



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 5TH DAY OF SEPTEMBER, 2012 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5. Commissioner Saltzman presided 9:30 a.m. – 9:55 a.m.

Commissioner Fish arrived at 9:32 a.m.
Mayor Adams arrived at 9:55 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ben Walters, Chief Deputy City Attorney, Roland Iparraguirre, Deputy City Attorney at 1:00 p.m.; and Steve Peterson, Sergeant at Arms and Harry Jackson, Sergeant at Arms at 12:30 p.m.

The meeting recessed at 10:20 a.m. and reconvened at 10:27 a.m.
The meeting recessed at 11:53 a.m. and reconvened at 12:04 p.m.
The meeting recessed at 1:31 p.m. and reconvened at 1:41 p.m.
The meeting recessed at 2:14 p.m. and reconvened at 2:29 p.m.

Item No. 988 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
972	Request of Crystal Elinski to address Council regarding pollution in our environment (Communication)	PLACED ON FILE
973	Request of Shedrick Wilkins to address Council regarding no coal trains for Oregon (Communication)	PLACED ON FILE
974	Request of Frank Zdybel to address Council regarding towing of vehicles with animals inside (Communication)	PLACED ON FILE
975	Request of Kylie Menagh-Johnson to address Council regarding fluoridation (Communication)	PLACED ON FILE
976	Request of Chris Allen to address Council regarding fluoridation (Communication)	PLACED ON FILE
TIMES CERTAIN		

September 5, 2012

<p>*S-977 TIME CERTAIN: 9:30 AM – Amend Code to prohibit the use of skateboards or other similar devices in the neighborhoods surrounding Washington Park between the hours of 10 P.M. and 7 A.M. (Previous Agenda 751; Ordinance introduced by Commissioner Leonard; amend Code Section 16.70.410) 45 minutes requested</p> <p>Motion to accept substitute ordinance: Moved by Commissioner Fish and seconded by Commissioner Fritz. (Y-5)</p> <p>Motion to add emergency clause: Moved by Mayor Adams and seconded by Commissioner Leonard. (Y-5)</p> <p>(Y-5)</p>	<p>SUBSTITUTE 185596 AS AMENDED</p>
<p>978 TIME CERTAIN: 10:15 AM – Accept Model Community Benefits Agreement and direct staff to utilize as a basis for negotiating such agreements on appropriate large scale public works projects (Resolution introduced by Mayor Adams) 1 hour requested</p> <p>(Y-5)</p>	<p>36954</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Sam Adams</p> <p>979 Reappoint Beverly Wilkinson to the Civil Service Board for a term to expire September 8, 2015 (Report)</p> <p>(Y-4; Adams absent)</p>	
<p>*980 Authorize a grant agreement with Resolutions Northwest, Inc. for \$26,897 for the Restorative Justice Program to reduce suspensions and expulsions and keep students connected and engaged in school (Ordinance)</p> <p>(Y-4; Adams absent)</p>	<p>185584</p>
<p style="text-align: center;">Bureau of Emergency Management</p>	
<p>*981 Amend an Intergovernmental Agreement with Washington County for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant awards (Ordinance; amend Contract No. 30002298)</p> <p>(Y-4; Adams absent)</p>	<p>185585</p>
<p>*982 Amend an Intergovernmental Agreement with TriMet for the distribution of equipment, supplies and services procured as a result of Urban Areas Security Initiative Grant awards (Ordinance; amend Contract No. 53129)</p> <p>(Y-4; Adams absent)</p>	<p>185586</p>
<p>*983 Authorize a contract with Geo-Comm, Inc for Interoperable Communications Strategic Plans Update and Public Safety Answering Point Feasibility Study for a total not-to-exceed amount of \$274,100 (Ordinance; Contract No. 30002847)</p> <p>(Y-4; Adams absent)</p>	<p>185587</p>

September 5, 2012

<p>*984 Authorize application to the Oregon Military Department, Office of Emergency Management for a grant in the amount of \$48,707 for the sustainment of a Community Emergency Notification System (Ordinance) (Y-4; Adams absent)</p>	<p>185588</p>
<p>Bureau of Planning & Sustainability</p>	
<p>*985 Approve annexation to the City of property within the boundaries of the City's Urban Services Boundary in case number A-2-12, on the south edge of the City on the north edge of SW Vacuna St, south of SW Palatine Hill Rd, west of SW Military Rd and east of Terwilliger Blvd (Ordinance) (Y-4; Adams absent)</p>	<p>185589</p>
<p>Bureau of Police</p>	
<p>*986 Accept and appropriate a grant in the amount of \$49,675 from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice for the FY 2012 Paul Coverdell Forensic Science Improvement Grants Program for approved digital imaging project expenses (Ordinance) (Y-4; Adams absent)</p>	<p>185590</p>
<p>Bureau of Transportation</p>	
<p>*987 Authorize a contract with the lowest responsible bidder for the Division St Reconstruction Project: SE 6th–Cesar Chavez Blvd (Ordinance) (Y-4; Adams absent)</p>	<p>185591</p>
<p>*988 Amend Intergovernmental Agreement with TriMet to modify construction scope transfers between SW Moody Ave Improvement Project, SW Harbor Dr / SW River Pkwy Project and Portland-Milwaukie Light Rail Project (Ordinance; amend Contract No. 30002351)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>Commissioner Dan Saltzman Position No. 3</p>	
<p>Bureau of Environmental Services</p>	
<p>989 Authorize a contract and provide for payment for the construction of the Overlook Sewer Replacement Project No. E10261 (Ordinance)</p>	<p>PASSED TO SECOND READING SEPTEMBER 12, 2012 AT 9:30 AM</p>
<p>990 Authorize a contract and provide payment for construction of the South Airport Basin Phase 4 Pump Stations and NE 47th Ave Frontage Improvements Project No. E06790 (Second Reading Agenda 954) (Y-4; Adams absent)</p>	<p>185592</p>
<p>991 Authorize a contract and provide for payment for the construction of the NE Klickitat Neighborhood Greenway Project No. E10126 (Second Reading Agenda 955) (Y-4; Adams absent)</p>	<p>185593</p>

September 5, 2012

**Commissioner Randy Leonard
Position No. 4**

Portland Fire & Rescue

***992** Pay award ordered by the Employment Relations Board in Portland Fire Fighters' Association v. City of Portland (UP-013-10), pending review by the Oregon Court of Appeals (Ordinance)

(Y-4; Adams absent)

185594

***993** Authorize the donation of three used LifePak 12 external defibrillators, one each to Vancouver Fire Department, Colton Fire District #70 and Scappoose Rural Fire District (Ordinance)

(Y-4; Adams absent)

185595

Water Bureau

994 Renew an agreement for Mutual Aid and Assistance for the Provision of Emergency Services Related to Water and Wastewater Utilities (Ordinance)

**PASSED TO
SECOND READING
SEPTEMBER 12, 2012
AT 9:30 AM**

REGULAR AGENDA

Mayor Sam Adams

Bureau of Planning & Sustainability

995 Amend Portland's Comprehensive Plan Map and Zoning Map for properties along and near the Cully Commercial Corridor (Second Reading Agenda 969; amend Title 33, Comprehensive Plan Map)

Motion to amend map designations for four parcels at the SW corner of NE Killingsworth St and 60th Ave from R5 to CN1: Moved by Commissioner Fish and seconded by Commissioner Saltzman. (Y-5)

**PASSED TO
SECOND READING
AS AMENDED
SEPTEMBER 12, 2012
AT 9:30 AM**

Bureau of Police

996 Allow Portland Police Bureau to accept gifts from organizations to fund emergency services for survivors of domestic violence or human trafficking or other uniquely vulnerable individuals in immediate need of emergency help (Second Reading Agenda 963)

(Y-5)

185597

Office of Management and Finance

997 Accept Guaranteed Maximum Price of \$57,250,000 from Hoffman Construction Company of Oregon for the construction of the Kelly Butte Reservoir Project (Procurement Report - RFP No. 111848) 10 minutes requested

Motion to accept report: Moved by Commissioner Leonard and seconded by Commissioner Fish.

(Y-4; N-1 Fritz)

**ACCEPTED
PREPARE
CONTRACT**

<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3</p> <p style="text-align: center;">Bureau of Environmental Services</p> <p>998 Assess benefited properties for sanitary sewer improvements in the Royal Highlands Phase II Local Improvement District (Second Reading 967; C-10033) (Y-5)</p>	185598
<p style="text-align: center;">Commissioner Nick Fish Position No. 2</p> <p style="text-align: center;">Portland Housing Bureau</p> <p>999 Terminate Tax Exemptions for properties under the Single-Family New Construction and Residential Rehabilitation, Transit Oriented Development and New Multiple-Unit Housing Limited Tax Programs (Resolution) (Y-5)</p>	36955
<p style="text-align: center;">City Auditor LaVonne Griffin-Valade</p> <p>1000 Assess property for sidewalk repair by the Bureau of Maintenance (Second Reading Agenda 968; Y1078) (Y-5)</p>	185599
<p style="text-align: center;">FOUR-FIFTHS AGENDA</p> <p style="text-align: center;">Mayor Adams</p> <p style="text-align: center;">Office of Management and Finance</p> <p>*1000-1 Ratify a Settlement Agreement and Memorandum of Understanding between the City on behalf of the Portland Police Bureau and the Portland Police Association that fully resolves and settles grievances regarding coach's pay, shift differential pay and the VCAD system (Ordinance) (Y-5)</p>	185600
<p>*1000-2 Ratify a Letter of Agreement between the City on behalf of the Bureau of Transportation Parking Enforcement Division and the American Federation of State, County and Municipal Employees, Local 189 with regard to Scheduling Parking Enforcement Officers on the Day after Thanksgiving (Ordinance) (Y-5)</p>	185601
<p>*1000-3 Ratify a Letter of Agreement between the City on behalf of the Bureau of Transportation Parking Enforcement Division and the American Federation of State, County and Municipal Employees, Local 189 with regard to Holiday Pay for Parking Code Enforcement Officers (Ordinance) (Y-5)</p>	185602

September 5, 2012

<u>WEDNESDAY, 2:00 PM, SEPTEMBER 5, 2012</u>	
THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5.	
1001 TIME CERTAIN: 2:00 PM – Adopt new supporting documents for an update of Portland’s Comprehensive Plan (Ordinance introduced by Mayor Adams) 1 hour requested	PASSED TO SECOND READING SEPTEMBER 19, 2012 AT 9:30 AM
S-1002 TIME CERTAIN: 3:00 PM – Establish rates for stormwater management services in the areas of the City served by Multnomah County Drainage District No. 1, Peninsula Drainage District No. 1 and Peninsula Drainage District No. 2 and commence direct billings (Ordinance introduced by Commissioner Saltzman) 90 minutes requested Motion to amend directives to begin billing in July: Moved by Commissioner Fish and seconded by Commissioner Leonard. (Y-4; 1-N Saltzman) Motion to accept substitute ordinance as amended: Moved by Commissioner Saltzman and seconded by Commissioner Fish. (Y-5)	SUBSTITUTE PASSED TO SECOND READING AS AMENDED SEPTEMBER 12, 2012 AT 9:30 AM

At 4:30 p.m., Council recessed.

September 6, 2012

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6TH DAY OF SEPTEMBER, 2012 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Adams, Presiding; Commissioners Fish, Fritz, Leonard and Saltzman, 5. Commissioner Fish left at 5:00 p.m. Mayor Adams left at 7:00 p.m. and returned at 7:37 p.m.; Commissioner Saltzman presided.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Roland Iparraguirre, Deputy City Attorney and at 4:00 p.m., Ian Leitheiser; and Wayne Dykes, Sergeant at Arms.

Due to TV broadcast technical difficulties, the meeting recessed at 2:23 p.m. and reconvened at 2:43 p.m.

The meeting recessed at 5:00 p.m. and reconvened at 5:10 p.m.
The meeting recessed at 6:10 p.m. and reconvened at 6:17 p.m.

<p>1003 TIME CERTAIN: 2:00 PM – Authorize and direct the Portland Water Bureau to fluoridate the City of Portland’s public drinking water supply to the optimal levels beneficial to reduce tooth decay and promote good oral health as recommended by the Oregon Health Authority (Ordinance introduced by Commissioner Leonard and Fish) 4 hours requested</p>	<p>Disposition:</p> <p>PASSED TO SECOND READING SEPTEMBER 12, 2012 AT 9:30 AM</p>
---	---

At 8:35 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

September 5, 2012

Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

SEPTEMBER 5, 2012 9:30 AM

Saltzman: Council come to order. [roll taken]

Saltzman: Ok. Well, actually, before we call the roll we should -- we're going to do a proclamation for reach community development. And hopefully, that's commissioner Fish coming through the door. It's not. We're going to go ahead and recognize and welcome Oregon's -- oh, ok. Mr. Fish, you have a proclamation.

Fish: Yes. I apologize for being late. It is dee Walsh and the team. If you could come forward in we are honor to have our friends and partners from reach cdc, which is celebrating its 30th anniversary this year. And as my colleagues know, they are the, also the developers of the new gray's landing in south waterfront, which will be one of the most important addition to our affordable housing inventory. The first development that has specific focus on the needs of our homeless veterans. And, and will, once this building goes online, will meet 50% of the commitment that we have made in south waterfront to affordable housing in the First phase. So, we're going to recognize you, dee but first I would like to read the proclamation. We'll give you the original and ask you to say a few words. Whereas september 2012 marks the 30th anniversary of reach community development, inc., and whereas reach recognizes that a healthy community begins at home, and works to provide quality, affordable homes for individuals and families, and whereas since 1982, reach has pioneer affordable housing development and resident programs to meet our collective housing and community development needs, and whereas reach has gained local, state, and national acclaim for innovation and responsiveness to difficult urban issues, including awards such as the bank of america neighborhood builder award and the metlife foundation award for excellence and affordable housing. And whereas reach owns and operates 1600 attractive and high quality homes throughout the Portland metro area, providing a safe home for 1700 Oregonians. And whereas, reach has helped 2,600 senior homeowners with vital fire, life, health, and safety, home repairs through its community builder's program. And whereas reach is guided by a core set of values, including sustainability, innovation, integrity, inclusion, collaboration, and excellence. And whereas reach is poise to make a greater impact on the Portland metro region in coming years by setting ambitious goals to increase the production Quality, affordable, environmentally friendly homes where residents can learn skills, gain financial independence, and enjoy a strong sense of community. Now, therefore i, and I am speaking for the mayor, sam Adams, mayor of the city of Portland, Oregon, the city of rose, do hereby proceed claim september 5, 2012, to be a day of celebration for the 30th anniversary of reach community development in Portland, a celebration of reach community development in honor 30 years of exemplary service and commitment to the public to provide safe, quality, and attractive homes to hard working people, and families in our community. Dee, congratulations. [applause]

Dee Walsh: Thank you, thank you, commissioner, and council. It's a pleasure to be here and to be recognized on behalf of reach. In looking back at our 30 years, which I have only been there 24, I think that that, it's not a city bureau that we have not worked with to cleave our mission, and it's that kind true partnership that makes our work possible. And also, we've been very lucky because the city of Portland has such a positive supportive policy for affordable housing, not every community

September 5, 2012

has that. And when we plan something, and talk to the community, the city council always supportive with the resource there is a we need, so I want to thank you for your support, and look forward to another great 30 years for reach. Thank you.

Fish: And we'll be having a celebration in city hall. Do you want to say something about that?

Walsh: There will be a reception tomorrow afternoon starting at five downstairs, and we close city hall as our place to celebrate just because without our partnership with the city, we would not be where we are today.

Fish: Congratulations, and let me give you the original proclamation.

Saltzman: Congratulations. So, next we would like to recognize and welcome Oregon's partners of the americas. And is there diego, miss graham and miss mcdonald, if you can take a seat. Partners of the americas was created in the mid 1960s when the john f. Kennedy administration called on states to partner with central and south american countries to foster better international relationships through intercultural projects and friendships. Partners is an all-volunteer organization with international headquarters in Washington. Our Oregon chapter of partners is approaching the 50th anniversary of successful adult and high school exchanges and volunteer teacher programs. This saturday, september 8, from 10:00 to 8:00, Portland is celebrating the two-year heart-to-heart artist exchange with a free visual arts and culture commission, sponsor community exhibition in director park. There will be live music and Family-friendly activity. So today we are honor to welcome juan diego, costa rica ambassador and curator of the cultural center. His visit has been sponsored by the united states department, u.s. State department through partners of the americas at the request of partner's president karen graham and partner's art project director marilyn mcdonald. We are fortunate to have them with us today. Thank you. Welcome. And would you like to make a comment? Or marilyn or kathyn?

Juan Diego Roldan: Well, first of all, I would like to say thank you. I have to say that, that is wonderful time that i've been having here in Portland. And I am so amazed of the wonderful city. They are to aware about nature. To be part city that makes people proud. And in costa rica from where I come from, we are proud about the nature, the environment. We have no army, so I felt like, like as if I were home, and I hope to come back soon, I guess. But I would like to say thank you to the partners america. I know the people sitting right here with me because they believe in the work that we do in costa rica. And my ideas with our work, between these two communities, san jose, my capital, and also Portland. And in the future, I hope to see more art experience here and also to see more foreign experience in my country. I congratulate you for your ideas and keeping it safe and beautiful.

Saltzman: Thank you very much, and beautiful.

****: Thank you very much. And do come to director park.

*****: Director park on saturday, september 8.

*****: I'll give you information.

Saltzman: Thank you very much. Ok, now we'll move to communications. Item 972, if you could read that.

Item 972.

Saltzman: Miss elinski? Maybe she's going to show up in a few minutes. Why don't we move onto 974.

Moore-Love: 973?

Saltzman: 973.

Item 973.

Saltzman: Wilkins. Ok. Let's move on to 974.

Item 974.

Moore-Love: He inform us he's not able to make it.

Saltzman: Ok. We'll go to the last communications. I'm sorry, second to last, 975.

September 5, 2012

Item 975.

Saltzman: Welcome, you can state your name. And if you are representing an organization, please state that affiliation, and then you have three minutes. The clock is right in front of you.

Kyle Menagh-Johnson: Thank you. Good morning, commissioners. My name is kylie menagh-johnson. I am representing the everyone deserves healthy teeth coalition. I am a Portland parent and an educator. Over the past ten years I worked On a lot of issues that affect oral health, including smoke-free bars and getting junk food out of schools and soda out of schools. I love Portland. And I love my kids. It is my daughter's first day of kindergarten -- or first grade this morning. I struggle to do everything I can to keep them healthy. That's why I support water fluoridation because I know that it will make our community a healthier place to raise children and for all of us to grow older. As a long-time public health advocate i've been working and volunteering with the everyone deserves healthy teeth coalition. It is a broad-based and truly represents the community. Members include over 75 local organizations from the education, health, and social justice fields. Many of the coalition members deal with the dental health crisis every day. I have heard horrible stories about young children where their teeth rot down to their gums. Or had to go undergo general anesthesia to get their teeth pulled. I have heard about the amazing work done by volunteers, nurses, teachers, and dentists to try to get help for the children who are in need. I have learned that dental emergencies are a leading cause of preventable emergency room visits, and that the safety net programs are all just simply overwhelmed. Many people are working hard to Help these kids. But we all agree that it will never be enough until we invest in the most basic, preventative health service of all. Water fluoridation. Coalition members will be sharing many of these stories with you tomorrow at the hearing. You will also hear plenty of misinformation about fluoridation. But I can assure you, I looked at the research myself. Thick. And as a parent, it was very reassuring to see that the only documented information from water fluoridation is fewer cavity. And an ounce of prevention is worth a pound of cure. That is why we encourage you to adopt community water fluoridation. It has been proven to be safe and effective, with over 3,000 studies, and over 65 years experience. It will reduce tooth decay by at least 25% in both adults and children. And it will especially help the most vulnerable among us. It is the most equitable solution. It is also the most cost effective solution. As a community, we can easily afford if, but we cannot afford to let the dental health crisis to continue. I love this city. And I am so happy to be raising my children here. Water fluoridation will make this an even better place for families and really, for all of us. Thank you.

Saltzman: Thank you very much. Our last communication, 976.

Item 976.

Saltzman: Welcome, mr. Allen.

*****: Thank you.

*****: If you could just state your name for the record.

Chris Allen: Chris allen, and I am representing myself today.

Saltzman: Ok. You have three minutes.

Allen: Fluoride. Yes, it occurs naturally. Know what they are wanting to add to our water supply. Little not naturally occurring, and there is no one running around mining fluoride from the mother earth with the intent of fixing the poor children's teeth. Unfortunately, most of the fluoride they are wanting to dump in the water is an industrial waste product with a higher toxicity rating than lead. When faced with the responsibility of disposing of it properly, industry has instead decided to hire a p.r. Firm and pay off a few experts to convince the public it is good for their teeth. Of course, making sure to include "children" and "poor" as much as possible in every propaganda piece. The spin tactics are used up to this day. We get it, health, children, poor, teeth, got it. If it's so good for everyone's teeth, especially the poor children's teeth, why do they want us to wash our cars and water our lawns and flush our toilets with it? Dental care is expensive, last time I checked. I know

September 5, 2012

we can be more efficient than that in our gray to green city. And why is it someone's whose job it is to represent people to put someone in office is neglecting to follow tradition and protocol to hear out their constituent on a controversial issue, but instead, is trying to play doctor, and without one prescription being filled, no questions asked regarding couldn't indicate, not even an over the phone consultation, seeks to mask it without consent. Does the awareness campaign have plans to inform us that the cdc issue an alert warning parents not use fluoridated water or how to determine how much is enough for an adult or too much for a child? How about individuals who are especially at risk? People: Stop trying to take seriously the childish argument that says, but everyone else did it, so we should do it, too. John f. Kennedy warned us of that quote. Conformity is the jailer freedom and the enemy of growth. We don't need to feel too special. 90% of the people on that continent of europe do not fluoridate their water supply. The two main reasons being given are that it's unethical to medicate people without their consent, and that the benefits don't outweigh the risks in mass medicate people with the drug. You see, the whole pro fluoride versus none argument is hardly worth spending time on. I don't need to tell you about the codes or various supreme decisions regarding medications. Here's the reality -- every human being has certain human rights, one of them is the right to consent to being medicated. Nobody on the Portland city council has the authority to take that right away from anyone. If you want to go to medical school, acquire a doctor's license, and after becoming my physician prescribe me fluoride that I agree to take, great. Until then, cease all attempts to allow the fluoridation of the water supply. Otherwise, you will be sending a clear and official message to the people of Portland, Oregon, usa and beyond that you are incompetent and or corrupt and need to be dealt with accordingly. Thank you.

*****: Thank you.

*****: Thank you. [applause]

Saltzman: Ok, let's move to the consent calendar. Does anybody wish to have an item removed from the consent calendar?

Moore-Love: The mayor's office offers ands for 988 to be pulled, and they want that to, to be referred back to their office.

Saltzman: Ok. Without objection, that will happen.

