group, including the homeless. I spent over 20 years as a civil rights lawyer, and most of my adult life as a housing toutle riverrist, and I would never be a party to anything which I thought intentionally targeted any group. Some referred to this as sit lie two. I was in the courtroom when the judge laid out his rational and gave us a treatise on the applicable law, and as I said to a number of people coming out, of that meeting, I would not support any son of sit lie. Sit lie sunset. This is not sit lie two, three, four, or five. To call it sit lie is to, I think, try to shift the focus from what this does explicitly and intended to do, and I understand the argument behind that but I disagree. With the characterization, this is not son of sit lie, one issue of great concern to me is the idea that has been advanced by many of you. That the enforcement of this would criminalize homelessness. And how could I assess the point person for the city dedicated to ending homelessness be a party to criminalizing homelessness? I have spent most of my adult life looking for creative ways To end it. I do not believe this is about homelessness one way or another. I'll come to that in a moment. But I would hope if people listen to the assistant district attorney and to our council and read this fairly, there is not only no intent to criminalize homelessness but no way that this could be construed or en,ed in a way to criminalize homelessness. And to those who have said, and many of my friends have said this, we would prefer you use the club of the criminal statute to regulate your sidewalks, I say, that is turning logic on its head. And to tell me that the only way that we can regular uses on a sidewalk is to use a criminal statute is tantamount to saying the only way that we can regulate free flow of traffic on the highway is to use a criminal statute, and I done understand the logic of that argument. As many of you know, I have taken the lead on camping in this city and staked out a position that has not won me a lot of friends or admirers in any community because I believe that we have to get to the root causes of camping and I am deeply troubled by the current laws that we are applying. This ordinance covers the period between seven and nine, and whatever our views, of any that we have on camping, enforcement of this ordinance does not, does not spill over and cover the hours when people would normally be sleeping. And because this issue has come up time and time again about the root causes that bring us to the Cause of ending homelessness and dressing, affordable housing, I would be remiss if I didn't say that I share the sense of urgency that everyone here has expressed about, about ending homelessness, about providing affordable housing for families, and, and low income people in our community, and for ending the injustice of too many people that have no safe and decent place to call home. That's why we have an ambitious act with our delegation to increase funding, and that's why I believe the trust fund, needs to be funded, and that's why I believe we need a hope 6 grant to reviolationsize the existing housing, and that's why I am fighting for more section 8 vouchers, why i'm trying to end discrimination that applies to section eight voucher holders and why I am going to fight like hell over the next couple of years to get a dedicated source of funding for housing. And that's why I and my colleagues have worked with the mayor to maintain adequate levels of funding for housing during a down economy when there are

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many other claims on our dollars, but this being the second year when we have to make some tough tradeoffs, and I am ever optimistic that when the mayor makes his announcement tomorrow at 10:00 on the budget, once again, he has courage to put housing at the forefront of the priorities at a time when we are forced to cut other programs. So, I concur with all my friends about the causes of homelessness and the unhoused and the great inequities in our society that have led so many to be put into precarious positions, but I think that we, as a city, have not only the right but the duty to come up with common sense rules for regulating our sidewalks, as long as they are constitutional and while I will not pass on that question, I am satisfied that this is constitutional, and, and if someone wants to challenge it in court, as with prior efforts, I will live with the rulings the court makes and, and so on the matter before us, I have given great thought to this, and I have had a chance to hear many voices, and I have concluded that, that, that it fairly and constitutionally addresses something which is the city's duty, in my opinion, to address, which is competing uses on the sidewalk, and therefore, I vote aye.

**Adams:** Well, my colleagues have said it far better as usual than I can. I really do appreciate the testimony over the past, ever since we, we began discussing the draft ordinance would be, what last, last august, a year ago in august. Last august. And in the last six weeks, as we looked at this draft, this is a very difficult issue. This is one of the hardest issues to manage of any city, anywhere, and we have listened to all of you, and we have chosen to take what I think is, is a balanced approach, but we have look at, for insight even in the extreme views of both sides. Of this issue. And, and we have got a lot more Work to do. But, our job is to fairly manage the public realm. And that's what we're attempting to do here. Aye. [gavel pounded]

**Adams:** Council is adjourned. [gavel pounded]

At 5:17 p.m., Council adjourned.