Moore-Love: Should I read the title?

Saltzman: Read the title.

Saltzman: Ok, return to the mayor's office. Please call the roll on the consent agenda.

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

Saltzman: Aye. Ok. That brings us to our time certain. Item 977. If you could please read the title, Karla.

Item 977.

Saltzman: Commissioner Leonard.

Leonard: Thank you. President Saltzman and members of the council, back on June 21 we had a hearing here on an ordinance that I introduced that would have, have banned skateboarding on specific route in the southwest hills, and as a part of that discussion, it became clear to me, it became clear to me over the prior few days that we're beginning to have meaningful discussions between members of the skateboard community and members of the neighborhood association. So, on June 21, I asked that we postpone until today, which is June 21, being the first day of summer, and we're about two weeks from the end of summer, so these folks spent the entire summer actively discussing, meeting, looking for alternatives. The police bureau stepped up and did an increase enforcement. Adopted city-wide standards in terms of skateboard use on public streets. A lot of really good things have happened. And, and at this point, what I would like to do is, is have, have, have my, my administrative assistant, Stu, who spearheaded this work group, and kept people talking, and reached out to different groups that he thought might be pulling away. Brought them

September 5, 2012

back to the table, and forwarded what I consider to be very balanced, thoughtful, and excellent consensus proposal that you are going to hear more about from stu. Stu.

Stu Oishi, Commissioner Leonard's Office: Thank you. Good morning, commissioners.

Following commissioner Leonard here, I want to say that I appreciated hearing the testimony that I heard when we first brought this, this new, brought this new language to council.

Leonard: Could you pull that right in front of you? There you go.

Oishi: There we go. How is that?

Leonard: Better.

Oishi: And moving forward, it was, it was difficult when we were -- or I was hearing from two bureaus that there could be a better approach than fullout ban on, on the arlington heights neighborhood. But, pushing that, we could possible create a worse atmosphere. Create more skaters with this. The important thing, a little enforcement mechanism to, to, to fight these skateboarders, or rogue skateboarders. After the meeting, the skateboard committee met four times. Plus, a neighborhood meeting, which the association kindly let the bureaus at the committee to speak. And the interesting thing when everyone was in a group at these meetings, is, you know, there was a common bond. There was -- everyone safety Concerns. Everyone enforcement concerns. And even the skateboarders saying hey, yes, we could use more enforcement. We need to, to be able to cite these folks that are giving us a bad name, or the, the rightful long boarders that take the road. And of course, the livability issue. Everyone is concerned with, you know, ok. We need to have some structure and respect to the neighborhood. And so, in hearing this, trying to figure out, you know, where is the balance between the full on, let's ban it all, and we need to work together and have a consensus on how we can keep skateboarding. The skateboarding spirit here in Portland. And so, three weeks ago, at the arlington heights neighborhood, I thought this was a great breakthrough, and again, I appreciate the neighborhood extending the invitation for the police bureau, the transportation, and even the, the long boarders who participated. At that time, the l.a. Times had the story about, about the city council putting the -- quitting the skateboard regulations. That seemed to fall in place like yeah, we can address skateboarding regulations. But in this meeting, there was a coming together as far as an acceptance of, skateboarders saying, hey, you know, we don't need to skate after 10:00 at night. So, wow. That's breakthrough. I'm going to write this down. We have ideas from news from other cities about skateboarding regulations. Things, things started to click at that point. I made it, made a draft to update what was proposed initially. Sent it out to the committee, and said here. Here's what I think. I need your thoughts. Let's make this work. The underlying agenda item on this ordinance was hey, we have a, a ban in the, in the streets. In the neighborhood that the arlington heights neighborhood are concerned about. But we're putting a time constriction on this. From 10:00 at night to 7:00 in the morning, absolutely no skating. That is the underlying statement of the, of the, of the language. If council decides to, to pass this, this replacement code, and this is not a, a done project at this point. This is just getting started, you know. What this is doing, is putting the tools that the police force needed to, to cite the rogue skateboarders on the streets properly. We have that. We have a good understanding of the commitment of the resident long boarders. J.p. And billy, that they continue to educate their peers. Their skateboarders that hey, you know, they know the value of, of the neighborhood and what, what it means to their sport and to continue that. So, they did not want to lose This. They are practicing safety issues online. They are educating the best that they can. And so I am saying, we have the things in place to make in work. With all that combined, we're, we're thinking that the overall ability, not necessarily in arlington heights, but again, with this new replacement code, it's covering regular skateboard regulations throughout the city. So, so, we have kind of a check in balances. We see bad behavior on the road by skateboarders. We have the tools to pull them over, and hopefully, this will educate the skaters that we're watching. We're checking them. Moving forward, the -- we will hopefully see consistent enforcement by the police. The

September 5, 2012

continue self policing of the skateboarders and skating responsible. And kind of the, the overall goal may be eventually seeing a state vehicle code that validates the skateboarding. This is something that we could still continue to work on. And just help us to keep the long boarding and skateboarding on the streets to, you know, to share the responsibility of the roads, and that's, that's what we're asking for. Today, behind me, I have the skateboarding committee, if you want to get filled in on any of the details. We have from the transportation department, tom miller, and greg graceman. They brought to the table the overall road safety survey. The landscape, and what can be used. What can't be used in this particular situation. Their best practices to, to calm skateboarding in this neighborhood. Along with transportation. We have parks. They helped in creating the, the road signs. And the, the brochures of safe skateboarding Portland. The Portland police at the table sergeant hagar, and a special thanks for officer hilary scott, who was the coordinator in getting people to the meeting and scheduling the time for the meeting. With their help. With the police and transportation looking at my initial draft to regulate skateboarding, they came through with, you know, what they need to help them enforce the skateboarding issue. Long boarders, we have billy minor here and j.p., and of course, the arlington heights neighborhood. We have their representative, erik nagel here. So with that said, if you want to get more details on this, we have our committee here.

Leonard: I'll leave it up to Council if you want to hear from people, from the various bureaus, that he identified, we are happy to bring them up. If not, I would appreciate if billy and maybe erik could come forward and give their insight into this, this, this consensus agreement that we have reached. Thank you both for being here, and I appreciate both of your involvement over this entire summer. It has been great.

*****: Thank you.

Leonard: Sure.

Eric Nagle: I would like to start out just by thanking you, commissioner Leonard, and for all of your work and efforts over the last few months on this very important issue. The neighborhood association believes that this ordinance a small step in the right direction. And for that reason, we support it. We do remain concerned that there is a significant risk of a tragic skateboarding accident in the neighborhood, and we're particularly concerned that once the threat of a ban goes away, the recent focus on responsible skateboarding may go away, as well, and so what I would like to do in just a minute or two is underscore the commitments that were made during the recent collaborative effort. First, captain westbrook, committed next summer there will be a target enforcement effort in the neighborhood to deal with any skateboard violators.

Leonard: I am sorry to interrupt but we should point out that that has happened. The police bureau did have targets.

Nagle: And we certainly appreciate the police bureau's efforts on that. There was a recent targeted enforcement effort that I think was very successful in sending a message. We think it's important that be reinforced next summer, as well, under the new ordinance. Also, the skaters, themselves, represented by billy minor and j.p. Made a couple of commitments relating to educating skaters. They have been working on those. The two key points in educating skaters are that they skate responsibly and follow traffic laws, and that they keep the noise level down by avoiding skate stops near home. We hope to hear billy reaffirm that commitment to that educational effort in the years to come. And finally as stu mentioned, there is a legal loose end that really should be tied up when the city council first enacted a skateboard ordinance in 2000. It assumed that skateboards would have the same legal status as bicycles on the streets. The court of appeals of Oregon, two years later, said that's not the case. The skateboard is not a vehicle under the state vehicle code. During the meetings, I think that there was general agreement among all the parties, including the skateboarders, that skateboards should, in fact, be considered vehicles under the state vehicle code because that's normally the law that, that the police use to enforce traffic laws. Not city ordinances,

September 5, 2012

but the state's vehicle code. And so I submitted a draft amendment to the state vehicle code to the mayor's office. I have copies of it here, if you are interested, and we would request that, that item, added to the agenda.

Fish: I appreciate this is a part of compromise. As I read commissioner Leonard's proposed ordinance, it did not feel like a small step to me. It felt like a pretty significant step. I just want to make sure I understand, when you say it's a small step, is that because the big step forward would have been an outright ban, and this is short of that? Or is there something in between that you think this we have left off the table?

Nagle: If there were other possibilities that we would liked to have seen, for example, perhaps ban on certain days of the week. Say sunday to wednesday. Something like that. But we end up with a ban that's only effective late-night hours but skating is permitted on neighborhood streets the rest of the time, every day of the year, and of course, the accidents you heard testimony about during the last hearing. They all occurred during daylight hours, the three-year-old boy run down by a skateboarder was run down in the middle of the day.

Fish: That's helpful. But again, going back to the ordinance, it has new safety provisions in terms of minors wearing helmets. It has new requirements of lights. It has a new system of enforcement and fines, and actually specifies fines. It has a whole -- so, to me it, reads more like, more than a small step, but I appreciate that, that it's also maybe work in progress. And what I hear you saying is, Let's test drive this approach, see what our progress is, but be willing to come back and revisit it, if it's not accomplishing the shared goals, is that fair?

Nagle: Yes. I should point out that, that the current ordinance already requires comments for skaters under that age, and for skaters skating at night. So that's not the change. The most significant change in the new ordinance is that the late-night ban on neighborhood streets and the increased fines, which I think are very important.

Adams: Additional council discussion?

Leonard: Billy would you like to say a few words?

Billy Meiner: I would like to say thank you for taking the time to address this issue. And I am glad we got a chance to work with the city bureaus, and also, with the neighborhood to come to a compromise on this. And I know that myself and j.p. Plan to stay active in the skateboard community here, and we want to continue our work that we have done with the city and the neighborhood. And we would like to, to keep that line of communication open for that if something comes up, we'll be here. We're not going away, and we want to make sure that we hold up our end of the bargain.

Leonard: I can tell you, just affirmatively, that this compromise ordinance would not have happened without your involvement. I mean, had you not participated at the level that you did, had you not built credibility you did with the police bureau, with the transportation bureau, with The neighborhood, we could not have reached this that we are going to vote on. It would probably have been the original ban all together. So the skating community that wanted so badly to be able to continue skating owes you a great deal of thanks. Because we would have probably banned it today. So, sometimes, with, with, with the benefits like that, come responsibilities. So, a lot of people are going to be looking to you on both sides of the issue to make sure that people that aren't complying with what I know you believe are proper protocols for skating that you exert your peer pressure. You are widely respected in the skating community. My son knows who you are. [laughter] so we'll be looking to really help to make this work. And I believe you will.

Meiner: Yep, and I am here. The door open.

Leonard: Thank you very much for your help.

Meiner: Thank you.

Fritz: Commissioner Leonard thank you very much for your leadership on this issue. I am wondering if you would be willing to have a friendly amendment, excuse me, to report back to

September 5, 2012

council in a year to see how this is going to make sure that it's followed up on after you are no longer sitting next to me.

Leonard: So stu, we had a discussion about that at one point, didn't we?

Oishi: Yes. So, it was in our original Amendment, we had a, a, a line item for that. With this new addition, this new update. Let me make sure I get the right.

Leonard: I want to make sure that there was not some reason that that was not here any more.

Oishi: With the new section j, this enforcement piece, they will have a better mechanism to bind skateboard citations. And so this is their tool, doing the research before coming to council is almost impossible to find anything regarding a skateboard. Skateboard violation on the streets, with this in place, we should be able to, able to find this and recognize hey, yes, we do have some issues here. If we hear a complaint from the arlington heights neighborhood, you know, there is, gee, there seems to be a lot of skateboarding activity. The days were really warm and nice and, and we are seeing rise in the activity here. The police bureau should look at their records and say, yeah, you know, we have not done any citings on skateboarders in the area. That's their mechanism. That's what's keeping this alive is this section j.

Leonard: So they can accumulate that data and give us a report at the end of the year?

Oishi: Captain, do you want to chime in on that? Captain westbrook an explanation about moving forward as far as coming back to council.

Captain Sara Westbrook, Bureau of Police: Good morning. The information that we can come back and give to you is how many citations we issued. We're happy to do that. We give that information to the neighborhoods as they request.

Leonard: Certainly the neighborhood could come back in a year and give their perspective?

Fritz: That was my point. It needs to be part of the ordinance, and that whenever somebody requests what is the enforcement in our neighborhood, we respond. Usually more the neighborhood, of a neighborhood meeting where the people interested are going to get it.

Leonard: I remember the issue came up during the discussions, and was such a finally balanced document, I want to make sure we're not disrupting it.

Fritz: Thank you. I appreciate that. Is that a friendly amendment?

Leonard: Yep.

Adams: Did you already vote on this?

Leonard: There is language being appropriated by erik nagel to amend state statute asking us to put this in as part of our legislative package.

Adams: Ok. I don't think we have a motion to accept the substitute yet, do we?

Leonard: The substitute meaning -- yes. Right. We need to do that.

Fish: Yes. So moved.

Fritz: Second.

Adams: Moved and seconded. Karla, please call the vote on the motion.

Saltzman: Well, I want to thank everybody for their, for working together and producing what I think is a good compromise, and we'll closely watch how this, this works. Aye.

Fish: A point of order, we're voting on a substitute ordinance but this goes to second reading, correct?

Adams: Correct.

Fish: Aye.

Leonard: And because of the second reading will be next week, you will be gone, I want to say how much I appreciate everybody coming together. This, I mean, the police bureau had their perspective. P-dot theirs. Parks had their perspective. The skaters theirs. The neighborhood had their perspective. And I want to just call out again the work by stu. He just did yeoman's work in bringing everybody to the table, talking back and forth. Stu is a mild mannered guy, but I caught him talking to himself a couple times working on this issue. [laughter] I know even for him --

September 5, 2012

Oishi: Thank you, Leonard, that had nothing to do with this issue. [laughter]

Fish: It might have had something to do with his new job more than this assignment.

Leonard: Thank you so much for your work, stu.

Oishi: You are welcome.

Leonard: Aye.

Fritz: Thank you all. Particularly, commissioner Leonard for taking this very tricky issue and insisting that The parties come to the table. Thank you for your leadership on that, and sara from the police bureau's work over the summer. And we do have a legislative agenda-setting session at 6:00, so anybody who wants to get issues on the lobbying priorities for state or federal government law changes is welcome to attend that. So we'll put this into that package. Thank you everyone for your work. Aye.

Fish: Aye.

*******:** We're not bothering you, are we? [laughter]

Adams: I will make motion to apply the emergency because 30 days, if we don't, it is 30 days and a week of in between, and I would like our, our great police department to know that the rules start right away. Administratively a week of warnings. But after that, we'll be writing real tickets. So, I vote yes on the substitute. And I would like to make a motion, so yes, I now move that we apply the substitute.

Leonard: Add an emergency.

Adams: I'm sorry. We add an emergency and, and that it's based on public health and our ability to immediately enforce these improvements to the police bureau and other bureau, as well. There will be a week of warnings, and after that, we'll be moving to ticketing.

Ben Walters, Chief Deputy City Attorney: So the motion is to add an emergency but you will be voting on it next week? Are you suggesting that it will be an emergency but will go into effect in one week?

Leonard: No.

Adams: It goes into effect right now. We have the administrative authority to do warnings for a week. Warnings are tickets. So we cannot issue warnings until this is in effect.

Walters: All right. The motion is to add the emergency. Can you please call the vote.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye. **Fish:** Aye.

Adams: Aye. Now we'll be voting on the ordinance.

Moore-Love: Testimony?

Adams: Any public testimony?

Moore: We had one person sign up. Hilary mackenzie.

Adams: I thought i'd asked for testimony. Hi, and welcome.

Hilary M. Mackenzie: Hi. Thank you. Mayor Adams, counselors, oh, hilary mackenzie. I have lived in arlington heights for 26 years. I live adjacent to southwest fairview, which is the main route for skateboarders coming down the hill. I work from home often, and I am very aware of activity in our neighborhood. The biggest problem that we have in our neighborhood with the skateboard traffic is one of perception. When I see young men and boys coming down our hill, I see the exuberance of youth. The joy of gravity. And healthy participants in an outdoor activity. I do not see the guns or violence that plagues other parts of the city. I am not afraid. When some of my neighbors see skate boarders coming down the hill, they see dangerous, out of control youth that need to be removed. Skateboard traffic has increased over the years. We have extremely quiet streets with very little traffic. Our streets are safe and a wonderful place to walk, bike, or skateboard. There is room for everyone. Some in the neighborhood dislike skateboarders. I have seen aggressive tailgating as boarders go down the hill. I have seen cars plow at full speed up the hill, seemingly just to watch the people scatter. There are 70 or 80 bikes on a night. We have drivers from other areas visiting the park and wandering the streets. The skateboarders are not

September 5, 2012

immune to rude behavior. There is a minority them that are careless and disrespectful. For these reasons I think that it is essential that we have signage as we have on skyline boulevard that encourages courtesy and sharing the road. I support the actions of transportation in the skateboard community to educate the skateboarders on the safeness of the streets, and wearing safety gear. Children, in particular, should Not be going down the hill without helmets. You have heard from the arlington heights board members on this issue. The board composed primarily of people that would prefer to have skateboarding banned from our neighborhood. You have also heard from several neighbors that agreed with the board members, the board members' position. There is no forum for neighbors that disagree with the board position. I live next door to board member and have never basketball able to have any reasonable conversation with him regarding skateboards. I have stayed out of the discussion as have many other neighbors as it did not seem worth it to start a fight within the neighborhood. The last straw for me came in july when the police were doing a sting on southwest fairview to ticket skateboarders. Sitting in the parking strip were two middle school aged boys with their heads in their hands looking defeated. Standing in front of them were two policemen. It was a beautiful, sunny, summer afternoon. There were no cars on the street. The boys on proper safety gear. They were above the stop sign, so they could not have run it. They were doing everything buys should be doing in the summer. And they were being penalized. This is wrong. We should be nurturing and encouraging our youth you, not defeating them. So encourage safety. Put up signs. Educate drivers to share the road. Do not ban skateboarding. Without the energy and creativity of youth, we will have no future. Thank you.

Adams: Thank you very much for your testimony. I appreciate it. That's the only person that signed up to testify. Uninvited testimony? Karla, call the vote on an emergency ordinance.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye.

Fish: Now I will give the speech that I was going to give next week. We seem to have a live agenda so I will take an extra few minutes, commissioner Leonard. Thanks to stu for your great work on this, and thank you, commissioner Leonard, for your leadership. What I have heard in the course of this debate some who said that we have gone too far and some who said that we have not gone far enough. And frankly, when you are a legislator, that's pretty good signal that you might have hit the sweet spot. But, as someone who is skeptical of ban and concerned about this placement on other streets and parks, I think that this is a good approach. And it's a, a starting point. And we can always fine tune it if, if there are unintended consequences or if it's not working. But I appreciate the fact in That people came together and compound common ground because we do better work when that happens. And we're not forcing a solution that may have significant opposition. So again, I appreciate the leadership of commissioner Leonard and his team, and I very much appreciate all the folks who came and sat down in earnest at the table and got to this point. The purpose of this ordinance is not to pick on skateboarders. The purpose of this ordinance is to save lives. That's the only reason we're doing this. There is no -- I have not detected a single bit of ante skateboarding animosity in this debate. There has been a lot of evidence that we are going -- someone will get killed if we don't have reasonable precautions against behavior, which appear to be wreckless. That's what we are trying to get at. So I appreciate the good work that led to this point. Aye.

Adams: Thank you, commissioner Leonard, for taking on this very difficult task. Thanks to stu for your great work on this. I would like to thank the police bureau and the bureau of transportation for stepping up. And we will be enforcing the right-of-way starting with warnings and then tickets. So, be aware. Aye, so approved. We're going to take a three-minute break. For those of you here for skateboards, you are welcome to stay, but now is your time to exit. And for those that are up standing, if you want to look for empty chairs down here, we have got -- it looks like we have got, oh, a good 10, 11 of them. 12. So, if you are standing in the back, if you want to come downstairs we have open seats down here. Thanks for your work. Appreciate it.

September 5, 2012

The meeting recessed at 10:20 a.m. and reconvened at 10:27.

Adams: for those of you that just joined us in the chamber, we are glad you are here. The rules are simple. You are not allowed to stand unless you are a member of the press. If you want to testify, then sign up. The signup sheet is still out front. Is that right, Karla?

Moore-Love: On the second floor right now.

Adams: Signing people up.

Moore-Love: Right.

Adams: Ok. So sign up. Testimony will likely be a minute or two minutes. Because the number of people that have signed up to testify, and all you need to give us when you approach, we call folks up, and in groups of four, and all you need to do is to give us your first and last name. No address. No phone number. No email address. Just, just no telephone number, just your first and last name. We're glad you are here, and we Will start in two seconds.

Adams: If you want to tweet, that's fine.

Saltzman: We can't give email addresses or anything.

Adams: Right. Ok. We'll come back from recess. And Karla, can you please read the title for item no. 978.

Item 978.

Adams: If I could have the first four invited folks to testify, maurice, o'neal, doug, secretary treasurer of the pacific northwest regional council of carpenters, jodi, and i'm going to -- oh, sorry. Jim, christine. If you would come forward first. Peter, are you coming forward, as well? No. All right. Today we have an opportunity to vote on a resolution that will brighten Portland's future, and help fulfill the goals of equity in the Portland plan. It will also make a significant step forward to make sure that the prosperity that's available in this city is available equally to all Portlanders. Over the past two years the city of Portland has been working with community partners to develop a community benefits agreement that ensures workforce equity, promotes the training and placement of women and Portlanders of color and drives demand for minority and women-own businesses on specific number construction projects. We know from the 2009 disparate study that minority-owned prime contractors, the contractor overseeing any subcontractors on a project, are underutilized on city projects. This is a chance to change that. To bring workforce equity to city contracts and promote the training and placement women and people of color working on large city jobs. I would like to thank our partners in the labor industry. Minority contractors. The community as a whole. It includes the urban league of Portland. Constructing help. The electrical worker minority caucus. Emerald city's Portland. Portland youth builders. Northwest infrastructure. Oregon tradeswomen. Oregon action. Iuoe. 701, columbia pacific training council. And a long list of others. I would also like to thank former city commissioner jim franseconi as serving for the attorney for this project and recognize the great work our chief procurement officer, christine moody, along with tracy reeve from the city attorney's office to help make this project a reality.

Jim Francisconi: Thank you mayor and city commissioners, it's an honor to be here. Let me say a couple of thank you. One mayor we needed your leadership to kind of -- we've been working on this for a couple years together. We needed you to put it over the line, and I congratulate your staff. Peter, as well. Commissioner Leonard, we needed some pilot projects in order to demonstrate the validity of this Approach. So, we thank you, as well. Right off the bat, and you know, I knew our city staff was good when I was in your role. But negotiating with them, I know that they are tough. I know that they are fair. And jim van dyke, and tracey did a great job. Sitting next to christine, she's carrying on the tradition of purchasing about caring for all. So I want to put a plug in for your staff. And I know that you are going to rely more on their legal judgment than mine. I did -- one clarity is I am proud to represent the pacific northwest council of carpenters, and local 701 of the

September 5, 2012

operating engineers. That's who paid me to help work on this. It was my privilege, in particular, who you will hear from a couple of the folks from. They are strong union advocates because they believe that's the way to sustain the middle class jobs. But they knew that we needed to do business different. That's what this is. They are willing to reach out with some new strategies, and they made it clear to me that it was important to the columbia pacific building trades to be part of the, part of the deal. Minority contractors, as represent by maurice, be part of the deal, community groups that the mayor listed and the preapprenticeship programs. The goal wasn't to serve just the carpenters and operators. It's to help strengthen the community, so that's what this Is all about. In terms of just brief background, there were kind of six organizing principles that, that formed kind of the basis of this complicated agreement. And then, I would briefly touch on each of these. One is to build relationships. Between unions, and people of color, including minority contractors. And you have seen unions on the workforce diversity issues, but this agreement is also about minority contractors and unions and building that relationship. Because they care, they create diverse workers, and it's important. The economic wellbeing. It's about increasing apprenticeship opportunities for all Portland residents. It's increasing the diversity of apprentices and journeymen. This is not just about apprentices. This is increasing it in journeymen, and it's also about increasing the capacity, not only the work, but that's for minority contractors and women, but the capacity of minority contractors. And about tracking accountability measures. I saw a letter, but the measures are on good-faith efforts. These are as operational efforts. It's on good faith. And not, not on the goals themselves. And so, it respect the city and the contractor's ability to exercise management responsibilities. We don't get into any of that. So a couple of specifics on the Agreement. Six major things that make this, and we have researched these across the country. And history -- a historic agreement, not only in the Portland region, not only in Oregon, but across the country. First, if you are a disadvantaged minority business, disadvantaged business, not minority. You don't have to join the union at all under this agreement. You can bring your core employees with you to work on the project. And the unions and the community groups were willing to go further but we heeded the advice of your city attorney on this. So, there is a disadvantage. You don't have to june the union. You know what position that puts jodi in? You don't see these agreements on the east coast. But they were willing to do this for the broader good of the community. Second, it's the unions, the owners, the contractors, the community groups, have agreed to aspirational goals. The unions have. To do their part to execute them. And so, there is four goals. One, is 20% community apprenticeship goals for everyone, which is consistent with the city policy. It should be state policy, I would add. 18% diversity of apprentices for people of color. 9% for women. The unions were willing to go further. But we agreed to this because to comply with the existing city policy. A journeymen, 18%. People of color. 9%. That's journeymen. We'll also talk about the experience on south waterfront that was pattern on this. We will demonstrate that we can reach these goals. And then 20% of the hard costs for minority contractors, women contractors. Disadvantaged businesses, which is pdc's policy. It's an aspirational goal. And as an aside, we have included the severability portion it the contract. So, the city attorney's office advice, the whole agreement, if any part is not, not appropriate, like state employees. We also have the hard-hat strategy to help the veterans, and a local workforce as operational rule, as well of 30%. So that's the second category. The third is a series aggressive recruitment policies coming at us where we draft a lot of these. These are the best practices in the industry. The only one i'll point out, is everybody agreed to this. Mandatory cultural competency training for, for the supervisor. That's just one aspect of seven or eight of the best practices in this document. The fourth is, is also very unique. It's going to take some resources to do this right. To grow capacity. We're not going to just do this with new policies and practices. That's what, what really is unique about this. So, you know, the concept of 1% for the art. Now, it's 1.5% for equity. And on the, on the hoffman project, that, that we'll get into in a minute, it's 1% because we appreciate commissioner Leonard and hoffman

September 5, 2012

agreeing to this after the rfg. So on the hoffman, there is .5% of the contract price set aside to help diversify the workforce. On the -- but there is a technical assistance fund for -- like tony jones, the hispanic chamber, to help grow the capacity of minority business. On the kelly project, it's 2.5%. But the standard agreement we're hoping with the city will be .50%. And then, there is a monitoring fund to make sure that we execute this. At .25% on both projects. So again, the kelly one would be a total of 1% for all three funds. And on the other agreements, 1.5%. The fifth is that there is -- and this one is particularly appealing to me because what we're trying -- and the group. I should say, I did not draft all these. This was the combination of efforts of all the people that mayor Adams listed. It improves this over a two-year period. This fifth strategy is a compliance -- can someone give me a glance of water, please? Thanks. The fifth is a compliance monitoring function where the unions usually, it's labor management that sit on these to monitor the progress every 30, 60 days on the project. This is, there is a labor management community committee, with equal votes of labor, management, and community representatives. Have you ever heard of that? And the owners agreed labor has agreed, the community has agreed to monitor the progress on this. And finally, there is sanctions, as I mentioned, to the point of you can withhold progress payments, and even the potential of liquidated damages. The idea is it to impose penalties, but to have it over there, and to make sure that people just execute good faith efforts. I have a signature page here, all the groups have signed it, and the last thing that I want to say, turn it over to chris, is the commitment of the carpenters, the operators, and everybody here, and in fact, they have authorized me, my continued involvement, after hopefully pass this. We want to make sure it works. We have done the best that we can to negotiated an agreement. But we know that it's in the execution, and so we're going to watch this. And commissioner Fritz, I heard what you said, we'll come back to you as often as you want to monitor the progress on this because the next step will be to expand this unpiloted effort at other major jurisdictions because the city usually leads the way. But not, not other people sometimes don't follow. We appreciate you leading the way on this. Thank you.

Adams: I want to underscore my thanks to you, jim, for your work on there. The workforce equity is a focus of your public service. It was a focus of your time as an elected official. And I am very grateful. This public contracting is incredibly complex. Christine makes it look relatively easy, but it actually is incredibly complex. And so the complexity and the completeness of the document, I think, appropriately reflects that, and I want to underscore one point that you have made that I don't think is very well understood. The disparity study in 2009 looks at our utilization of existing firms, and looks at workforce of folks that are already in the workforce. The -- and it's federal sort of approach. It has been -- this approach of having to do disparity and doing it this way is, is was the federal courts have decreed for all of us. But it does not look at our efforts at growing the number of firms, and at growing the number of qualified workers in the workforce. So, it's really, I think, a, a -- it's federal law, and we have to follow it. This pushes us and gives us the tools to grow the number of opportunities for all Portlanders, and especially, Portlanders color and women, to be in the trades, in the skilled trades, which is a great way to make a family wage job. Christine moody, would you like to walk us through details?

Christine Moody, Chief Procurement Officer : Sure. Thank you, mayor. Council members. So, as jim just mentioned, the community benefits agreement focuses on workforce equity and inclusion promoting training and placement of women and minority construction workers and minimizes the labor disruption. In addition, it ensures that everyone working on the project has health benefits. The model includes apprenticeship and journey level workforce diversity requirements that include an 18% goal for minority workers and a 9% goal for women workers. And it also allows for recognized preapprenticeship programs and community-based organizations to be first source for entry into apprenticeship programs. To meet the goals required the cba. All contractors and subcontractors will be required to hire at least 30% of their workforce from historically underutilized business zones within the Portland metro area. The model cba also incorporates

September 5, 2012

community contracting goals. In which up to 5% this preference can be given to a joint venture between a prime contractor and a firm that is certified by the state of Oregon as a minority, women, or disadvantaged business. It also allows for project funds To be established to provide technical assistance and business support, promote the recruitment, training and hiring of qualified diverse workers. The model cba is used as a pilot on two Portland water bureau projects. The Kelly Butte reservoir and interstate maintenance facility renovation project. The city has worked diligently with Hoffman Construction Company of Oregon to make the cba on both these projects, provide the benefit I described and Jim described to the Portland community. Hoffman has committed to achieve 20% of the hard construction costs for MWDBE subcontracting on both projects. And in addition, Hoffman and the subcontractors will comply with the cba's workforce diversity requirements, would both apprenticeship and journey level workers. The resolution also directs procurement services in the Portland water bureau to evaluate the effectiveness of the cba on these two pilot projects in meeting city goals and objectives and reporting the results back to city council. The city will also gather additional community input to inform the negotiations on future community benefit agreements, and will work to identify future projects in which the cba will be appropriate.

Adams: Commissioner Fish.

Fish: Thank you. Thank you, Jim, for your work. Christine, I want to give you a chance to address something we're likely to hear in testimony. I just want to make sure that you have moment to address this issue in a thoughtful way. So, having led the city's effort in the updating of the disparity study, I became all too familiar with the legal landscape of what we can and cannot do here, and our approach, as a city, about aspirational goals, good faith efforts, was designed to fall within the area that the courts allow us to use as tools to get to these goals. And sometimes, we're encouraged to go further, and the legal advice that we get is we might trip some wires and have the whole thing challenged and invalidated so we have to be very careful. So far, so good?

Moody: Yes.

Fish: So, we have also -- all of us have received correspondents from trade associations raising objections to this agreement. And one of the themes that I have detected is sort of revisiting the question of whether our aspirational goals and good-faith efforts are still legally permissible tools to use to get to this. My understanding is they are, but would you like to address that?

Moody: The model cba also provides for good-faith effort, very similar to what the city does on other construction projects that don't have a cba. So, the good-faith efforts would then be reviewed by a committee, as Jim said, these are as operational goals, for subcontracting and, and workforce diversity. And contractors will need to provide good-faith efforts to ensure us that they, actually, made an effort to meet the goal.

Francesconi: If I could add one thing, Commissioner Fish so Christine talked about it, and I left it out, accidentally. The 5% preference for prime contractors is different, and that's because the city has the disparity study on prime contractors. So, that's the difference. That's why there is no percentages on subcontractors.

Fish: And that's important. So we're following the data that we -- what we got from the disparity study, and the road map that the courts have set out, which allow us to maneuver. I don't see any significant departure in this agreement from our existing practices around good faith and aspirational goals.

Moody: No. And that's what I was just explaining. The 20% is a subcontracting goal. And along with that comes good faith efforts that a contractor would need to perform, which is very similar to what we do on other city projects.

Fish: To close the loop on it, if we have some of these trade associations here to testify, the question I'm going to ask them is, is there concern with this agreement or with the, with the, the approach the city has taken before. Fine enough, if someone has a, a dispute with our approach.

September 5, 2012

But, if the criticism that's directed to this is Really a hangover from the criticism of our existing approach, as far as i'm concerned, the council has decided what approach we're going to take. We're not reopening that question.

Saltzman: I want to make sure that we're using the right terminology. We're not talking about low bids. We're talking about requests for proposal type of approaches. Is that correct?

Moody: Generally --

Saltzman: We can not do low-bid preferences under state law, I thought. Are we?

Moody: We might need a legal opinion on that. But, just to explain -- the cba and in the resolution, we're looking at projects that are, are \$15 million and above. Generally the city, for, for those types of projects, because of the complexity and the, the dollar amount, we're doing a request for proposal. And so, in that we would give a preference in that for a joint venture between a prime contractor and a minority contractor. Or women-owned contractor.

Saltzman: So I think that it's important to, to make that point. When we do the request for proposal. We are allowed to add 5% points, and therefore a joint venture. If we are doing a low bid for whatever, you know, we do that, you are not allowed to do a strict low bid preference under state law?

Moody: Correct.

Saltzman: Ok. So, the -- so the second point is, I got lost in all those .5%, 1.5% funds. And I guess maybe i'll have christine run through that, and then I also want to know who is overseeing that money. What it goes for. So, could you walk us through those percentages again?

Moody: I need -- there is three separate funds. I have them marked in the agreement.

Saltzman: Jim, if you want to do it? I got lost.

Francesconi: I can do it. I have them marked, commissioner. The first one that's clear on your second question, that's right, if I could take the second one first. On the workforce funds, there is an established entity work systems, inc. With cause, so they are going to be the recipient of the workforce funds, and the mayor made that clear, that he would like that. But, a committee of the state holders will be formed to determine that. So, that -- because what we need to do is create a unified system.

Saltzman: Is that the 1.5%?

Francesconi: To answer your question, on the kelly butte project, it will be .5% of the project cost. On the other agreement, because it was let, it will be .75%.

Saltzman: Let's put aside the existing projects. We have new project that's \$15 million or above. How much of that project goes to the workforce?

Francesconi: .5%.

Moody: In the model template, the resolution is about -- there is three separate funds. So, there is a community construction training outreach and recruitment fund, which would have .75%. And then there is a, a --

Saltzman: Total project value, .75%?

Moody: Yes. And then there is a technical assistance fund. It has .5%. And there is one more fund, the compliance monitoring fund. .25% for the compliance monitoring fund. So there is three separate funds that, that money goes into. They have different goals and objectives for those funds.

Saltzman: Is the city a member of the committee that --

Moody: The city is -- yes. As the owner, we are a member of all three of those committees that then the committee has different representatives from the community. The city, as the owner, is participating in that. And they will vote on where the funds, who the recipient of the funds go to.

Saltzman: And there is the oversight, fiduciary responsibility for the spending of those dollars?

Moody: The city as a participant and the committee.

Adams: I think you used fiduciary responsibility. The city is one of three -- the city and the county and Washington county are the three elect officials, are the legal officers for wsi. So, and that's

September 5, 2012

federal agency -- I mean a federally created agency. The fiduciary responsibility rests with wsi. We have an intergovernmental agreement with wsi that they serve as our workforce, workforce agency.

Saltzman: For all three of the funds?

Francesconi: No, excuse me for correcting you. The second point that I wanted to make is on the technical assistance for minority contracting, that's beyond the scope of wsi. There's been loose conversations. Names have come up, such as pdc. The other one is tri-met. And at what we need is somebody to take this on, commissioner. And so we're in the process of doing that. We can not do everything in this agreement. But that one needs to be done.

Adams: So we have could, you have to come back to us on where that money goes?

Saltzman: Ok. Thanks. Thanks for that.

Adams: Any other discussion? How many people have signed up?

Moore-Love: We have about 24.

Adams: Ok. Our invited first panel, thank you both. Maurice, doug, jodi. They will be followed by pat, eddie, and mitch. And time them, too. They get three minutes.

Adams: Welcome. Glad you are here.

Jodi Guelzloe-Parker: Good morning. Thank you. I would like to start. And thank you mayor and commissioners. My name is jodi parker, and I am with columbia pacific building trades. You will see me looking down at the paper. I don't have anything written down, but say like there. This is a step in the right direction. It is in no way the hail-all to bringing everybody together. There's been a lot of compromises throughout, I think, I think the committee worked for two years. I got to sit in on the last six months. There is a lot of compromises being addressed. And, and we'll work through a lot of issues to get here, and i'm just proud to be part of that. The columbia pacific building trades is in support of this agreement. And it is a living document that means to us, that we can, as we grow from it, we can move forward and make tweaks, and get it to better, you know, to, you know, kind of like raising children. So, we're raising kid, basically. And in closing, you have heard that i'm supportive, correct? Excellent. In closing, I got to, to -- because I think that we're here, we have families here and there is a lot of folks, and thanks for turning out. I got to take my grandson to sign up for fifth grade last night, and I read a lot, and I Read just about anything that I can. Not that I understand it. This one I do. The quote by frederick douglas, that really applies here, I think. If there is no struggle, there is no progress. We see struggles, and I think that we see progress. So, thank you for listening, and thanks for entertaining us.

Adams: Thank you. Mr. Rahming.

Maurice Rahming: Thank you, mayor and commissioners for hearing us today. I am maurice, and I am the president of the electric company and the vice president. National association of minority contractors. I want to say that the cba is the most inclusive thing that I have seen come from the city in my time here. I think that the number of different elements that, that is challenging in construction, has been addressed in one form or another. It's inclusionary. It includes both the preapprenticeship programs, the apprenticeship programs, the contractors, the subcontractors, both union and non union alike, and it brought a whole group of people together to sit there and work through this issue. The issue is whether we can have inclusion in construction. And just by this group, meeting for the number of years that we have met, we are able to build trust amongst each other and say that we can fix this problem as an industry. We thank your leadership for Leading to spearhead this and bring it forth so that now we can look at the hard work and now, no it's more hard work because we'll have to implement and make sure that this program is, is inclusionary. But, from, from the relationships that I have been able to meet during this process, I realize that, I realized one thing. We're all in this together looking at the same outcomes. Wanting to make sure that there is mid level wage jobs, and that the majority and minority culture are paid equally, so there is no change in which, you know, one gets less than the other. And also, making sure that all

September 5, 2012

of us as minorities, both on contracting and on workforce, have equal opportunities to be able to participate on city projects, and that's what I think this addresses here today. So, I would like to thank you for bringing it up.

Adams: Thank you very much. Sir, welcome.

Doug Tweedy: Good morning. My name is doug tweedy and I am the elected leader of the carpenter's union for five states in the northwest. I would like to thank a few people, without their commit, we would not be here today. First, maurice and mr. Wilson of operating jerseys, jim, and michael burch of the carpenters. This resolution is about opportunity. And I thank you mayor and city commissioners for giving us this opportunity to talk to you about this today. To consider this resolution. The opportunity is what this is all about. The disparity within our workforce and our contracting community is, is documented, and it does exist. This whole concept is to benefit all of the citizens of Portland by giving equal opportunity where it has not been previously. But, opportunity for small business or workforce on one-time basis does little good. No one benefits from a short-term win-fall of having a good job. It's all about continuity of opportunity. That's what makes people whole, that's what makes us strong, a strong community with people with family living wages is continuity of opportunity. Why the city adopting this resolution, that's the first two opportunities. Hopefully, there will be many more to come from the city. And other public agencies, as well. I commend the city for being the first agency to step up to the plate and do the right thing. With that continuity of opportunity, if that is the, the central key. It's the all-important part. Whether it's a small business, diversified or, or disadvantaged small business trying to get on their feet and trying to grow, or it's somebody entering the workforce. They have to have a repeated opportunity. Few people make it on their first opportunity. There has to be a continuation of that. People coming into the, the union apprenticeship programs, most of which are three to five years long, are -- they are working. They are learning, and they are earning their way to family living wages. These are real jobs. These are real futures. These are not one-time shots in the pan. This is something that will benefit that person and their family for a long time to come, and from the larger picture, the city of Portland for a long time to come. Thank you for this opportunity. We've been working long and hard, and this is a major step forward with this process. Hopefully other government agencies will follow the leadership of you, mayor, and you, city council people, Portland, and follow your leadership and come aboard, as well. Thank you.

Adams: Thank you for all the work that you have done in helping to bring all organized labor, community groups together to work on this issue. The three of you really, important work. Thank you.

Fritz: Thank you.

Adams: The next panel, last panel is nelda wilson from international union of operating engineers. 701. Pat daniels, constructing hope. Eddie lincoln, etap, and mitch, howard s. Wright contractors. Welcome. Miss wilson, would you like to begin?

Nelda Wilson: sure. Good morning mayor and council members. Thank you for the opportunity to speak in front of you today. Just going to briefly introduce myself. I am nelda wilson, an operating engineer, 701. My position business manager of the union, and you may know for many years now, wife i've been the chairperson of the south waterfront oversight committee and serve on the cause board, both the executive board capacity and, and as a board member. And then also, I served for several years on the pdc workforce strategy agreement board. So, also, I started my career as an apprentice many years ago. But, long, long time ago but not far away here. So, I got the opportunity to get into the operating engineers through affirmative action. You remember, you may remember that. It was a mandated where they had to open up the ranks for women and minorities, and that was my shot. I was one of the 40 that they got the, that got the opportunity to have a career. So, you know, I make good benefit. I had health care. I had, started on my pension, and I also learned the skills that propelled me through my entire life. Did all the things that people

September 5, 2012

want to do. Buy a house. Raise their kids. Do all those important things For individuals. Ok. So, it was win-win thing for me, a win-win opportunity. But I wanted to touch on south waterfront. It is a piece of this agreement. In 2003, I spoke to the pdc commission then about the third amendment to the development agreement and the buildout at south waterfront, and I was in support of that for several reasons. It had high apprenticeship and diversity goals for women and people of color in the local workforce. The buildout would span eight years or two apprenticeship cycles. There would be many opportunities for apprentices to started their apprenticeship and work through it and remain on the job as journey workers. It's different, a different concept than the workforce hiring a training program because it also incorporates the journey worker goals so that was a win-win opportunity for, for, opportunity for workers in the, in the community, just like I had many years ago. So, you know, that agreement took a couple years to negotiate, also. Like the community benefit agreement, the project apprenticeship agreement or the ppaa has mandate oversight committee. We tried to get the forms all sorted out. That was a process just right there, so there is groundwork that's been done here for this agreement. And I want you to, to be aware Of that. Anyway, for the oversight committee, it meets monthly. We review the projects as they become on board. As the project ramps up that's the crucial time to get apprentices and people of color and women working on the project. That's when those hirings happen. So it's very important to meet early in the project to try to trouble shoot any of those issues that may come up. So that's an important aspect of the community based benefits agreement in front of you today. Currently the paa goals for 2012 are the aspirational goals of 14% women and 20% minority of a total workforce hours. Currently on block 49, the numbers achieved are 12.63% women and 33.9% minority workers. We can do this, and it is working. That equates to 28 full-time jobs for women and minorities on that project for a year.

Fish: Since you mentioned block 49 which we've now renamed gray's landing, the reason we've had that success is we took an entirely different approach with christine's office taking the lead at the front end in reaching out and finding better ways of communicating and of being more intentional. It meant more work for the contractors and it meant more effort by all, but those numbers were not accidental. We hope they become the new norm, but there was an saw full lot of work, your good work included, which brought us to that point.

Wilson: Especially the woman goal on that project. The previous projects, south waterfront, about 7.5% was the maximum kind of the ceiling we achieved for women employment. Minority workers were in around that 18 to 20% in the seven years i've served on the committee. It is a significant jump forward, and I appreciate your work also. Ed walsh did a great job or rdf builders. You may hear today that open shop apprentices can't work on this project, and that's not true. The apprenticeship belongs to the individual. Right? There are multiple apprenticeships. Apprentices are free to change apprenticeship programs, free to petition to join, leave the a prentice ship they're in and petition to be allowed to join another apprenticeship program. It's really not an entity or a provider. It's the individual's choice that makes that happen, and they're free to have that choice. As you know approximate, i've always been a strong advocate for both journey workers and prentice ship training, skills upgrade and those types of things, and I see the community benefits agreement as achieving both of those goals to have a local workforce that's ready, able, and skilled enough to work on all the city's projects in the future. I believe the city council should approve the community benefits template to encourage employers to have a stronger commitment to training workers here, to have registered a prentice ship, keep women and people of color working on city projects. I want to build careers, not jobs. We need to be the champions to create opportunities for the people here.

Adams: Thank you very much. You've worked very hard on this.

Pat Daniels: I'm pat daniels, the executive director with construction hope reapprenticeship training program. To tell you about constructing hope, our program targets people coming from

September 5, 2012

incarceration and low-income minorities in the community. Right now our program is made up of 56% african-americans, 26% white, 11% latino, and 7% native-american. With that, I wanted to say that 100% of the participants in our program of low income. What this would do for us is actually create and grow a healthy community. We are state approved preapprenticeship training program, so our main job is to create pathways for our graduates. Last year we graduated 50 people, but we take in 60 annually, so this is going to strengthen the relationship for our program with the trades in creating a stronger program curriculum as we're training our graduates. It's going to increase the level of training that we're providing to our graduates. We're looking at adding advanced skills with the dollars that we would receive for this. A lot of times people look at the preapprenticeship training programs and wonder where our funding comes from. It's a vicious circle for us to continue grant writing year after year to look for ways to train people to go into the construction trade approximately this will provide an avenue for us to build the community through providing a more qualified worker. Thank you.

Adams: Thank you very much. Hi. Welcome back.

Mitch Hornecker: I'm mitch hornecker. We have over 2500 employees nationwide. We are a union contractor in Oregon, signatory to the carpenters, laborers, and cement finishers. We have a company objective to offer small business opportunities so that small business can compete on an equal footing and an equal basis with all bidders. We, as a company, assist small businesses in developing and strengthening their business through strategies and mentoring, strategic alliances, consistent community engagement. A small business is any business certified. This means that minor-owned businesses, women-owned business enterprises, and veteran-owned small businesses all fall within that definition. I'm here today to support workforce equity and inclusivity. We have friends who are working hard on workforce equity but do not support the c v a. We believe that the path forward is through greater inclusion, not less. When the goal is inclusion, no one's ox needs to be gored. We think we should be looking at ways to expand the exclusion, not create subcategories of small businesses that receive a greater benefit or an enhanced benefit. We think grater inclusion is and will be successful, and our more recent experience proves it out. We put in place a pla, very similar but broader than the c v a, and our results have been wonderful. We've got 111 small business partners on that project, \$21 million awarded to these subcontractors. 17% of all our subcontracts fall within this category. 21% participation, 8% women, and 17% minority participation. We believe this should be used on pilot projects of significant scale, budget, and staff to create the longevity and provide the significant workforce and small business subcontracting opportunities necessary to make these programs work. We further support a public review of the effectiveness of the pilot projects that will focus on how to expand the region impact to a greater number of minority, women, and emerging small businesses.

Adams: I want to thank you and your firm which does such a great job helping to build and rebuild the city and the region for doing your work in such a socially conscious manner. You are a high standard for other firms to emulate, so thank you for that. Hi. How are you?

Eddie Lincoln: It's a pleasure to have the opportunity to come and talk to the commissioners today in support of the community benefits agreement. My name is eddie lincoln. I'm the program director for the epap program. There was 350 apprentices that were trained and went into the construction trades during the program. It was with the housing authority of Portland at the time. Since being at Portland community college as a program, we have been able to outreach low-income residents, men, women, and people of color. First I want to just -- secondly, I wanted to say that construction hope is doing a good job at reapprenticeship training. So is the Oregon trades women at work and also the Portland youth builders. I stand here -- sit here to just say i'm in complete support of the preapprenticeships and what the institution of the community benefits agreement will do. No training in high schools for construction trades exists anymore because they're so expensive to run. The preapprenticeship programs have been a viable alternative for

September 5, 2012

students who have a strong interest in entering into the construction trade, so we've been able to provide that pathway for students and in the community there is high levels of unemployment. When they are employed, they are low-wage jobs. What the construction trades will have a significant impact on is the ability to reach that middle income and to have a significant ability to raise their families, provide for their families, and have a living wage. There's a significant collaboration that has taken place throughout all the consortium members of this community on this agreement. Some extraordinary work has been done. I feel real pleasure to be able to work with the representatives, the presidents, the directors of the organizations that are represented in it, and I want to give my full support and hope that the commissioners will support it as well.

Adams: Thank you very much for the work you do. Appreciate it. I will now go to the sign-up list. We're going to start with one minute. If you need more, ask for more. That will be our default.

Fish: Since mike alexander is with us, mike, as you know, is the vice chairman of the Portland parks board and has been a dedicated enthusiastic supporter of our work and recently was selected to be the new executive director of the urban league. Everyone in the parks family is very proud of this new assignment, and we hope we don't lose him, because we need his leadership on parks.

Michael Alexander: It's a privilege to be here. I'm mike alexander. We believe this agreement represents a meaningful opportunity to adopt and implement a set of standards that we believe can distinguish the city and all of our key stakeholders. We base our belief on three elements of the agreement that we strongly support, first the fact that it focuses on a concerted effort to ensure that we work toward diversity and inclusion as part of the planning and bidding processes for all contractors. Secondly, I think, by its very nature, the cba is an evolving and organic frame work. It is not a perfect document, but we believe that it begins in a very good place. And the fact that we will have the opportunity to have oversight from the community board and those stakeholders to continue to evolve the agreement is a very strong statement. I think, like many new beginnings, sometimes the better is the enemy of the good, but we believe that this is a great starting place, and we are strongly in support of this and would strongly ask that you adopt the measure. Thank you.

Michael Martin: My name is michael martin. I'm owner of northwest structure. I think from the things --

Adams: Could you get a little closer to the mic?

Martin: It's where the rubber meets the road being a contractor, being a business for 17 years. I'm a demolition utility contractor, and sustainability is important. I've had the opportunity to work on large projects: Light rail, the tram. But the sustainability is important, and I think the cba would be able to address that, and I would be able to take advantage of that as a small contractor not only to be awarded large projects but not to wait four or five years for the next opportunity to be on a big project. For the employees that were trained and we utilize the same workforce training individuals. We reach out to etap and other organizations and employ those individuals, men and women, but the sustainability I think is where the lacking is to where it is that we're able to get a project and not wait a long period of time. I think it will allow for more than just a \$100,000 contract and below, but again sustainability would be there for us as well.

Adams: Thanks for being here.

James Faison: My names is james faison. My company is faison construction. We're currently working on block 49 right now putting in the site work concrete around it. We are a company, we're working from walsh construction and the partnership on mlk/elliott, which is a five-story building going in on mlk. We're also working with a fordyce construction working at rock creek. Minorities need a chance to grow their companies, and I think this benefit agreement will be something that would help that substantially. We have been in business now for eight, nine years, and we have worked with some really good contractors that have stepped forward to make things happen. I think you will find those contractors like walsh construction and fordyce have made the

September 5, 2012

effort, but this benefit agreement would be something to help us move in the right direction. I appreciate your consideration and your time.

Kendrick Mitchell: My name is Kendrick Mitchell. I'm the owner and president of West Hills Electric. First of all, thank you much for having us out here. We're really excited to see this go forward. I wanted to share a little bit of my opportunities that we have on block 49. We're fortunate enough to do the bottom floor there, and O'Neill Walsh Construction, community builders and Walsh Construction has been nothing but supportive and instrumental in the growth of our company. We've also had the benefit to work on the Edith Green, Wendall Wyatt building as well. I just want to see those opportunities continue. I think that the biggest thing for a small firm like myself is the sustainability of it. You don't want to have those great opportunities and then have something fall off of a cliff. I just think, with your help today, this is a great plan. I think it's a great first step, and we'd like to see more in the future.

Jean Malary: My name is Jean Mallory with Affordable Electric. We have building capacity of \$2.9 million but yet still haven't had a chance to have a contract with the city. We welcome the opportunity the city is bringing to us via the CBA and, yes, we are in agreement with the current resolution. We think this is the right step and good chance for some of us to do business with the city. The resolution would allow us to be at capacity for our business, which will allow us to provide more employment with good wages in the community. Thank you.

Jesus Ramirez: Thank you for this opportunity. I support this agreement -- my name is Jesus Ramirez, and I work for the Kane Perras Union. I support this amendment, because this is a big opportunity for different people, for different races, for the women, Hispanic people, African-American people. This is a big opportunity. I'm a big example for that. Before this company, I don't have the chance to go forward in my career. I work for a minority company, and I have a big opportunity to be somebody. I support this agreement. It's all I can say. This is a big opportunity for everybody, not just for certain people. For everybody. And I support this agreement.

Victoria Lara: First of all, I want to say thank you to the mayor and the city council. I am Victoria Lara, the CEO of Lara Media Services Company that's a media, marketing, and consulting. I have been in Portland for more than 13 years. As you know, businesses owned by women, it's very difficult to make them grow. Even with 30% of the nation, we only employ 6% of the workforce, and we only contribute 4% to the total of revenue. That's why our economy really needs a more creative and courageous solution, and I really believe this CBA, the Community Benefits Agreement, is that, because it outlines a plan that would create more jobs and access of companies like mine to have access to contracts. I also believe in the importance to establish relationship with community organizations or labor organizations, because that will make us stronger and will help us to build a better community. I'd really ask you to support this CBA, because whether we can transform a local economy to be more equitable and affordable for all and at the same time bring more jobs to Portland.

Adams: Thank you all very much.

Fabian Ayala: Good morning. My name is Fabian Ayala. I'm a second-term apprentice, and I'm here to support the workforce for minorities and women. I've been given the opportunity to be an apprentice. I am a second-term apprentice now, and I believe this is giving me an opportunity to not only be a successful carpenter but to also build a career and be able to raise a family. I'm thankful for that, so thank you for giving me the opportunity to be here today.

Bill Kowalczyk: Good morning, mayor, commissioners, and fellow citizens. My name is Bill Kowalczyk. I'm the construction manager of Portland Youth Builders. I worked about 30 years as a carpenter. You might be at the high school and a student in a state apprenticeship program, our students are all very low income. 50% are students of color. And it's no secret that the construction, especially the commercial sector, has largely been the bastion of white men. I grew up in Dearborn, Michigan. I was culturally prepared to enter both the auto industry and construction

September 5, 2012

industry through my family. My grandpa was a pattern maker, his brother a cabinetmaker. My father was a tool designer before he worked his way through college when I was a young boy. So I learned to use power tools and all hand tools by the time I was 14 years old. I learned that through high family. But I was also culturally prepared. This is what preapprenticeship does.

Preapprenticeship is a process where we're able to bring to students and young people and people who have been left out -- provide them that cultural support to be successful in an industry that's initially foreign to them. This, I believe, is a huge, huge step in making more formal the relationship between our community and support of the preapprenticeship programs that really are potentially a really large scale conveyor belt into the industry. I thank you for listening to this resolution and giving it the kind of thought it deserves.

Jary Davis: Good morning, mayor and commissioners. I'm Jary Davis. I'm 22 years old. I'm a student at Portland Youth Builders in the construction program. I wake up every morning at 5:00, leaving from Vancouver to get to school on time, ready and prepared. Part of my year-long training is building houses from the ground up. Our program prepares us for success in apprenticeship and expectations on commercial job sites. After being placed, it will help monitor me in my apprenticeship. It would help us have more opportunity in the construction industry. Once I complete who I be, are we ready to work? Thank you.

Bree Smith: My name is Bree Smith. About two years ago, I left an abusive relationship, no family, no resources, working two minimum-wage jobs to support my children and myself. I couldn't get out of it no matter how much skills and training I tried to get. Because Oregon trades women so generously gave to me the training and skills that I needed to go into the trades, I was able to graduate, complete, and get a job immediately when I graduated their program. We work on aero space parts right now. I have a family wage job. I can support myself and my kids. It's a fantastic feeling. And just the training that they gave me was invaluable. We are Portland. If we accept this agreement, others will follow. In closing, I'd like to say it's not that we can do it. It's that we've been doing it. Thank you.

Adams: Thank you very much and congratulations.

Luis Guerra: My name is Luis Guerra, and I'm here on behalf of Oregon's immigrant rights organization. Our immigrant community is among the historically marginalized communities in this country, and we continue to struggle for civil and human rights alongside other people of color and women American. This will benefit our community as it will give our communities the tools and opportunities necessary to take a step forward. We need to support any plan that seeks to overcome the barriers that underrepresented communities face. Women and people of color have lived with huge disparities and injustices in all areas of their lives. By adopting the community benefits agreement, we will take one step forward in supporting those who have been marginalized in the past time and time again. City Council has the opportunity to create history by passing a resolution that is first of its kind, standing for wages and benefits as well as increased work, workforce training, and contracting opportunities for women and people of color. As a resident of the city of Portland, an immigrant, around a man of color, I urge you all to do the right thing and pass the community benefits resolution.

Nick Sauvie: I'm Nick Sauvie, the executive director of Rose Community Development and always a member of the East Portland Plan Economic Development Subcommittee. Community benefits agreements are one of the goals of EPA's economic development action plan, and we're really pleased that the commission is considering this and hope you adopt it. Creation of family wage jobs, East Portland is one of the top priorities for EPA. EPA is very thankful. We'd like to work with Council and maximize the public benefit of these projects by hiring East Portland residents, people of color, women, and people with low income. In the outer southeast neighborhoods where Rose works, between 2000 and 2010, say a population of African-Americans tripled, the population of Latinos doubled, and the population of Asians increased by more than 80%. Positive

September 5, 2012

steps for Portland could include setting specific separate numerical participation goals for community of color and women, a requirement that a high percentage of workers be city residents. It would be even better to target residents of low-income neighborhoods and creation of a specific committee for oversight. Epap had a really positive experience with the park bureau in staffings of mobile playgrounds this summer, and I think this is really a good first step, and thank you for your consideration.

Adams: Coming out of the cully plan, we're going to host -- we're going to have a gathering of folks to talk about community benefits, community benefit approaches as it relates to geography. Rest assured on all the goals and everything related to that, we think what we have as a plan is legal, but we are definitely being aggressive. Anybody else wish to testify? Last opportunity. Come on up.

Marcella Elcantor: Good afternoon, commissioners. Thank you very much for the opportunity offer testimony. 99.9% in agreement with your community benefits agreement. I would like to suggest i'm not very familiar with the hud program or rules that you suggested be part of the agreement. My understanding on the hud is that it's limited only to the city of Portland. If that's the case, I would suggest to look back into the hud because, if the disparity study was done throughout, then it would not be comparing apples to apples and then limited to only contractors who live in the hud zone and expanded to in general latinos that live in other areas, all the communities, all their contractors' groups rather than just hud. On the overview committee, when you're talking about \$50 million, that these very few minority contractors at that level. The old disparity study, one or two contractors take the bulk of the money, and then you consider utilization for all.

Adams: Both in the equity strategy, the earlier response to the disparity study that we share that passion, I think the community benefits agreement pushes us forward in a positive way, but we need to have the experience of these two pilot projects with the overnight to be able to further improve and fine tune.

Elcantor: Just take a look into the hud limitations. My name is marcella ann cantor. I provide professional services. That's why my concern on the hud. It limits how many special minorities I can raise and tutor.

Adams: mr. Boyer?

Leonard: I think we should say senator boyer. We sat next to each other on the floor.

Bob Boyer: I'm former state senator, bob boyer. I have over 40 years in organized labor. I was president of the union. I ran the tugboats, items of the river. Now i'm the chairperson of constructing hope. When we got on the board, we were able to recruit trades people, so we believe in having the best apprentice people that money can buy. Our new value is in the selection for people to be successful in the trades. We love Portland, and we want Portland to be one of the best. We support the agreement. And supporting that, we want to make sure we have our young people prepared to build Portland and to make it one of the best cities in the country. Thank you.

Keith Edwards: My name is keith edwards. I've been an ebw member and electrician since august 1st of 1970. I've enjoyed healthcare benefits since that date and also and looking forward to enjoying my pension benefits as well. All ibew members have those benefits available to them, and I think really all workers should have those opportunities available to them as well. In putting the agreement together, it's been a very difficult effort. It's been a collaboration of many different groups. I also want to make sure that I give accolades to the metropolitan alliance and workforce equity. Those partners have been working on this for over two years now. And also especially to jim francesconi and maurice robinson who shepherded this through. There have been a lot of moments we thought we would get an impasse, but they did some back of the scenes work to make it happen. The primary goal was to make sure that the disparity in construction was addressed and to make sure that minority contractors would have an opportunity to grow their companies and participate on a level playing field. Certainly not lost on that was also that the workers that worked

September 5, 2012

for those companies should make sure they have some dignity at work as well. We gave up with this community agreement. I want to thank the mayor for making sure we got this done in a timely forward and not have it drag on and drag out. I want to thank the city council in hopefully supporting this, and i'd encourage you to support this, but I also want to say that I hope that those who perhaps have some reluctance or are thought in agreement with the community benefits agreement will come on as partners and realize this will benefit the community. Working together, we will all succeed. Think you.

Adams: Thanks for your leadership, mr. Edwards.

Tweedy: Doug tweedy with the carpenters. A little bit of clean-up, because I think there's two very important points that haven't been brought out today. This agreement, this resolution, is not intended, designed or expected to replace current workforce. But irregardless of that, we all know that the workforce is going to be shrinking, because all of us people with gray hair, the baby boomers, are going to be leaving over the next come per of years. There's going to be huge demands, and they'll only continue to grow for more qualified people in our industry, around this will help create more diversity among the workforce going forward. The second point I want to make is that certainly, from my understanding, this is not to lower the expectations of the work course. That is to give opportunity to people that are willing and want to commit to coming on and learn these skilled trades and achieve. Not everyone will have an opportunity and not everyone will be successful, but that's life. We all know that. To me, the whole idea here is that those that are willing to commit, that have it within themselves, with some help, with some opportunity, can come in and be successful and help create a stronger middle class and therefore a stronger city of Portland for all of us. Thank you.

Edwards: If I may, I know doug said this was a collective bargaining agreement. Approximate it's not a collective bargaining agreement. We get confused because, in our lives, when we see cba, we see selective bargaining agreement.

Adams: Council discussion with more staff? Please call the vote.

Saltzman: Without sounding like this is a than academy award speech, I want to thank mayor Adams for his leadership, christine moody of purchasing. I'm sure -- tracy reeves, jim van dyke in our city attorney's office. There's a whole host of community people out there that really have worked hard, jim francesconi, all the unions represented here today. I want to thank the younger people who are here to speak firsthand about the benefits of apprenticeship, journeyman opportunities. I think mr. Tweetie hit it right on the head there where there is lots of opportunities in the trades, good-paying jobs, supporting families with benefits. This community benefits agreement is also a good opportunity to make these things reality for more people who live and work in our city. This is a great thing. I'm really pleased that we're going to move forward. I want to thank commissioner Leonard for finding the first two projects to try this out on. I was working hard and long at our capital program, and unfortunately we had just completed our biggest capital project in the city's history, about a year ago, the big pipe project. There are not as many large projects right now in our list, but there were in the water bureau's list, and this is a great opportunity to make these things work and to provide opportunities for people for good jobs. Thanks all, and i'm pleased to vote aye.

Leonard: Thank you to all the very same people that commissioner salses man mentioned. In just a few minutes, we'll be voting on the very first contract that incorporates elements of this agreement. Many of you who are sitting here will hopefully be employed by the action of council in just a few minutes. I, too, want to especially thank jim. I've had the pleasure and the benefit of sitting next to him right here for two years, and his focus and goal to make this a more inclusive community didn't change one bit when he left as elected official and went back to the private sector. And i've always admired that about you, jim. Thank you very much. I'm pleased to vote aye.

September 5, 2012

Fritz: I'm very proud to be sitting in the commissioner number 1 seat that was occupied by jim francesconi and then by sam Adams. This was an issue that sam campaigned on when he was running nor mayor and I was running for my first term. It has been a very complicated matter. I first learned about it when walking the picket line at ohsu 10 years ago and have electricians and workers come join us. I thank commissioner francesconi for his leadership and certainly the mayor for making sure it happened in our term on this council. It does contain a second issue, as commissioner Leonard alluded to, at the kelly butte contract, and that we will discuss later. This resolution is about the community benefits agreement, and it's very, very important. I thank every single person who came here, sat here and is silently in support and more particularly those in the community who have been part of negotiating this agreement. It's particularly important that there's a community oversight committee that's going to be monitoring this process and that the provision ends a resolution that a report will come back to council. This is a pilot project, a good step along the way. It probably isn't all that we can do. It's pushing the envelope. As doug tweedy said, this resolution is about equity. We're moving forward in many, many ways in our community as a result of some of the actions of this council. I'm very proud to vote aye.

Fish: First I want to thank everybody that took time to join us today who's wearing a t-shirt. I'll let you in on a little secret. It is usually the case, when this place is packed with people wearing t-shirts, that they are not happy with something we're about to do.

*****: It's true. It's true.

Fish: When we see the t-shirt, the initial reaction is --

*****: Hide.

Fish: -- high alert. Thank you to everybody who took time out of your busy schedule to be here. [applause] i'm not going to say anything about jim francesconi. I'm sorry. I already have a very challenging relationship with jim, and I don't want his head to get any bigger.

Leonard: He's the only guy you haven't run against. [laughter]

Fish: We'll take that up in mediation. I thought we had an agreement to work those out privately.

Leonard: I'm sorry.

Fish: I am not in his office. I didn't serve next to him, but I do have the benefit of leading a bureau, the parks bureau, that won a gold medal last year, and it was in part because jim francesconi had a vision, and we are a much better system because of his leadership. I'm proud to acknowledge that part of jim's resumé. I want to say, as a commissioner to, see my friends in labor and industry and efficacy come around this beautiful, I hope it becomes contagious and maybe will start happening at the federal level as well. The question before us today is an agreement and approach, but the we have the skeptics are going to ask is the city really going to do on the ground what it takes to make change. We've heard that in gray's landing and south waterfront we're ex-siding our goals. With the same coalition working together in the largest parks project that the city is undertaking in the river district, the prime contractor is a minority contractor, and that was not always the case on those kinds of projects. There is steady progress being made. Some people raised a question about whether the disparity report extends to what we're doing. Those that say this agreement somehow has a constitutional affirmative are really saying the city's existing policies are constitutionally unconcerned. The reason we do things like the disparity policy is to follow the law. People need to know that the city of Portland scrupulously follows the law and that this agreement, in our view, does pass muster. To those who say, why even have aspirational goals and good faith, look at the areas where it's currently working. Imagine how much more pronounced the disparity would be if they were not in place. People forget that piece. There's a film that will come out this fall called "american winter," a documentary about 10 families that they learned of through calls to 2-1-1, which is our nonprofit provider. Each story is gut wrenching, but the common denominator is a pink slip, an unexpected health emergency, a foreclosure, and something else that happened and a middle-class family finding that they are very vulnerable. The story is about Portland families, but

September 5, 2012

it's called "american winter," because it's not just Portland that is experiencing an american winter. It is a nation that is experiencing this winter. Without getting too corny, the hope is that this film and the discussion about the middle class will lead to an american spring. An american spring will not happen unless we link arms and do something different. I believe this approach, this agreement about providing real work opportunities is important work. Christine and your team, thank you. These are complicated issues. Mayor Adams, to the comment that had been made before, you did say, as with education, that this was a priority for you, and you did follow-through, and this agreement is further proof of that, and our job now is to make sure that in the projects which have been selected -- and commissioner Leonard we applaud you for that -- that these are successful and that we continue to fine-tune them so they can be used more pervasive live across our system. Today i'm proud to cast my vote aye.

Adams: Thank you for the kind words of my colleagues. We are piloting the cba on two projects. The cba I was the way we will be doing business on large projects. We know that it is not perfect, and we feel like we have studied it as much as we can, and now we have to go try it out and learn some things that you can only learn by going out and giving it a try. This is putting our shoulder behind our equity efforts. This is about us taking another step to become the city of the most equal opportunity for all Portlanders. For everyone that has been here for this hearing, thank you. I want to underscore my thanks to the honorable jim francesconi. I, too, want to thank christine moody again, tracy reeves again, peter in my office and the economic development team. This has been hard, but it's been worth the effort, and now we need to go out can't make Portland a more equitable place. Pleased to vote aye. [applause]

Adams: Council is going to be taking a compassion break for seven minutes. Not six, not eight. Seven.

The meeting recessed at 11:53 a.m. and reconvened at 12:04 pm.

Adams: If I could get two more members, we don't have to do this over. Sergeant at arms, could you go and get them? City council will come back from recess. We're going to continue on with our agenda. Please read the title for -- i'm going to bounce ahead to the -- where is that at? Please read the title for 997, the procurement report. Commissioner randy Leonard.

Item 997.

Leonard: Turn it over to christine.

Christine Moody, Chief Procurement Officer: Christine moody, procurement services. In june, 2010, city council author righted the use of a cmgc process for the kelly butte reservoir project. An rfp was issued and four responses received. The responses were evaluated by a five-person selection committee which included city staff, representatives from the community, and one minority evaluator. Hoffman construction company of Oregon was the highest scoring proposal. The city then entered into contract negotiations, and now you have before you the procurement report recommending a contract award for a guaranteed maximum price of 57 million \$250,000. The city and hoffman agreed to a community benefits agreement that I spoke about a while ago, and I will turn this over to david shaff, water bureau administrator, to answer any technical questions about this project that council might have.

Leonard: What was the original estimate?

David Shaff, Director, Water Bureau: The original estimate was \$70 million.

Leonard: So it came in about 13 million less.

Shaff: That's correct. That's one of the benefits of the cmgc process that we talked about two years ago. I'm david chaff, the director of the water bureau. I don't really plan on having much to say. We are prepared to move forward as soon as you give us the go ahead, and we will give the notice to proceed to hoffman construction. You know about the project. It's to upsize the kelly butte storage tank from the existing 10 million to 25 million gallons.

Adams: Council discussion? Commissioner Fritz.

September 5, 2012

Fritz: Thank you. There has been a lot of work done on this project, and we are now at a significant point in the whole compliance system for covering the reservoirs or putting them underground as required under current federal law, and so I believe there's an opportunity here to look at is this the most cost-effective way to move forward or should we be acting the Oregon health authority for an alternative method which could be a lot cheaper. I believe we have a lot of community testimony on that issue, and so i'd like to move to that. Thanks to folks for waiting for the morning.

Leonard: I just want to put on the record that we have asked the Oregon health authority for a timeline extension. They've denied that request, so the agreement that the council adopted in 2009 of the timeline and the work schedule is the one that the Oregon health authority will enforce.

Fritz: Thank you for pointing that out, commissioner Leonard. That's something that has changed since this contract was put out for discussion is that the Oregon health authority did deny our request for a timeline extension, and that's why I believe it's important to have a discussion now as to whether this is the right way to move forward.

Adams: Let's get to public testimony.

Moore-Love: We have about 19 signed up.

Adams: Welcome.

Bette Stefflik: Good day, mayor Adams and commissioner Fritz and commissioner Fish and commissioner Leonard and commissioner Saltzman. My name is beth stafflick, and i've been a Portland resident for 25 years and an Oregon resident for 35 years. I think Portland and the state of Oregon are two of the most beautiful places anyone could live. I appreciate all the amenities, natural resources this place has to offer. You have a choice today how to comply with the e.p.a., It-2. Do not award hoffman construction the contract to build kelly butte reservoir. Instead I appeal to your sense of care for your fellow humans to choose covers at reservoirs 1 and 5 at mount tabor and reservoirs 3 and 4 at Washington park which will comply with this ruling. Each side can challenge the other with their scientific data, financial cost, which is who they think is the most right and best. But if you base your decision solely on scientific data, financial cost, and political agenda, we are all missing a very big point. Scientific data is constantly changing. Breakthroughs are happening every minute. It can be variable, and a better solution could be coming down the road. Money costs are relative to the decade, the economic climate, and the person who's doing the calculating, which makes this arbitrary. Political agenda is wanting your side to win at all costs. But what isn't variable, changeable, and arbitrary is respect towards nature, our natural resources, and the humans who interact with these resources. What you are deciding upon isn't confined to this room. This decision is about the next 125 years, what the next 125 years will look like. This is your legacy, which is not variable, arbitrary, and changeable but is permanent and frightening if you decide to bury our beautiful bull run water. If you're nearly half a century old and you've lived your life. Your decision really impacts your children, your grandchildren, your great-grandchildren. Their well-being and peace of mind depends on the city commission who took care with their lives. Model for them what it looks like to grow up as a vital, productive citizen who loves nature and is willing to defend it. It only takes your goodwill to visualize the future. I appeal to you to utilize your good wind, weigh in with your heart, and vote with moral courage. Take the right action for Portland and our city water.

Fish: Before we take another testimony, could I make a request? I have an item 999. If this goes according to schedule, we'd probably be bumping into the lunch hour, and I know you're trying to balance a lot. Would the council consider just starting the afternoon session with that and giving me 10 minutes to complete that work so I can send the staff person home or is it your intention to be the last thing we do at the end of all the matters this afternoon?

Adams: I'm happy to have it be the first thing after lunch.

Fish: And I promise you no presentation. It will just be questions. Thank you.

September 5, 2012

Adams: If I could, this is a very important issue, as you've underscored. You used the word cancer. What scientific evidence do you have --

Steflik: I only had three minutes.

Adams: I'm asking you now.

Steflik: I don't have it with me.

Adams: What scientific evidence have you looked at that the option before us, the proposal before us will cause cancer?

Steflik: Radon. Radon doesn't have the --

Adams: I mean citations.

Steflik: I don't have that with me. I wasn't prepared for that. I only expected to have three minutes today.

Adams: But you've seen scientific evidence about this?

Steflik: I have read documents.

Adams: That is quite a statement to make. Hi.

Floy Jones: Good morning. Friends of the reservoirs are here to advocate for a change to Portland's It-2 reservoir compliance plan. Our support for this compliance option is similar to our support in 2009 for designing a bull run u.v. Radiation plant over a chemical filtration plant. If we're going to waste money on It-2 projects that will provide no measurable health benefit, then let's waste the least amount of money possible. We do not support abandoning the fully functioning historic reservoirs at Mount Tabor. We support preservation over new construction. A hibbit poll shared with the water bureau last year also said that the public supports maintenance over new construction. The public does not support the water bureau's plan to demolish the open reservoirs at Washington park. The hypolon cover supports savings versus waste and common sense versus overengineering, supports community over bureaucracy. In June, we heard you on talk radio say that you were still working to preserve Portland's historic open reservoirs. Some months earlier, you told the Portland business alliance that you had stopped the \$90 million Kelly Butte project. This cover plan will allow you to accomplish both of those things. We are in agreement with New York, Rochester, and New Jersey that all of the compliance options are onerous and unsupported, by the compliance strategy of hypolon covers is in line with community values. The hypolon cover plan will save upwards of \$138 million and allow Portland, like New York, Rochester, and others to benefit from the revision of the It-2 rules scheduled to be complete by March of 2016. Kelly Butte approval commits rate payers to spending \$230 million for a problem that doesn't even exist. Friends of the reservoirs are here for the long haul.

Fish: Let me ask two questions. And I appreciate all the documentation we got before the hearing. The first question is do you agree or disagree with the position of the water bureau that the reservoirs will require seismic upgrades at some point?

Jones: Well, in 2004, there was a \$500,000 reservoir panel that went on for three months, and the water bureau put forward all of their very extensive arguments. They dealt with aging conditions, historic significant, cost, all those things. An anonymous phone call, as Mayor Adams might remember, was made to an urban league member and then brought to the panel, and what they concluded is that any issue of seismic upgrades should be considered as a city issue. Look at all of the issues that need upgrades. We went to the department of geology at PSU back then and spoke to their professors and got maps. We also went to the water dam. Based on the hydroelectric plant at Mount Tabor, none of those indicated there was any high risk for any dam breakage. The biggest risk, according to documents in the water bureau, in addition to that, the infrastructure master plan, which is the document that outlined all the major projects for the water bureau over the next 25 or 30 years -- they listed out several projects, evaluated which projects needed to be addressed seismically, and open reservoirs was not included. The Sandy River crossing project was on there and replacing the east/west conduit. This is something that should be brought back to a panel. It's

September 5, 2012

not related to Lt-2 compliant. There may be some need for that, but it's not something that should be decided related to Lt-2. That should be further explored in the context of what the reservoir panels suggest, and I would recommend that you bring back a reservoir panel.

Fish: That was a very thoughtful response, and what I heard was a maybe.

Jones: A maybe is something that should be examined by a panel at a future date.

Fish: The second question that I wanted to ask you has to do with public process around the fact that it's a historic district and we have zoning codes and the historic designation. If we were to adopt your proposal here, what in your judgment is the minimal public process that the city would have to follow in order to proceed with that option?

Jones: Well, I'm not a land use expert, but I know there's the different levels. I've read some of what the water bureau has put out there. I don't know whether it would be a type iii, type 4 conditional.

John McLaren: Mayor Adams, commissioners, good afternoon. My name is John McLaren, and I strongly favor keeping the open reservoirs uncovered. I live near Mount Tabor Park. In my opinion, the ambience of the showcase park would be severely compromised with the reservoirs permanently capped. If they must be closed, I support the floating fabric cover option as proposed by Commissioner Fritz. This compliance vote would allow the city to in effect cover its bets plus save a lot of money in the process. If the Lt-2 rule is revised or thrown out, the covers could be removed and the reservoirs restored. Thanks for your attention.

Jeff Boly: I'm Jeff Boly, president of the neighborhood association. I'd like to make it clear for the record that our association supports all of the points that were just made by the friends of the reservoir's representative, Floy Jones. I'd like to begin by answering a question that Commissioner Saltzman has posed, which I agree is a very good one. That is that in 2004 we were all on record as very much opposing these type of covers, and here we are now supporting it. What gives? So I want to explain that, because I think there is a very good clear answer. Back in 2004, the question was whether or not the reservoirs were going to be covered at all. Lt-2 hadn't even been adopted. So what we were looking at is all of the options that might be available to deal with that circumstance. And we were opposed to anything that involved covering because we didn't think it was necessary. It's only become necessary in the interim because the federal government adopted Lt-2. So there has been a major change in the rule, if you will, and so we are responding then to the new circumstances, which is Lt-2, and we see that our choices there are these two options of being very expensive and destructive of the historic reservoir, and the other being inexpensive and giving us other options. It seems like a pretty easy call. That's why we had one position back then and another now which we think is totally consistent. So the bottom line is that once these reservoirs are destroyed and talk about complying with the land use laws, I mean, you compare destruction versus --

Adams: Your time's up. Thank you for letting us know the position of the neighborhood.

Stephanie Stewart: I'm Stephanie Stewart. I speak on behalf of the Mount Tabor neighborhood association and with the support of an anonymous vote at our last neighborhood meeting for the position that I'm talking about today. Hypalon-like covers are cheaper and make us fully compliant.

At this moment, it's common sense versus overengineering, preservation versus new construction. Always before in the Lt-2 conversation, you've been forced to align yourselves counter to Portland's culture. You've had to choose overengineering and new construction when what you wanted was common sense. There's no reason to continue on with the Kelly Butte project or any part of the water bureau's current compliance plan. You have a new option, one that wasn't on the table before, and you have time within the current compliance schedule to cause a slight pause and make a switch. The groups that have opposed this option in the past support it today. Business, public health, environmental, equity, and neighborhood groups are all onboard. The groups that oppose your current compliance plan support this plan. The groups that have opposed every form of

September 5, 2012

compliance on principle alone support this plan. You have to reject water bureau's attempt to muddle the conversation at the last minute with untested claims that these structures are unsafe and too old. These are old arguments. They've been addressed before in other forms, and we can address them again if the community desires. Lt-2 is a federal beast that has stripped us of local power. We dare not mix into our relationship with Lt-2 any other project or we unnecessarily hand over lost control on those issues as well. Every other nonlt-2 project should be staged, cost and approach, in a way that best suits our community without the Lt-2 gun over our heads. The mount tabor neighborhood association support as strategy to include hypolon covers.

Fritz: Could you just talk about the process, because the neighborhood association had been some of the most opposed to covers in the past, and what kinds of discussions did you have to go through to come to a conclusion?

Stewart: It started at the board level but very quickly moved to a neighborhood-wide discussion. I think people can see that we're at a crossroads here. This is not an easy decision for anyone to come to, but we're the guy in the canyon with his arm caught and rock. It's time to make a tough choice if we want to have the freedom to move on. This new option puts us in compliance and keeps options open for a future in which new legal options may be available within the rules.

Fritz: Some folks have expressed some concern that the neighborhood associations might oppose covers in the land use review process. Can you talk a little about that?

Stewart: Well, I don't know the land use processes enough to know what this particular project would face, and I personally would not be willing to go stating -- limiting anyone's rights to any form of public process. But from what I see within my neighborhood, I see people who are behind this option today, and I think that that speaks highly of this option.

Fritz: Thank you.

Regna Merritt: Greetings. I'm here representing Oregon physicians for social responsibility. We have 2000 physicians and public health advocates in our organization and we're here to ask you for your help. Our members remind you today that there is no scientific evidence that covering or treating open reservoirs is likely to have a demonstrable health benefit. Yet we must and will comply with Lt2 requirements. Psr supports a cost-effective and sensible alternative to the expensive plan promoted by the Portland water bureau. The letter submitted by the coalition, which you have, requests of the city, of the Oregon health authority a specific strategy for compliance with Lt-2, one which has been approved by the epa many times before and for many different communities. We heard in the work session earlier this summer that the Oregon health authority said that they don't care how we get to compliance, just that we need a schedule. This alternative can meet that schedule. And I'll just add if there is a land use planning process that comes as a result of a good decision you may make today, we will be there to support the covers in the land use process. While we understand the concerns about aesthetics, you must understand we have been, with the neighborhood association, vetting this proposal with others all over the course of this summer. And so we have support from groups as diverse as the Oregon league of conservation voters, Audubon, Portland business alliance, the central eastside investor council, top infectious disease expert at ohsu and even groups as Stephanie said before, who have not been in agreement with our coalition in the past. We are not talking about compliance or non-compliance with Lt2. We are talking about your support or non-support for the most expensive form of Lt2 compliance as promoted by the Portland water bureau. We are talking about your support or non-support for the form of compliance which effectively forecloses the city's opportunities to further engage in the current epa of the rule. Support for the Kelly butte contract would fly in the face of your stated commitment to the city's #1 federal legislative priority. So we ask which legacy do you want to leave? The demolish historic reservoirs recently upgraded to take us to the year 2050, a huge rate increase and staggering debt, or preservation of our water system with a stellar history of providing affordable, safe drinking water. Please do not support this contract and please support the

September 5, 2012

community alternative which will save us hundreds of millions of dollars and is consistent with the city's top of federal legislative priority.

Adams: You said that your group, the Oregon physicians for social responsibility, found no evidence that covering the reservoirs would improve --

Merritt: There is no evidence, no scientific evidence either covering or treating open reservoirs is likely to have any demonstrable public health benefits despite the massive cost. We're going for the cheaper alternative.

Adams: I don't want you to read the whole statement again. What do you base that on? Review of what?

Merritt: This has been in discussion with public health experts --

Adams: What have you reviewed? What has the Oregon physicians for fiscal responsibility reviewed in terms of scientific evidence?

Merritt: We reviewed the Portland water bureau's own documents including the requests for variance for the open reservoirs. We reviewed testimony of public health officials, talked to public health officials. We talked to people at the state. Epidemiologists, infectious disease experts.

Adams: Is that information on your website, your review, who you talked to?

Merritt: I would be happy to provide you with a list and citations, absolutely. As a matter of fact I have heard that come from the mouths of people on this council too.

Adams: I'm asking you, not the mouths of people here. Thank you.

Merritt: I'll be happy to provide you with that.

Adams: Great.

Kent Craford: Good afternoon. I'm kent craford representing the Portland water users coalition, a group of large industrial, commercial water and sewer customers in the city. Just to add to what she said, I can share this with your staff, mayor Adams, that water bureau participated in the 2009 american water works association study on cryptosporidium and lt2 in which 7,000 of samples were taken at our open reservoirs, none of which contained any contaminants covered by the rule. That is a scientific document. We can share that with your staff. Further, I would like to point out as of today we have the chief of microbiology at ohsu, dr. Tom ward, signed on to our letter. I think nobody in the city may no cryptosporidium and infectious diseases better than he. If you want a credible scientific opinion on this community alternative plan I encourage you to be in touch with dr. Ward. I would also -- the Portland water users coalition supports this community compromise plan to install covers at the open reservoirs. I want to point out that this was very difficult to reach this position, and as jeff and stephani discuss, they have tremendous support from the neighborhood associations that they represent. That was in the easy to get. This is a bitter pill to swallow, but the alternative is worse. What we're encouraging you to do today is accept that olive branch, not turn your back on it. For many years we have alleged that the Portland water bureau and the city are using the lt2 rule as a pretext to promote other water bureau projects that we believe to be unnecessary. Your vote today will prove us right or prove us wrong. If we move forward with the community's alternative plan, covers at the open reservoirs, we're in full compliance, we are not thumbing our nose at the epa, we aren't rejecting the fact that we need to be in compliance with the law. We won't send david to jail. We'll be in full compliance at a much lower cost and we'll be able to preserve these historic structures. Today we can decouple lt2 from all the other water bureau priorities. We encourage you to not choose spending over savings, not choose demolition over preservation, not choose coercion over collaboration, please work with these people, take this olive branch. Let's move in a better direction and save a lot of money for Portland rate payers.

Fish: Let me ask you a few questions if I could. You have been fighting the good fight for a long time on this. I have always appreciated the reasonable tone you have adopted in these discussions here and in private. I don't want to break out some of the things you said. First of all, do you agree that we are required to comply with the lt2 timeline?

September 5, 2012

Craford: Yes.

Fish: Do you believe the city is doing an adequate job of fighting the regulatory requirements?

Craford: No.

Fish: Despite all the hearings where we have documented things the city has done you do not believe the city has adequately -- you honestly and sincerely believe the city is not addressing that issue.

Craford: 110%. I shared with you a document that really under scores this. In 2009 march 25, the water bureau brought to you one lt2 compliance option. One. Note a suite of options, not a reasonable alternative, but one option. And when were they going to submit that option to the Oregon health authority? That afternoon. So how is that doing everything we can be doing to avoid this tremendous expense? This city council has been railroaded into this Portland water bureau preferred plan. That is my belief.

Fish: It makes for a great headline but I would tell you respectfully I have been at a lot of these hearings and have almost gotten to the point that I dread when commissioner Leonard talks about the efforts made because I have heard it so many times. Not once, ever has someone come to me and disputed anything that he has stated in terms of lawsuits, appeals to political leadership, meetings with regulatory bodies, revisiting lawsuits, further follow-up meetings with leadership, meetings with centers. I have never had someone ever, you say it's a railroad and I appreciate you have that point of view, but I will tell you that no one has ever to me ever disputed and contradicted anything the commissioner has laid out since 2009 in terms of what the city has done. And at a certain point, again, I understand we can disagree, we can -- you're entitled to your view. We have to struggle to come to our view, but I find it incredible at this stage of the process to have someone as responsible as you say the city hasn't done an adequate job in contesting this rule. To say we have been railroaded is sort of like saying what you said earlier that this is all pretext for something, what you are saying is that both this commissioner and my colleagues have somehow been under some spell, have not taken their job seriously and have allowed people to either railroad them or feed them manure in the form of a pretext, and you know, I actually am beginning to wonder whether as a democracy we can have reasoned debate if we keep going back to those kinds of statements. Finally at the end of a long process, I have sat through hearing after hearing where people have been vilified, commissioner Leonard has been personally attacked. I used to think it was just the far right that's vicious in their attacks. I want to now correct that. Still I have waited for someone to come to me and show me the ching. I look forward to listening to the testimony of most people because they are thoughtful and reasonable, but I do not understand why today we can't even get consensus on whether or not the city has done an adequate job in fighting this rule. It could be there's nothing this city can do that will satisfy some people in which case it's possible since we are making assumptions about people's motivations that this proposal is just another way to run out the clock and by the way I appreciate very much this point about we'll try to monitor the land use proceeding. One person, one person can take us to luba and then can take us to the supreme court, and can tie us up for years. One person. I understand we can bank on your representations because I have come to understand that your word is your bond. There are 600,000 other people in our community who may have a difference of opinion. I worry, I really worry after all these years of thoughtful discussion that we're back to a point where we're not doing enough, somehow we're acting in bad faith, and now here's the real litmus test going forward. I'm a little disappointed because I think that the base has been conducted at a higher plain on and off. I wonder whether there really is a place of agreement here or whether we're going to be stuck in this sort of constant spiral of what I consider to be somewhat offensive accusations about people's motivations. Dereliction of duty. You're free to state that publicly and it makes for a nice headline, but I think it really demeans everybody here to say things like that.

September 5, 2012

Craford: Can I speak to that? I think the point is we have options but all we ever hear is we don't have any options. We're being forced to do this. That's not true, and I, like you, listen to commissioner Leonard recount the history of everything the city has done. He did it at the most recent work session on this issue. Yes, I was there and Foy was there and we helped select the attorneys to sue EPA and all that. But that was ancient history. That was years ago. 2009, that's when we're talking about this one option came before you and you forward this on. Since then there's been no meaningful discussion about what our options are. We have options. We can present them.

Fish: I appreciate that. The last thing I will say on this because I want to give everyone a chance to testify and I'm listening intently, but I just think in fairness I remember another dispute that may not have risen to the same level but that was pretty intense. That had to do with whether we were going to decide to do a filtration plant or a u.v. Alternative. I can tell you from my limited experience in this job, it's not an easy thing to go against the recommendation of the commissioner in charge. All of us spent a lot of time becoming conversant on the issues and when it came to make a decision we all did what each of us thought was the right thing. A different decision came out of that process.

Craford: That's all we're asking for today. The same thing.

Fish: My point is different. My point is I think before we start painting with a broad brush, railroading and pretext, I think you ought to give us a little more credit for the way we're trying to engage this thing thoughtfully, not just today but looking to the next 100 years of this city's history. You know, you're entitled to your view but I have a slightly different view of the integrity of this body. Thank you.

Adams: Commissioner Saltzman?

Saltzman: I certainly respect the cover option as being a compliance option. Appreciate commissioner Fritz bringing this to our attention as have you labored over, this but I have to ask you to me it just comes down to -- I know it's a costly option to do Kelly Butte, but the hypoundcover option is I sense prefaced on the notion that either president Obama or president Romney is going to somehow repeal the Lt2 or change it, and my recollection is Lt2 was originated under republican president George Bush, finally promulgated I believe under, again, president George Bush, so I just don't know. Even if this were to be changed at the federal level, would the -- with the state having primacy, and the fact that you can't build a new reservoir today without covering it, there's no guarantee our state and there's no necessity that they would have to change their opinion. I think we have heard from our state health authority that they are not about to change their opinion. I really want to get to the public acceptance issue. I know there's a cost premium for the Kelly Butte option, rebuilding and baring the Washington Park Reservoir, but aesthetically can any of you honestly say if you went to Motte Mt. Tabor Reservoir on a day like this, or Washington Park, I was there two days ago checking out the Fairview Boulevard skate route, that if you asked your random person in the street questions, do you think any less than ten out of ten people would think covering Mt. Tabor Reservoir with plastic is absurd?

Merritt: Those were precisely the questions we asked.

Saltzman: With all due respect to the neighborhood association, neighborhood associations have a dynamic but I don't think that's necessarily speaking for all the park users in Washington Park, Mt. Tabor, city residents and rate payers too. I just don't think the plastic option really passes the straight face test and we would be facing a much larger crowd at some future city council meeting or some ballot measure to reverse the action out of aesthetics. We would have historic resource advocates down our throats saying, how dare you alter the historic aspect of Mt. Tabor or Washington Park Reservoirs?

Merritt: How dare you destroy -- [speaking simultaneously]

Stewart: You will be altering them with the current plan.

September 5, 2012

Saltzman: I just don't think -- the public often doesn't find out about things until too late, and I don't think that they would support this option and we would be facing a much more hostile crowd if we were proposing to cover mt. Tabor and Washington park with plastic. That's what it comes down to. Covering with plastic. That does not look good to anybody. I have been this route before with Washington park when I was water bureau --

Merritt: I know you have. Whenever you ask that question you have to ask at what cost. If you tell people what it's going to cost to destroy historic reservoirs, build underground tanks and that's part of the whole equation, they get it.

Saltzman: First get the opportunity to have that maybe two-minute conversation they may get it but I think a lot of people also realize our water infrastructure, nothing is more important than drinking water. That's been recognized since the founders or whoever went 40 miles east of here and decided this place was going to be the source of our drinking water, bull run, not the willamette river. Ever since there's been a certain quality and aesthetic to our drinking water system infrastructure. I think people want to see us continue that tradition and they feel that it may be a cost premium, and it is, but the alternative of looking at plastic covered reservoirs is unacceptable. I think the majority -- I would wager I could stand up there at mt. Tabor and ten out of ten people would think i'm crazy for talking about covering this reservoir with plastic. I'll give you a chance to respond.

Boly: What do you think the reaction would be from the public if the headline is that the Portland city council voted today to destroy, demolish the open reservoirs at Washington park and mt. Tabor? [speaking simultaneously]

Leonard: We're putting a tank under the reservoir at Washington park at your neighborhood's request. Excuse me. Excuse me. I have been very patient and listened to a lot of things being said that are just flat not true. Jeff, we're replacing Washington park's open reservoir with a tank beneath it, filling it back up with water so the white cover that you don't like that is currently lining will no longer be there. That's what the neighborhood asked for. Your neighborhood threatened to chain themselves to the fences surrounding the reservoirs that a truck came to do what Washington park neighborhood agreed to do to bury tanks underneath the reservoir and fill them up with water. Threatened to chain yourself in a circle around the fences. That's what dictated the different strategy.

Stewart: That's old news now.

Leonard: No, it isn't old news. 2009 we had a compliance schedule that had to be submitted and it wasn't railroaded through. It was submitted the way it was because of the vehement, i'll go so far to say violent opposition to covering the reservoirs by mt. Tabor residents. Conversations I had one on one. That you can shake your head no is incredible. Absolutely incredible.

Saltzman: Respond to my question. Do you think that the majority of the public would really support covering mt. Tabor?

Stewart: I think if you laid the two options side by side, yes, one does look like the lesser evil. That's the alternative plan. Destroying the reservoirs, leaving them empty, destroying one reservoir at Washington park and burying a tank under another reservoir at Washington park is the current plan, there is no plan for how to handle the structures at mt. Tabor so either they will be empty and crumbling and rotting or what? When I have actually laid out the two current options on the table, the two bad options, the reaction is we'll go with the less bad. There is a belief that because the rule has been put under revision by executive order that one of the good options that was originally in the rule when it was in draft form that that option will return and that will be a legal option that our city would have access to if we haven't already spent all of our money and damaged our reservoirs. It's the mitigation portion of the rule taken out during the draft process, taken out between draft publication and final publication.

Adams: Mitigation to what end?

September 5, 2012

Stewart: There are options within most epa rules for they specify standards and methods to get to those standards. Mitigation is one.

Adams: Security and such? I got what I needed. Thank you.

Adams: You had your hand up.

Craford: Could I speak to commissioner Saltzman's question? I think that will be very challenging. I don't think people will react well to it initially. I think it will require a lot of education and I think that's what you're seeing here today is our commitment to work with you to ensure that that happens. I will testify at land use hearings. We will go to public meetings, we will do what is necessary to convey to our neighbors and constituents that this is the least bad option, but I think I also think that the covers going on these reservoirs could be the jolt in the arm that we need to get the congressional delegation to get us release. We don't want to see these covers on there. The question that's going to be asked, why is new york city getting out of this? What have they done right that Portland has done wrong? Why is michael bloomberg and chuck schumer been able to secure relief for new york city but the Portland city council and its delegation have not?

Fish: You're talking about the different schedule?

Craford: The commitment that chuck schumer received from epa that epa was going to rewrite the rule and indicated to new york that they would get a reprieve --

Adams: With all due respect you're saying we should go ahead and do this, then face the popular uprising then that will awaken our congressional delegations?

Craford: Yes.

*****: May or may not have any impact.

*****: I think would result from our decision --

Craford: We're asking you to take a risk. The good news is you save a lot of money doing it. Is it -- this is very hard. This is a choice between two bad options. But this is the least bad option.

*****: You said that we would save some money but in fairness if we went down that path and the other part of your strategy did not pan out, we would in fact have to address the seismic issues of these things for the long term and the cost may end up being quite comparable, then, then what have we accomplished?

Fish: Well, you also have to take into account the fact that the water bureau's own consultant said the reservoirs would last to 2050. We could be able to extend the life of these existing reservoirs another generation and that makes a lot of difference in terms of money. Month -- the water bureau can provide you --

*****: Shaking their heads.

Craford: We will get the document to you, then. Can I interrupt? The mayor was questioning the first lady that spoke about her comment about reservoir covers causing cancer, evidencing some skepticism of that argument. Where is the scientific evidence? These seismic plans are equally specious. Where is the study? Where is the expert? Where --

Adams: We got your point. You propose that we do downstream treatment of reservoir water. You say that according to presentation of the mt. Tabor independent review panel by mcguire environmental, option 3, treatment of open finished reservoir influence. That you propose upwards between 106 and 151 million for u.v. Treatment. This was in 2004, so that estimate I assume is up or down, whichever, so you're proposing ultraviolet treatment on mt. Tabor. Have you really thought that through? The implications of that?

Craford: We're simply proposing that it be considered. It's never been considered. You only considered one option.

Adams: No, you've got it on your paper as a proposal.

Craford: I'm sorry, I don't see where our coalition is proposing this. We believe it should be considered.

Adams: You have proposed this option. You don't propose this option?

September 5, 2012

Craford: We believe that all the reasonable --

Adams: Are you proposing the option or not?

Craford: We're not proposing anything. We're today proposing a cover as a last ditch option. [speaking simultaneously]

Adams: The downstream treatment you're not proposing, you just put it out there.

Craford: We believe all these options should be given equal consideration.

Adams: I'm just asking a simple question. You're not proposing --

Craford: I'm sorry i'm not giving you the answer you want.

Adams: You are or are not proposing the downstream ultraviolet treatment. Would your coalition support that?

Craford: We would like to know what it entails, what our colleagues and the neighborhoods think about it. We would like to know what the trade-offs are.

Adams: Since there are so many questions around it and you don't know the price you do know it was upwards of \$151 million in 2004, aren't you -- I mean this respectfully, aren't you engaging in what you criticize others for doing by putting it down here as an option?

Craford: What we want to see is all of the reasonable options for complying with this rule considered. On an equal footing.

Adams: And in 2004 you yourself note in your footnote it was part of the consideration process.

Craford: No. It was one slide on a power point.

Adams: Before the independent review panel. You're saying it wasn't -- the other question I have for. [speaking simultaneously] why do you use the word when it's plastic.

Stewart: That was the original brand name.

Adams: It's plastic.

Stewart: Sure. Plastic cover.

Merritt: Like kayaks are --

Adams: We all agree a form of plastic. I just want to make sure we didn't have a difference of opinion here. Thanks.

Fritz: Mayor, if I could just draw attention back to the paper with the red ink at the top which this coalition is supporting consideration of the covers and asking for rejection of today's contract. I have been doing obviously a lot of talking to folks at door steps and community meetings. What i'm hearing overwhelmingly is whatever is cheaper. That Portlanders are crying out for relief on the water bureau rates. That's what i'm interested in, the most cost effective alternative. I'm troubled by the current plan because there's no estimate or even effect of what would happen to the mt. Tabor reservoir should they be taken off line. Those costs need to be considered because they will be emptied or upgraded. Either one of those has significant costs. That should be part of our discussion today.

Leonard: But you were given a cost estimate to put plastic on the reservoirs. That was \$250-some million dollars. You discounted out of that because it doesn't work to seismically upgrade the reservoirs which our engineers have said has to be done if they are going to be the replacement water storage facility for the city of Portland. That would be like saying you're going to put a roof on your house, you strip the old roof off, you put the new roof over the dry rot. That does not save money.

Merritt: You just spent 40 million upgrading the reservoirs, and the last contract was just finished out last march.

Leonard: They were not seismically upgraded. You can say a fact is a fact that doesn't make it a fact. You can say what happened and that doesn't make it true that that happened. What i'm telling you is what the engineers have told us, what they have given us voluminous response to the question how much does it cost to cover the reservoirs. I have given that but you all have

September 5, 2012

subtracted out the part that doesn't fit your argument. That's how this debate has gone since I have arrived on the council ten years ago. It's a pattern.

Craford: Could you discuss the seismic study with us?

Leonard: Your memo was received last tuesday asking for it at the end of july said we estimate --

Craford: Took that long to produce.

Fritz: Just installing covers would cost \$25 million.

Leonard: You discounted the rest of it that says it has to be seismically upgraded.

Fritz: It's not required as the process.

Leonard: That's my point. You've decided what is appropriate, what's not. That's not the way you do -- that's not the way you do capital improvements infrastructure that delivers water to citizens. What is or is not important in delivering the water. The engineers are the ones that make those decisions. That's how we have delivered water from bull run for over 100 years.

Adams: Thank you very much for the discussion and testimony. Appreciate it. Who is next?

Adams: Mr. Morgan. You want to begin? We need a fourth one. Brad? Go ahead. You're the camera. Okay. Mr. Morgan?

Michael Morgan: I'm michael morgan. Because of the persistent and consistent efforts of new york and presidential -- president obama's executive order 13563 to modernize our regulatory system and reduce unjustified regulatory burdens and costs, the environmental protection agency is reviewing the l.t.2 rule uncovered finished water reservoir requirements. Lisa jackson, administrator of that agency, communicated to senator schumer it may be an example of a reservoir with specific structural and other characteristics that warrant further review of the need to mandate a cover. Our congressional delegation asked that lisa jackson's team explore whether there are more cost effective ways to counter the risk of contaminated water and asked her to consider delaying implementation of the l.t.2 requirement to cover our reservoirs. Given these efforts and the lt2 rule review that is under way there might be a change in the uncovered reservoir requirement. It would not be prudent of Portland to make large and costly structural changes to its drinking water system when these requirements are under review. Furthermore, there's a potential for legislative relief if we work with our congressional delegation. They appear willing to take on this task. I'm asking you to stop all reservoir replacement activities and to support the proposal to cover our reservoirs with covers so the functionality of the reservoirs is retained and we will be able to benefit from the review and relief efforts. This compliant strategy would also retain the recent reservoir upgrades. If the reservoirs need additional upgrades, this does not mean they need to be replaced by underground storage. If the boil water alert requirements are unreasonable and undue then we can work to get them changed and perhaps pertinent is that last july, the Portland city auditor stated that the city's over all financial position has lost ground due to the growing debt, unfunded liabilities and funding gap in maintaining infrastructure and the city should take care of current assets before adding more assets.

Adams: Thank you.

Scott Fernandez: I'm scott fernandez. I would like to thank ms. Fritz or bringing this proposal to the community. This will save the rate payer money and retain the valve the reservoirs instead of adding the reservoir what we don't need I would like to see that money spent on deferred maintenance. But going back to -- I do agree with everything everybody has said previously, especially the regna, and stephani, jeff and especially kent. What kent said is actually so true that it just is unbelievable that you guys don't recognize that there have been obstacles to this process by the public for a decade. Public information requests have been given a very bad time. We have had very little participation in work sessions. Time and time again. Looks like it's going to happen again tomorrow with the fluoridation. The public will not be able to engage in a work session with you guys so we can ask our questions and have a meaningful adult dialogue. It hasn't happened. The whole thing I didn't want to bring this up because we're talking about a different subject but the

September 5, 2012

whole thing about the waiver has been a squandered opportunity from day one. We did the waiver thing in 2003 but that was a long time ago when we talked to the epa. Since then a lot of information has come up that a waiver is very much available to us because going to the safe drinking water act. We can do a waiver if you give us the opportunity. We need to aggressively go with our congressional people to get that. It would mean very much to this community and we deserve it. There's no reason to go on with this project and spend all this hundreds of millions of dollars that we don't need to. We have bigger things that need to be done, especially with the water system. Deferred maintenance. We need to revisit this thing and I would like to open it up again to a whole new work session at some point where the public can be involved and really provide an opportunity to speak. What they said behind me just a minute ago the public will go along with this hypalon thing. It took a long time for me to get to that position butly support what they said already. We need to revisit this and get it taken care of and quit wasting money. Thank you.

Adams: Hi. Thanks for waiting.

Gene Zilberstein: Hi. I'm gene zilberstein, a Portland resident. In Portland we have the privilege of drinking true mountain water that's fed to open air reservoirs. The system has been in place 125 years and it's working. My child is not afraid to drink the water out of the tap. The reservoir is a functioning well and you're now considering destroying this unique system with our money. Recent poll shows the community does not support new water construction projects and prefer maintenance over new construction. As the lt2 ruling is currently being reviewed by the epa, we don't know where that process is going to go, tsa good time to wait and see if we really need to invest millions in this project, putting hypalon covers on gives us time to comply. I'm asking for a pause before irreversible decisions are made. They are icons of our city, part of keeping our water safe to drink. Forging ahead with this project Portland water bureau is ignoring the political will of the people and eroding the trust we have put in this council. The majority of neighborhood groups are against decommissioning the reservoirs. What you're about to destroy is precious an for 100 years has served us well. Let's give our democratic process time to work out so it will serve our city for the next 125 years.

Brad Yazzolion: Well, I think that earlier today I heard something that stuck in my mind. I believe it was you, commissioner Fish, that said the time has come to link arms and do something different. So i'm opposed to fulfilling this contract or voting for this contract today because in effect, this \$57 million contract begins an almost irreversible process that is stupid for Portland to do. The voting for the covers and installing them, going that direction will wisely and frugally slow down and potentially derail what would be the destruction of Portland's historic and proven safe uncovered reservoir system. That time is the important thing there. It's worked for so long and it's a brilliant idea and it doesn't need a lot of oppressive corporate involvement altering our water. I have nothing against business. We all know it's what makes the world go round, but the water bureau always wants to start building every bit of needless infrastructure that gets suggested. I first heard about this ten years ago. Portland city water, you ask why we haven't been effective in our legal search for some sort of relief. The reason is partly because the city water bureau doesn't want to do it at all. Portland city water engineers look up to the global water industry and wish Portland was more of a part of it. That's what the smart, career minded water bureaucrats would desire but that's not what is actually needed or is it good for Portland's water system. Portland is a beacon to the world about how to collect water. I have said that so many times here, but it's true. We collect water in a brilliant way that does not require a lot of treatment. The epa came up with their silly law for who knows what revolving door reason. The epa law if you read the old, original, they had a lot of animosity towards Portland when they judged the three panel judge in d.c., then the epa, I was in the meeting the private meeting that I was not allowed to film when the epa first first met with the city of Portland, one of the first meetings, and the epa they were dripping with opposition to the mere idea that Portland would want to not cover its reservoirs. These people are marching in

September 5, 2012

lock step, sort of, because it's the public health career person, a mandate that they must do. We all know they have to present what is the usual and easy to grasp idea for public health. What Portland does is we have got sunlight in our water. We have clean water. We have proven that it works and it's an age old system. To destroy it is a monumental tragedy. So that's my point. I agree that with a little education, the city of Portland will enjoy having those hypalon covers on there instead of wasting money.

Adams: Is that everyone? We got more?

Adams: Welcome.

Michael Meo: I'm michael meo.

Adams: Why don't you begin, sir.

Meo: Thank uh, mayor Adams. I'm michael meo, the secretary of the east side democratic club. We voted not long ago to add our small endorsement to the proposal to put a plastic sheet, covering the reservoir. I quite agree with mayor Adams there's no reason not to call it a plastic sheet. I agree with mr. Saltzman and I think other testifiers are done so that that's going to mean there's going to be some community opposition on an aesthetic grounds. I'm a little bit feeling, I have two minutes and 27 seconds to say this, i'm way outweighed by the people who have come before me in terms of my preparation for doing things, but I do want to speak to commissioner Leonard. The last time I was here, there was a guy beside me who was not, let's put it this way, he showed a lack of restraint in his testimony and I apologize for that. You have told us that you did everything you could last time I was here and you laid it out for us in order to avoid this requirement which people are referring to with two alphabetical letters and one number. I'm not familiar with that myself. But that's what everyone uses. You had said at that time that the last remaining thing you were supposed to do was civil disobedience. You might do that as an individual but as an elected official you are obligated to more or less carry out the will of the whole structure as a whole. I recognize that we have to have a balance in everything we do. I applaud commissioner Leonard your stepping forward on a leadership basis and getting clean portable rest rooms on the streets of Portland. That is really something that everyone who sympathizes with the working people of america really we need. Thank you. But that being said, did not amanda Fritz offer a letter this month to the council that asked the council to commit Portland to urging our delegation to ask epa release requirements? Did you not refuse to sign that letter and isn't that why the letter didn't go forward?

Leonard: We have sent that letter numerous times to the entire congressional delegation and specifically to senator merkley. I have flown back to Washington d.c. Personally and met with our congressional delegation to do that. What I did not want to do is one more time take and abuse our relationship on the question that's been asked and answered a half dozen times with senator merkley has been such a great advocate for us. I wouldn't sign the letter asking to do it one more time because I understand in politics that it's important to be respected and influential and when you ask a question of an agency and are given an answer and you keep asking over and over they begin ignoring you, so no, I wouldn't ask him to ask it one more time.

Meo: That doesn't appear to me, i'm just as I said not highly qualified in terms of the history of this, that does appear to me, mr. Fish, to be an example of not pushing opposing this as much as possible.

Leonard: She could have sent the letter. They don't need my signature on it. We're all independently elected. They don't need me to sign the letter to send it to senator merkley. Since i'm on the subject, I said in the last time we had a hearing here you're damned if you do and damned if you don't on this subject. If I would have come up with a plan to cover the reservoirs with plastic and submit it to the council in 2009 I would have needed a police guard to go home. So now i'm hearing today we weren't given an alternative to have plastic covers on the reservoirs when we should have had that in 2009. That is just -- I hardly know how to respond. Now you get the luxury of saying I wouldn't sign the letter, therefore I didn't work hard enough to get us excused

September 5, 2012

from It2. It doesn't matter at this point what's done or not done. Those that want to have the reservoirs uncovered will say or do anything or change the facts, take things out of context, i'm used to that on this subject. Nobody is going to be happy. We have the rule we have to comply to or be fined. That's being overlooked in this discussion. This will cause us to miss the timeline. We will be fined. We'll have to do it anyway. We'll waste \$25 million. We're in the theater of the absurd at this point, folks.

Adams: With that as the presiding officer of this body did you have any final thoughts? You have six seconds but i'll give you 15. Any concluding remark?

Meo: I already said I was done.

Adams: Okay. Welcome.

Herschel Soles: Herschel soles. I have been here many times here speaking about the reservoirs. One of the things that kind of disturbed me is I have never really been able to hear Randy Leonard articulate what it is we really want. I have heard him say things like we're going to put a reservoir on top of the tank. That isn't what friends of the reservoirs and other people want in Portland. We want the open reservoirs maintained as integral part of the system. I have never heard that kind of articulated from the board up there.

Adams: And i'll give you more time. Why do you want that?

Soles: Why do I want it?

Adams: Why do you --

Soles: Well, it's a system that has been around for 100 years. I have heard someone say something like, you know, insanity is doing the same thing again and again and expecting a different result, but what if you have a system that is 100 years old producing cold, clear, clean water, and someone comes along with this project to spend 50 million, 100 million, 400 million with no benefit? There noise benefit for this spending. It does discredit government. I think talking about maybe a government regulation, there is a discrepancy between what people want and what is government policy. It's been ranked worldwide. The u.s. Is 16th in the world as far as kind of representing the will of the people. I think it's because of corporate domination, and this project here looks like it's kind of a project for corporations. Corporations and capitalism is really in crisis right now and it looks like a little to ken benefit to have Portland spend a lot of money on a project they don't need, put them haveselves into debt so eventually we might have to sacrifice bull run or sacrifice the water bureau itself. Privatize it. Bechtel went down to coach and took over the water service down there and of course supposedly to make it efficient but of course water rates went up immediately.

Adams: Sir, I need you to stick to the subject this isn't about privatization.

Soles: Not yet. No, no, no, but debt is going to lead to privatization. That's how --

Adams: I have been very liberal, sir, but you need to stick to the topic.

Soles: Okay. I do want the reservoirs -- I am not in full agreement with the cover. I think they have been working just fine, and to do otherwise would make me a little suspect of the democratic process. Thank you.

Adams: Thanks. Hi. Sir. Ma'am. Ma'am?

Kathryn Notson: I think I was next. He's last. I'm kathryn notson, long time Portland resident. You've heard my concerns before. I won't repeat history. You know that it's been going on now for almost 43 years that you were told city council your predecessor was told to cover the open reservoirs. As a result fecal material in them from birds, I repeated this story many times as you well know. I want to tell council I really appreciate you grilling the friends of reservoirs and the other special interest groups here today. I'm glad you're putting their feet to the fire. When they say what they say about science they don't cite their sources. Thank you for that. I have given you documented information on the crip to spore it yum because I got the report from the author of the report limb self-. You know that that exists. You know this is cited in the It2 rule both proposed and final rule. As far as this project is today, what should have happened in 2002 was this. The 50

September 5, 2012

million gallon tank should have been buried into the foot princess di of the mt. Tabor reservoir spot. Kelly butte replacement reservoir should have been installed in reservoir 6. [audio not understandable] should have been decommissioned, taken off line. However, it is as it is now. The 50 million gallon tank is under construction at kelly butte and should have been in mt. Tabor. The replacement reservoir is going where it is on kelly butte. I support this because this is the only way we're going to comply with lt2. We can't change that midstream now. As far as covering the reservoirs i'm really surprised that friends ever the reservoirs are saying we support covering the reservoirs now and it's not hypelin, it was polypropylene. The reservoirs leak. It's to keep the water from leaking out further. If you read history expansion joints weren't covered. That's why they leaked. From the get go. I personally feel that it's time to stop pussy footing around, stop delaying tactics, stop the public meetings. We don't need more work sessions or public meetings. We need to go forward. If we don't I think we're going to end up with an administrative order from the u.s. Epa or the drinking water program because they know what's going on and I think they are just as tired of it as you are and as I am. But I think that the rule even though it's under review will not be completed until 2016, and they will not make changes to it until after it's completely reviewed. It's one of about 26 rules they are reviewing now.

Adams: Thank you. Thank you all very much. One more. I apologize.

Steve Keller: I'm steve keller. I'm a resident of the woodstock foster powell neighborhood. Would like to read a list of the community organizations supporting the community alternative into the record. Initial supporters include mt. Tabor neighborhood association, arlington heights neighborhood association, additional signers include the mayors small business advisory committee, alisa ken guy guyer, then as further supported by friends of the reservoirs, members of the hillside neighborhood association board, Oregon physicians for social responsibility, thomas t. Ward, m.d., chief of microbiology at ohsu, kent crayford for the Portland water users coalition members which will also o, american women division, american property management, ashland hercules water technology, the benton hotel, boma-Portland, harsh investments, the hitland Portland and executive tower, mt. Hood solutions, new system laundry, Portland bottling, aspa,ing, filtronic corporation, sunshine dairy foods, vigor industrial, widmer brothers brewing, yocream, central east side industrial council, Portland business alliance, audubon society of Portland, Oregon league of conservation voters, Oregon wild, bark, east side democratic club, alliance for democracy, coalition for liveable future and the southeast up lift neighbor coalition representing north tabor neighborhoods north tabor mt. Tabor monte villa, sunny side, buckman, abernathy, richmond, south tabor, foster powell, brooklyn, read, east moorland, sellwood, woodstock, mount scott, brentwood darlington, arden walt, johnson creek, kearns and wool hersed. Also citizens for Portland water, Oregon green energy coalition and citizens interested in bull run, inc. I would like to refer questions to --

Adams: You read a list of names of folks that support the plastic cover?

Keller: The community alternative. It's a letter I guess you all have.

Adams: Thanks. Thank you all very much. Who else is sign up?

Moore-Love: That was all.

Adams: I need to take a ten-minute compassion break. Recess for ten minutes. So be patient.

The meeting recessed at 1:31 p.m. and reconvened at 1:41 p.m.

Adams: Director schaff, do you have any indication or evidence that closed reservoirs cause cancer?

Shaff: No.

Adams: Is there any discussion in industry groups, trade associations, anywhere that radon is a danger in covered reservoirs can't not be managed safely in covered reservoirs?

September 5, 2012

Shaff: No, right now there is no standard on radon. There is a proposed standard that's been out for a number of years. The city of Portland would currently meet that proposed standard and not have to do anything. But as you probably also know, radon's only an issue when we're running ground water. It's not an issue when running bull run. Very easily managed and it's not an issue as far as we're concerned.

Adams: In terms of the so-called hypalon covers which refers to a type of synthetic rubber or plastic, have there been any studies done on the health impacts of that product?

Shaff: Not that I'm aware of but they have been used throughout the country for decades and our own reservoirs are lined with those covers.

Adams: Do you know why dupont stopped manufacturing it?

Shaff: No, I don't.

Adams: With what you put forward and what commissioner Leonard has put forward is a combination of risk mitigation posed by the ability of any person of any person to appeal the cover issues through the land use process hypalon you've heard, couldn't we just cover them without doing the other seismic work?

Shaff: Yes. Then you take the risk of what happens when you do have the earthquake that we all are expecting and are preparing for, we do not expect the reservoirs would fare well in their current state. Or you simply defer making that investment and it will simply cost more.

Adams: How many days worth of secure water does Portland have now?

Shaff: Right now a little over three based on our average daily demand in our retail market.

Adams: When we complete powell butte?

Shaff: We would have 50 million more. Ultimately when we're done with what we -- with the schedule as we foresee it we'll have less storage, so it will be about two and a half days. But you have to take into account all the work we're doing on the west side. The west side header, which is intended to secure our ability to move water on the west side and deliver it to customers.

Adams: So at the end of this you'll have less secure water than now?

Shaff: No, much more secure water.

Adams: Can you give me what we are now -- I know there will be ups and downs, but at the end of the process that you're proposing how many days of secure water will we have?

Shaff: About two and a half days of water if every source is cut off.

Adams: We have how many days now?

Shaff: 3.3.

Adams: Why is there less?

Shaff: Because ultimately we'll have 50 million gallons less of storage over all. The west side header is intended to provide more secure, more robust and more reliable water delivery over on the west side. Then of course our demapped continues to drop.

Adams: Okay, so you're saying at the end of modernizing the system there will be more secure water where it needs to be?

Shaff: Yes.

Adams: But less over all.

Shaff: Less total storage in town over all. Yes.

Adams: Are there any plans in the bureau, secret plans to privatize the system?

Shaff: No.

Adams: Has council made any policy to.

Shaff: The council has made it very clear about that.

Adams: Do you think that there will be -- what is talk in the industry about possible relief on government standards that we heard about some of the testimony that we might -- that the remediation might come back on to the table, which I think was security. Those risk mitigation --

September 5, 2012

Shaff: Well, the epa has not been very forthcoming in what they are looking at and what they are considering. I just think it's unlikely in my personal opinion that they will make major modifications to their rule.

Adams: Are there any benefits, part of the the testimony I would like to hear your response if there's no benefits to covering the reservoirs. We.

Shaff: We argued in front of the federal government that we thought -- we had adequacy. They decided -- it was decided otherwise. That's different than the question of the statement that there are no benefits.

Adams: Are there any benefits to closed, secure storage?

Shaff: There are some arguably. The question is of what value are they worth the expense that you're going to go through to put them in. Obviously, you won't be able to contaminate the reservoirs as easily. They can be contaminated, but it takes a lot more -- takes a lot more. Water quality will improve, but from the standpoint of you, citizens, drinking a glass of water from your tap, you won't notice it probably.

Adams: You and I spent quality time, I know commissioner Leonard did as well as the emergency command center on the west side where we told people to boil water. Any idea of the economic costs on an hourly basis for the boil water notice?

Shaff: No, I don't, although when we looked at the 2009 one there was an estimate of over \$1 million for that incident.

Adams: Okay. Are you going to destroy the historic reservoirs?

Shaff: No. I'm somewhat flummoxed by that argument. The intent at least behind Washington park for the time that I have been the director and that commissioner Leonard has been my boss is that when somebody comes to visit Washington park when we are done, it will look much the way it did when it was originally built in 1895. Right now it looks like a bathtub with a dirty ring around it.

Adams: Are you going to be using concrete or stone?

Shaff: There will be concrete or steel tanks in the footprint of the reservoir that will then be covered and there will be some amount of water in a reflecting pond type look at it that from for all intents and purposes looks like the old reservoir.

Adams: Are you going to be keeping in place, reusing or just replicating what I call the furnishings around the existing reservoir?

Shaff: It will all be preserved as much as possible. The existing. Then whatever can't be preserved will be rebuilt to match the current lake.

Adams: I also heard next on the list that you're going to keep mt. Tabor reservoir empty.

Shaff: I don't know what we're going to do with mt. Tabor. In 2015 is when our compliance schedule says we have to disconnect the mt. Tabor reservoirs. You could certainly keep water in them. You probably have to empty that water on a semi regular basis so it doesn't go stale, grow algae, that sort of thing.

Adams: We do have choices.

Shaff: Right, but they one be used to store drinking water.

Adams: I understand. I just wanted to clear, when you said you were going to keep as much of the existing above ground look and infrastructure and you will replicate what you have to destroy?

Shaff: That's at Washington park.

Adams: At mt. Tabor?

Shaff: We're not planning on any construction there.

Adams: One of the folks that testified said we were going to destroy on of the reservoirs at Washington park. Are we planning that?

Shaff: That is incorrect. I think what they are confusing is that we will engage in -- it will be demolition. We will be taking out the bottom and sides of the reservoirs. We will be doing a lot of

September 5, 2012

work. It will probably look pretty ugly for a year or so. But at the end, the reservoir should look much the way it did when it was built in 1895.

Adams: [audio not understandable]

Shaff: Their recommendation was to move forward as compliance schedule that was agreed to in 2009.

Adams: What kind of relief did new york city get?

Shaff: New york has gotten an extension on their current or what was then current schedule to cover the reservoir. They are still required to cover hill view reservoir.

Adams: How long was their extension?

Shaff: I think to 2034. It was based on the construction schedule of all of the projects that they said that they convinced the epa needed to be done before they could safely take it off line and build a cover.

Shaff: Mayor, could I ask a clarifying question? In the information that you gave council you said you plan to remove Washington park reservoir number 4.

Shaff: No. It will just be removed from service.

Fritz: Will it be kept empty?

Shaff: It will be used as an overflow structure. So it will presumably be empty, yes.

Fritz: Thank you.

Adams: The 40 million that was testified that would be wasted, what is your response to that? I heard from commissioner Leonard but I just want to make sure, does your response differ from commissioner Leonard's response?

Shaff: I did cover it in that 14-page document that I put together. We spent just over or just under \$27 million and most of that work involved work at both reservoirs at tabor and at Washington park. It involved security work, cameras, valves, controls, water quality instrumentation, platforms, a number of different things. But it was not intended to -- it was as commissioner Saltzman remembers it was the interim security measures that the council decided on before I became the director and before commissioner Leonard became the commissioner pending the final establishment of the lt2 rule.

Adams: I'm almost done. I appreciate everyone's patience in letting me go through this. The possibility of the options, not the proposals, of secondary treatment noted by the mcguire environmental -- fact versus myth -- what do you think about that as an option? How come we didn't pursue it?

Shaff: Independent review panel, we did look at it again. We looked at it back in 2009 and again a couple of times since then. I have written a fairly comprehensive outline of what it would take in order to do treatment at mt. Tabor. It would be significantly more expensive than what we are looking at with our current compliance schedule.

Adams: The last question is how long do these hypalon plastic covers last?

Shaff: They are generally considered 15 to 20 years. We believe that in our environment probably about 15 is the most we would be able to get.

Adams: Other questions from council?

Saltzman: I apologize -- about seismic issues. There's a representation that the seismic issue just cropped up in the last couple weeks. I guess with respect to mt. Tabor. Have we always known that seismic upgrades would be required for mt. Tabor?

Shaff: During my life here as the water bureau, yes. They are not new issues. Our intent is to deal with slide issues when we rebuild Washington park. Mt. Tabor, seismic issues have become more and more critical to the city of of Portland over the last couple of decades as we have become more and more knowledgeable about the earthquake potential. So it has been something that mike has been drumming into me the entire time I have been the director.

September 5, 2012

Saltzman: My last question, when I was water bureau commissioner and we were looking at the issue of complying with It2 and security issues in general about water supply, we did come up with an option have in essence put in buried storage tanks and covered it with a surface water feature. That was thoroughly rejected by the neighbors at the time and everybody. I'm just curious under the renaissance era where commissioner Leonard assumed control of the water bureau, was that option ever looked at again?

Adams: Not the specific option but just --

Leonard: I think of it as the dark ages of the bubonic plague in europe. [laughter]

Saltzman: I was just curious.

Shaff: Yes, he considered it. But he made the direction or the decision that that just -- nothing has changed. That opposition to doing anything at mt. Tabor was adamant. So he directed us to build new storage as opposed to trying to continue to look at burying the reservoirs at tabor.

Adams: Other discussion? All right, this is a procurement item. I need a motion to accept.

Leonard: So move.

Fish: Second.

Adams: Please call the roll on the motion.

Saltzman: Aye. **Leonard:** Aye.

Fritz: First thank you to all the community members who have been here for four hours and your advocacy over many years on behalf of our community on a drinking water issue that matters to everyone. I appreciate that the community came to me in july and said we want to try a different approach and we're willing to do this. To advocate for something which we never thought we would be advocating for. I appreciate the amount of work that has gone in. I thank steve keller for reading through the list of organizations that signed on to this approach. That was not easy to get that coalition together. Many varied folks, all willing to take another look at is there a better way to comply with the federal rule. So I appreciate you taking the time to come to talk about it today. Clearly something that is legal in the state of Oregon and other communities have accepted. The cost is at least \$100 million more for the plan to go for the tank at kelly butte and underneath one of the Washington park reservoirs, and the capacity is reduced in the current plan. So we have less storage with more people coming to live in our area. This proposal, the contract down a path that costs rate payers \$100 million more than the other option. We have to respond to our rate payers' concerns. I greatly appreciate this discussion and I appreciate all of my colleagues' participation. I acknowledge commissioner Leonard, there have been some very derogatory discussions directed toward you and that is so hurtful and not helpful. We're going to have another exciting hearing tomorrow discussing fluoridation and it's going to be important for us all to listen respectfully and understand that reasonable people can and do disagree. On this one reasonable people can and do disagree. No.

Fish: Aye.

Adams: Well, I appreciate the dialogue but I have been consistent on on this issue. Maybe it's because i'm transportation commissioner and we have 147 transportation bridges or structures in the city. We have on top of that all the willamette river bridges and this city council has made the largest single general transportation revenue investment in a bridge we don't own based on its condition and its seismic rating. For me making the most cost effective decision is absolutely key. So is making the decision that is going to protect and ensure the safety of everyone that lives in this city. It's not a question of if there's an earthquake, it's only a question of when. And this proposal puts storage where we have inadequate secure storage. We don't have it. In the process of doing that makes the over all secure storage system more efficient. That's for me the cost benefit of basic water security I think Portlanders will accept. Does anyone like paying more for utilities? Absolutely not. But it depends how you ask the question. If we ask the question about do they want an upgrade, basic upgrade to the current unsound water system of the city I think we would

September 5, 2012

have a different answer. This has been a journey for all of us. Has when we chose to fight back it meant that if we had just accepted, you know, from the very beginning what the federal government wanted us to do that journey wouldn't have a lot of discovery involved with it, but when we fight back we win some, we lose some and in the process we rec needs everyone has recognized the circumstances have changed as we have succeeded on one thing and not succeeded on another. But for me, in addition to that is someone who has been around a long time, land use, ability for this one option of covering the reservoirs to be gummed up for years through a land appeal and it takes one person, that's just too much risk to take for a temporary solution. For a solution that will not leave Portlanders in a more secure place when it comes to the basic, basic needs of water. This isn't a luxury. This is basic sustenance and we're going to get an earthquake, so those things combined I support the investment in making our water systems more secure and frankly we're paying a premium so they also look nice at the end of this. No one talks about that. I think it's worth it. I want to thank commissioner Leonard, who has more patience than I do in his leadership on this issue. It's been incredibly difficult. I think folks will look back and appreciate making some very tough decisions here. I want to thank you for that. I also want to thank the team at the water bureau that serves the city so well. So approved.

Item 995.

Adams: Did we disseminate this proposed amendment --

Fish: I move the amendment.

Saltzman: Second

Adams: Any discussion on council? Karla can you call the vote on the motion to amend?

Saltzman: Aye.

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

Adams: Amendment is approved.

*****: Thank you.

Item 999.

Adams: Anyone want to testify on this matter? 999? Thank you.

Adams: Read the title for 999.

Adams: Commissioner nick Fish.

Fish: We will do this in record time. This presentation is part of the Portland housing bureau's regular reporting for its limited tax exemption program. Through that program, as you know, we forgo tax revenue for a limited period of time, usually 10 years in exchange for affordability, apartment building, new single family homes. Certain requirements attached to these exemptions. For example, the owner must live in his or her home. He or she must be under an income ceiling and the like. Each year we look at all of the exemptions on the books and make sure that everyone is compliant with our guidelines. If not, we reach out to the property owner and ask them to confirm that they are or are not in compliance with our requirement. If they are not, we terminate the exemption and put the property back on the tax rolls. We do this once a year through a council resolution. Today we're asking for your authority to terminate 55 exemptions. 52 of them are single family homes. Three are condos. These proposed exemptions would be terminated for one of the following three reasons. First, the owner did not respond to our request for information. Which we delivered via certified mail and followed up on extensively. Second, the building is not owner occupied. Either the owner is renting it out or it is being held as an investment property. Third, the owner is over our income cap. Usually this means that the home was sold to a new owner whose income does not qualify for the exemption. Finally, the home may have been sold for a price over our cap. Terminating these exemptions will result in new tax revenue of just under \$100,000 a year to all of the taxing jurisdictions. Dori is here to answer any questions you may have. Otherwise we seek your approval of this action.

September 5, 2012

Adams: Any questions for staff? Does anyone wish to testify?

Moore-Love: No one signed up.

Adams: Call the vote on the resolution.

Saltzman: Aye.

Leonard: Aye.

Fritz: Thank you for your diligence in making this program -- aye.

Fish: This function of administering and reviewing tax exemption program shifted to the Portland housing bureau. Our team has been working diligently not only to update the program and align it better with our policies, but also to make sure that we're accountable for the abatement that we grant. Recently we came to council with the big look, which represented a significant overhaul of our limited tax exemption programs aligning them better with our -- the mayor is looking at me, aligning them better with our policies. Today we're continuing to fulfill our duty of making sure that every dollar invested in this program is done wisely. I want to thank staff for doing a terrific job administering a complicated program. Pleased to vote aye.

Adams: Because I have such confidence in nick Fish you and your team my comments will be simply to say thank you. So approved. We have folks here for the 2:00 already. We have been in session since early this morning. So, I need -- are you okay to do the second reading?

*******:** If we could just finish our agenda up to 2:00 and then take a little break.

Adams: Can you please read the title and call the vote for item number 996?

Item 996.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye. **Adams:** Aye.

Adams: So approved. Read the title and call the vote for 998.

Item 998.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye. **Adams:** Aye.

Adams: 998 is approved. Read the title and call the vote for item number 1000.

Item 1000.

*******:** Have we done 995?

Adams: We did. Okay.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye. **Adams:** Aye.

Adams: 1000 approved. Read the title for 1000-1 emergency ordinance.

Item 1000-1.

Adams: Any discussion from council? Anyone wish to testify on 1000-1. Karla call the vote emergency ordinance 1000-1.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye.

Adams: Have to note that this agreement successfully solved the police bureau grievance -- the -- i'm very happy with that result. Aye.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye.

Adams: 1000-1 is approved. Read the title emergency ordinance 1000-2.

Item 1000-2.

Adams: Council have any questions about this matter? Does anyone wish to testify? Karla call the vote.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye.

Adams: Aye. Approved.

Item 1000-3

Adams: Does council have any discussion on this matter? Can you please call the vote on emergency ordinance 1000-3.

Saltzman: Aye. **Leonard:** Aye. **Fritz:** Aye **Fish:** Aye.

Adams: Aye. Approved.

September 5, 2012

Adams: We're going to take, I apologize for those of you. We will take a six minute break to get a sandwich and use the bathroom. We will make it a 10 minute break. You, too, can use the bathroom and get a sandwich. Sorry to keep you waiting.

The meeting recessed at 2:14 p.m. and reconvened at 2:29 p.m.

Adams: All right, the city council will come back from recess. Read the title for our next item.

Item 1001.

Adams: The city had just started the state mandated process, periodic review of the comprehensive plan. We put that aside momentarily so that we could complete an actual strategic plan for the city that would then serve to guide the comprehensive plan work. It is about the comp plan, follows from the Portland plan, and it is about partnerships working deeply with partner agencies to develop joint strategies. It is about people planning for people, not just bricks and mortar development. It is about equity, foundation of the plan and it is not a state planning requirement, but it should be, and it is fact based. We spent a lot of time vetting the facts that would inform the work of the comprehensive plan. In introducing the -- updating the comprehensive plan, we have to -- this is the factual basis of the comprehensive plan, and I know commissioner shapiro knows every page by heart, every word.

*******:** Can we have had read into the record?

Fish: I talked with commissioner shapiro during the break, he told me that he thought that once upon time he was the fastest gavel in the west. He is now -- he is ready to relinquish the title, he said.

Adams: Well, I think I will stop there. Other than to say we will hold the record open for a week so that we won't be taking a vote today. So that in addition to the testimony we receive that others can email it and staff can respond. With that, direct -- director anderson.

Susan Anderson, Director, Bureau of Planning & Sustainability: With me here today is a person you have alluded to, howard shapiro, on the planning and sustainability commission, and - - and leading up the comprehensive plan, joe zender, chief planner is also here with us today. You know, over the past few years, we have brought primary sort of big picture issues to council related to planning in terms of things like the Portland plan. So, today we're going to step down from the big picture and look at the facts and the details. Factual basis for the comprehensive plan was developed by staff from our bureau but also from many other bureaus with assistance from experts from many different fields. It is officially the analysis step of the Portland's state mandated periodic review process. The reports create the foundation for the comprehensive plan and include deep analysis on economic opportunity, on housing needs, infrastructure condition and capacity. Streets, roads, pipes, parks. Reports include a natural resource inventory and a buildable lands inventory. This work identifies the key issues, opportunities and problems that we need to solve in developing the comprehensive plan. Let me give you one quick example. A key finding from this research shows that by 2035, the number of households in Portland is expected to grow by 132,000 households. And the number of jobs will grow by 147,000. The data shows that with this growth, we currently have enough space, zone capacity to accommodate housing needs -- with this information, we are now moving to the next step in the comprehensive plan and developing solutions to insure that we have enough industrial and institutional land and zone capacity. One way to think about this pile of reports, if it was bound, is sort of like the encyclopedia that at least all of you and I had when we were in elementary school. The reports are essential for fact-based problem solving, as we did the comprehensive plan. They will be useful in policy and program development for all of the bureaus. A lot of great information in there. They will be very useful when metro and the state is doing work within the boundaries of the city of Portland, and also actually useful for companies and residents living in the city as they

September 5, 2012

work and live in the city and are able to use this information. So, with me here today, Howard Shapiro, planning and sustainability commission, Erik, principal planner and lead on the comprehensive plan. They will review highlights of the report and process. And four bureau directors and other staff that worked on the reports and they will provide a bit of information. Let me turn it over to Howard first actually.

Howard Shapiro: Good afternoon distinguished Mr. Mayor and commissioners. Good to sit before you again. I'm the vice chair of the planning and sustainability commission. I'm here for two reasons. The first is to recommend the adoption of the factual basis for the city's comprehensive plan. In a series of meetings in March of 2009, the commission held hearings on the factual basis report. I guess I thought about it finding if there was factual basis to the factual basis is what we were investigating. It sounds a little bit like city government, but that is what we were doing. Ouch. And we -- and we were not silent in our concerns, our criticisms, and our needs for good and early feedback from city staff on the methodologies used in the analysis. The commission finds these reports to be credible, and provide a complete set of facts to be used in setting further policy for the city. So, we recommend your adoption of the factual basis report. But secondly, I'm coming before you as the chair and really just a participant of a remarkable group of people called the citizen involvement committee, mandated by the state and comp plan to provide comprehensive investigation of what citizens in the city want. And early on, in the Portland plan, we established some very important goals. And outreach strategies in the committee, and then met to consider and work on them. And let me say, aside, and I think I have said this before, but it is a chance to speak before you and on the record that Portland is remarkable for its volunteerism. We know that. Portland is remarkable for people who are tenacious and want to continue to serve. And I sit on this committee with some of the most tenacious committed people I have ever worked with. They're diverse in their age, their gender, their geography, and their -- not their politics, but mostly everything else, united in one thing, and that is making this city the city that we all want to live in 50 years from now and we're very committed to that. To do that, we established five goals early on. One, build on existing relationships. Two, engage broader and more diverse groups with education and information and provide all of the interested with enough education so that they can meaningfully participate. So that citizens can become involved, multiple venues and means for community involvement and engagement. I know you all know we have done that. Reached out significantly to every part of the community for the Portland plan and beyond. To involve as many people as possible, and with feedback and continuous engagement throughout the Portland plan development and implementation, ensure community members are being heard. Ensure that we are being heard. The public participation report contains qualitative measures on how we met those goals and how these goals might be refined and implied through all of the stages of the comp plan, which is going forward. So that cic committee will continue to serve as -- as additional information and concern around the needs we have to meet the comp plan requirements for the state. Thanks.

Adams: Thank you, commissioner.

Eric Engstrom: Thank you. I will briefly go through and summarize the specific information that we have put on the table and highlight a few things for you. To start, the comprehensive plan is focused on -- state-mandated activity, but focused on land use and infrastructure decision making in particular. A lot of these documents are with that aim in mind. One of the implementation measures for the for the Portland plan. There are others. The land use plan updating it is a key implementation strategy. The action today completes task two of the state mandated -- briefly, the five tasks in that program, task one was adopted by the council in 2010 and subsequently accepted by the state in 2011. The public outreach program for the whole project. And it created the cic -- the second task, research and analysis phase. We're moving into task three and four now with creation of the policy expert group which are diving into the topic

September 5, 2012

areas of the comprehensive plan and researching alternatives and new policy direction options. The final phase is implementation phase which I would describe as similar to a regulatory improvement package. But instead of 50 small policy changes, it is three, four major policy consideration. The five reports that I want to focus on for my presentation on the buildable inventory, economic opportunities analysis, natural resources inventory. Housing needs, infrastructure conditions and capacity. These five are the core of the facts that we need to submit to the state to provide a foundation for further planning and update of the comprehensive plan. Two data points that are core to those documents that Susan mentioned already are the projection for 132,000 new households in the city by 2035 and the planning projection of 147,000 new jobs.

These are just forecasts and they're driving what we plan for. They don't necessarily automatically happen unless we carry out the plan. So, starting with the buildable lands inventory, it is document that focuses on what is our zoned capacity for additional development -- to accommodate that expected growth over the next 25 years. Methodology that takes four steps.

Identifies vacant land. Identifies of that what is most likely to redevelop. It -- there is a discounting process to identify what some of the constraints might be on that redevelopment. Not all vacant property is going to be fully redevelopable, either from an infrastructure constraint or environmental constraint. And then we adjust that capacity also to account for things like mix use zones have to be allocated between commercial and residential development and we have to consider market factors. An example of that is get -- gateway may have zoning that accommodates very large buildings. The market is not producing that in the near term horizon. We factor in some of the market dynamics. The result is a map that gives us a number as well as a physical geography for where this future development might be accommodated. And the map here shows, also shows the level of constraint that is applied to the properties. The darker properties are properties more heavily discounted or constrained and have less capacity to accept redevelopment and the lighter properties which you probably can't see very well on these screens are the ones that are less constraint --

Saltzman: Just an example. Give an example of something that is 40 to 60% constrained. What does that mean?

Engstrom: That means that we have made a list of the potential constraints of that property, whether they're infrastructure. It could be a traffic constraint or a sewer constraint or a slope constraint. We have made assumptions about how much each of those constraints affect the redevelopment capacity and then we combine all of that into a combined constraint. So, a 48% constraint in property means that we have taken approximately half or more of that assumed capacity from zoning off the table from our capacity assumption.

Saltzman: That includes things like e-zones as well?

Engstrom: E-zones are part of that mix. It depend on how many constraints it has and how serious the constraints are. An example of 100% constrained property, a zone that precludes development or a public park not available for housing. This is the equivalent map for employment. I think there will be some discussion in the testimony today about this. So, that's -- that's one piece of information that is part of this. The second report I want to highlight is the economic opportunities analysis. That goes into greater depth with the employment side of this equation. It looks at what are the employment forecasts and trends that we need to be looking at and what does that mean for our employment needs in different sectors of the economy and what kind of land we might need over the next 25 years. So, it has four sections. It looks the trends and market factors. It looks at the forecast, and takes the metro forecast, which was for the entire region, and distributes it to the different sectors of the city for the city's allocation. And the third step then looks at that supply that was from the buildable lands inventory and tries to reconcile the supply and demand, and where we have surplus and shortfalls in the supply. Looking at policy alternatives, it doesn't settle on any alternatives yet but it starts to make a list of the possible

September 5, 2012

alternative paths that we could take. Your action today really isn't adopting any of those alternatives, per se, other than the report identifies some of them. As I said, it builds off the metro regional forecast. Metro allocated 147,000 households -- excuse me, jobs to Portland. That is about a 1.3% annual growth rate. And it represents a 27% capture rate of the entire region's job forecast. So, that is the percent that would be within the city. And to give some context for that, historically, that's consistent with the long-term trend of 25%. It is notable though that in the 2008 -- 2000-2008 period, significant departure from that trend and the city lost jobs relative to the region and did not meet that regional capture eight. One important thing to note here, we are planning for a more aggressive capture rate in this work. We believe that is the right policy decision to make to achieve our economic goals that we laid out in the Portland plan. The allocation of employment needs is based on this geography. Essentially what this does is try to identify the different types of employment geographies. Not all employment land need is the same. Some firms need larger parcels. Some firms operate in buildings downtown. Others work at the neighborhood corridor level. We tried to allocate to the different geographies and this map shows that. This chart just shows you the actual allocation, end result of that analysis. Showing that the central city, by our projections, remains the largest recipient of job growth over the next 25 years, with industrial and commercial corridors coming in second and then notable is the -- institutions like colleges and hospitals represent a big share of the expected growth at 16%. There is a small percentage of jobs that go to residential land, which represents people doing business out of their homes. We are not required by the state to plan and accommodate that, but that is part of the picture. Another important thing to note, while most of our -- most of this exercise is based on planning for employment growth, there is an element of it that is not based on employment. And that's land need that is based on our traded sector economy, transportation systems that support it. Most importantly, it is aviation, rail, and marine. A lot of analysis as part of the eoa and reference documents referenced by the eoa that attempts to quantify what that need will be over the next 25 years and add that into the mix so that we're adequately planning for that because Portland serves as the logistical hub for the entire region. It is not as simple as looking at jobs per acre and doing the math from that. We have to consider our role in the larger regional economy. End result of the eoa is this diagram that shows that in the central city, and to read this, the blue bars are the projected demand in terms of acres of land needed in that geography, and the red bar is the supply that we have estimated. So, in the central city, we are -- our demand is slightly below supply with the exception of some needs in the inner east side industrial district that are not met at the sub geography level, particularly for lower cost space. There has been a lot more employment growth there than other parts of the central city. We are a little bit short there. On the industrial side, significant shortfall of more than a few 100 acres. On the commercial side, you can see there is more than adequate supply of land for commercial corridor development of our major noncentral city streets and corridors. And then for institutions, there is a slight shortfall in the expected supply and demand for institutional, again, hospitals and colleges and those sorts of campus kind of land uses. The next report, the natural resources inventory which helps us give environmental context for our planning. It is based on a detailed science-based methodology to inventory the significant natural resources of the city and provide some quality and quantity understanding of that. And I want to caveat this by saying that this exercise is not being used -- the vote that we're asking you to take on this is not being used to establish new zoning that will affect people's property directly. We are asking you to use this inventory for city-wide comprehensive planning purposes. If the council would want to use this information to update things like our environmental zoning program in the future, you could do that. That is not what we're asking you to do with this task. Right now, we're limited to using this information for large-scale planning purposes. Examples of where you have used this at a more local level, airport futures plan, ongoing island plan and river plan where you have taken

September 5, 2012

this analysis and tried to update our environmental zoning program. Those are examples where we have done that. And we're not asking you do that with this particular adoption yet. So, to show that the inventory is based on a feature-based assessment of the landscape. It takes into account the up to date technology that we have that gives us more information that we had before about the location of slopes, trees, streams, and features like that that are the basis of this inventory. From that, it focuses on assessing the relative quality of those resources for -- from a riparian perspective and wildlife habitat perspective. It scores those different functions. So, this is just an example of one of those maps showing you how that comes together into a cumulative ranking of those different riparian functions that resources provide. And, again, with wildlife habitat, it goes through a process of identifying functional quality of those resources and rolls that up into ranks. Ultimately, that comes together in a combined ranking of relative quantity and quality of resources throughout the city. And it roles up to a citywide map. This is useful for city wide planning, where we're putting growth and what impact that may have on natural resources throughout the city. The next report, housing opportunities report. Overall our conclusion with the housing analysis and building inventory, we have enough zone capacity in the current zoning to supply enough housing supply in terms of numbers. Unlike previous planning exercises where we had to make quotas for up zoning different parts of town, we have no upzoning imperative with this project. If we choose to upzone we can do that for other policy reasons. There is no overall quota that is derived from this inventory of need. What we did note, though, was that -- that there is -- it may matter when you look down to the different types of housing that is provided by the supply that we have. As it is noted here, the estimated capacity of the city is 230,000 dwelling units over the next 25 years. Where as our need is only 130,000. We have substantial leeway there. The big issue, though, is not the numbers, but the affordability of that housing. And so, our partnership with the housing bureau on this comprehensive plan activity is crucial here. And it -- affordability will continue to be the dominant trend that we're facing with housing over the next 25 years. The last report that I want to highlight is the infrastructure condition and capacity report, which gives us the basis for what we need to do with infrastructure, vis-a-vis the expected growth. City provides and maintains infrastructure systems for water, sewer, other civic services. We work with several key partners such as the school district and trimet to name a few that are key to providing services for population growth. Key recommendations from this report are to look at our service levels, vis-a-vis equity. And that is a key finding from the Portland plan. Look at geographically sensitive infrastructure approaches. For example, transportation in terms of the one size fits all recipe that we have for street improvements, that is a dominant theme within a lot of different structures, geographic sensitivity. Financial constraints is a dominant issue that i'm sure you're all familiar with. That is a huge issue for this comprehensive plan moving forward that we can identify the infrastructure needs that we have to meet our growth needs but that does not mean we have the financial resources to provide that infrastructure and we have to get very creative with that. The report outlines the importance of continuing to integrate asset management practices into the infrastructure systems. Howard talked about the public participation report that we are asking you to adopt. This is part of our ongoing obligation with state periodic review, we document our public involvement with every step of the way, including the fact-finding, and howard mentioned that we -- I think it is probably up to a dozen hearings that the planning commission held on the factual basis, looking at each of the reports, and in great detail, and vetting them publicly. Through the Portland plan, we also provided additional venues for vetting the facts through citywide workshops and mailings and questionnaires and we really set a new bar in terms of exposing this work to more than the usual suspects through the Portland plan. So, this kind of report, I would also mention, is useful for staff to document what worked and what didn't work in the process, and it is quite direct in terms of what didn't work. So, it is worth a read. We will continue to do this with each step of

September 5, 2012

the comprehensive plan to try to learn from our mistakes and successes at each step. So, turning this work into the state is part of our obligation. We're asking you to adopt that report as well. I want to give a quick assessment, because beyond the five reports that I highlighted, there is a box of information here that is the supporting record that is the rest of the documentation that goes into the reports. And companion reports, as well as a set of maps which are the geographic information that ties this all together. I will quickly roll through the maps and slides just so that you get a sense that it is a tremendous amount of information. We're putting it in the record for this. And the planning commission spent quite a bit of time on it. So, again, a very sort of animated view of all of the different geographic data that we looked at that affects the growth potential of the city. These are the layers that really affect whether property is deemed redevelopable and the level of constraint that applies to the properties. This data is the basis of all of that analysis.

Fritz: Are these available online?

Engstrom: They are and have been for a long time.

Fritz: How would a person find them?

Engstrom: Highlighted from the comprehensive plan web site and Portland plan web site for quite a long time.

Fritz: Planning sustainability web site, is there a tab for the comprehensive plan?

Engstrom: Yes, as well -- either through the Portland plan or comprehensive plan. Both direct you to this information. A Portland plan atlas that was used as a home for this for a long time.

Fritz: Thank you.

Engstrom: So, again, tremendous amount of geographic information goes into this model the and that concludes my presentation.

Adams: If it is okay with council, I would like to go to testimony. We have kept people waiting.

Moore-Love: We have five people signed up.

Engstrom: We have four representatives from the bureau that would like to do a couple of minutes each. Would you like to have those first before the other testimony or after?

Adams: After.

Engstrom: Okay.

Roland Iparraguirre: And mayor, you mentioned that the record would stay open for a week. You might want to specify the date when it closes.

Adams: Sure.

Engstrom: September 12th.

*******:** 5:00 p.m., september 12th.

Adams: 5:00 p.m., september 12th, the record will close.

Iparraguirre: The vote will be taken in the morning session.

Adams: Oh, then the record --

Iparraguirre: What you may want to do is extend the record for the public to a week and then change that date for the final vote so that staff has a week to respond. And then you decide whether there is any amendments at that point or not.

Adams: 5:00 p.m. On the 12th, the record will be open and what do we have the week after for council date?

Moore-Love: That will be the 19th.

Adams: At what time?

Moore-Love: 9:30 session.

Adams: 9:30 session. Great. Thank you very much. Appreciate it.

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

Adams: Can you call the five members of the public that have signed up to testify? Four of the five.

September 5, 2012

Moore-Love: Bob had to go pick up his kids. We have a statement from him. So we just have these four. I mean, we have these four.

Adams: We are lucky. Who would like to begin?

Tom Bouillion, Port of Portland: Hi, thank you mayor Adams and members of the council for the opportunity to speak to you this afternoon.

Adams: You are?

Bouillion: I'm Tom Bouillion, with the port of Portland. Your package should include written testimony from the port of Portland. It is primarily focused on the economic opportunities analysis. I would like to describe in a bit more detail one area of concern that we have in the eoa.

And that specifically is the suggestion that the port of Vancouver could be a surrogate port harbor lands within the city of Portland. Section four of the eoa on page 17 states that Vancouver is an alternative for marine terminals and the port has available land. We are concerned that this suggestion provides for a flawed factual base and sets the city up for a series of untenable choices as a comp plan update enters into task three consideration of alternatives. Five specific concerns include the following. First this approach is not consistent with other documents, proposes the factual base to the comp plan. For example, the housing needs analysis before you this afternoon, does not suggest that Vancouver could provide an alternative location to accommodate Portland's future share of housing demands. Second, we feel this approach is not consistent with Oregon statewide planning goal nine, which requires Portland to maintain a 20 year supply of employment land, including land for marine, industrial uses. State law does not allow consideration of land outside of the city and particularly in another state. The port of Vancouver does not have nearly the amount of shovel ready marine industrial land available as suggested in the eoa. As noted in the memo submitted with our letter, the 350 acre Columbian Gateway parcel three contained several significant constraints, site inundation from the '96 flood and almost complete designation in the 100-year flood plain. Approximately 110 acres of wetland, and extensive showing, including shallow water habitat, along the Columbia River frontage. Fourth, providing for Portland's marine industrial need in Vancouver we believe is contrary to several key concepts from the recently adopted Portland plan, including economic prosperity, affordability, connectivity -- 5th, shifting marine industrial land, associated jobs to Vancouver means less income tax, payroll tax, property tax, and system development charges to fund essential public services for the city, county, TriMet, state of Oregon, among other public agencies. We urge you to delete references in the eoa to Vancouver as a potential location to solve the city's marine industrial land shortfall. Thank you for your consideration.

Adams: One quick question. Your comment about the law not allowing us to consider availability of industrial land in Vancouver kind of reminds us that there are other parts of the country where there are by state compacts on like port authority of New York, New Jersey. Where they do plan on our -- on a regional basis. You said that state law doesn't allow us to do that, but I would be curious of your opinion. Do you think Oregon at some point should consider that kind of model of pooling our resources and thinking about the available land in a regional framework?

Bouillion: I guess I'm not sure that's a very viable or likely outcome. I started to say both ports collaborate on marketing large capital projects like the Columbia River navigation channel. The port of Portland even leases a floating dock to the port of Vancouver for its Subaru auto accounts. But I guess the point still remains that the -- requires, aside from a bilateral -- requires the city of Portland to consider the land base within its own boundaries.

*****: Thank you.

Dave Harvey: Hi, Dave Harvey, I'm here representing Gunderson and the working waterfront coalition. Thank you for having me. Thank you for taking the testimony. Thank you to the bureau of planning sustainability for their hard work, their good work, and really considering

September 5, 2012

input from broad category of individuals, companies, and members of the public. You have a whole packet of documents. I'm going to refer to a graphic that you have. If you want to -- that is the main thing that I will be looking at. Before I do that, I would say that we have come along way. We're close. I appreciate the fact that you are leaving the record open. And I think that will hopefully get us the rest of the way there. Also, in the testimony, I would like to endorse what the port of Portland said and what you will be hearing from schnitzer. I will talk about the opportunity side of the equation. Mainly, why are we here? That is what i'm looking at -- if you look at the graphic, that is where the people who work at gunderson live, that is where a good chunk of them live. That is about 350 people. What I believe is that the people of gunderson are the people of Portland. The people of the working waterfront are the people of Portland. It is not just the localized area. It is something where we provide the kinds of jobs that I think people help to build up their families, pay their rent, pay their mortgages. All of the different things that go on there. And at gunderson they happen to get a good benefits package and medical care and all of the things that go along with it. When we are looking at it from an opportunity point of view, we are looking at prosperous workers. The folks that are buying goods at the local stores. And one other thing, the page after this graphic, it talks about the diversity that is at Portland. And I think that companies like Portland -- like gunderson really are part of the answer to the equity aspect or the equity considerations that really are of issue throughout the city. So, I will just wrap up by saying these industrial lands are important. They're important for the kinds of jobs that have an impact beyond just what is in the harbor. And I think we're part of the solution. Thanks.

Adams: Peter.

Peter Finley Fry: I was going to -- peter, vice chair of the land use committee. And I wanted to focus on -- we talked about the fact that there is an industrial land shortage and that -- in those districts, and didn't really say how much. It is actually about 20%. It is about 60, 70 acres short. What the eoa discovered was a new and emerging market that is existing throughout the nation, new york, downtown l.a. And this is an industrial office market. It is not like commercial office. It has basically different form and different function. I saw three days ago, industrial office building, drawings of one proposed, and has high ceilings, large open spaces, concrete floors. Industrial-sized elevators. Interior truck loading and unloading. These buildings are specialized. In this -- in these areas, create physical and intellectual -- these products can be made anywhere in the world because of the internet. The eoa, thankfully, has revealed this market to us and i'm thankful for that. While not perfect, the eoa is a huge step forward in understanding the economic structure of our city. I wanted to -- a passing comment. Yesterday we're trying to work with the planning and sustainability bds, trying to distinguish between a horse and a cow, I mean. You let the horse in is it going to become a cow and how do you regulate that? We have been working with real estate experts to try to describe what this industrial office is and why it is not a commercial office and how it can be regulated. And at that panel we had yesterday, real estate experts. They actually revealed something that is quite surprising to us all. And that is traditional lenders are now leaving the suburbs and returning to the core nationally and that insurance companies and pension funds are looking at downtown, as you know, rural albina because people are choosing to come back for energy costs, a lot of reasons. That speaks very well.

*****: Thank you.

Adams: Hi, welcome back.

Steve Pfeiffer: Mayor, commissioner, steve pfeiffer -- I have submitted written comments which will be available to you shortly. They have not had a chance to really digest them. I can be brief and concise and to the point. We support your efforts in periodic review, not with standing the significant drain it has on certainly the planning program, on this and every other city. From my

September 5, 2012

own review, periodic review probably is not as valuable in every city as it is in Portland. It is time well spent in my own sense. Focused on the comments on the eoa specifically and more specifically on the working harbor aspects of the eoa. There are five bulleted points on page two that summarize the comments that we offer and they go pretty much to the methodology. That is critical, as you know. Serial process, five tasks. Next one alternatives. If you don't get it right on task one and two, then three and four will suffer overtime. Our sense of this is based on the practical experience of Schnitzer and others who they collaborate with -- unique area, unique users and unique needs. If I had to summarize those comments, we would urge the bureau for the reasons we articulate there to have another look at really three categories. The unique site characteristics which are the working harbor. Dependent water-related aspects of it. They have different lot sizes, fars, and different needs. Many of them will remain with us for a long time to come. Secondly on that point, other parts of the area will benefit from redevelopment or intensification of existing available land supplies. That in our opinion is less likely to be the case in the harbor. The city has to make some assumptions on for instance intensification and redevelopment throughout the city because the eoa is citywide. Unique site characteristics, unique history both current and moving forward lead us to wonder if again we shouldn't be a bit more conservative on the redevelopment aspects and the extent to which that will be available and therefore may serve to understate, if we don't get it right, the buildable lands available overtime. Brown fields get redeveloped. A dry cleaner on a corner, two arterials, 25,000 adt a day will get redeveloped. The land value is there you can carry the redevelopment and clean up. That is much less likely in four, five, six dollar dirt. Why you see large parcels remain unremediated in the worker harbor. The assumptions on brown field we point out need to be unique to the harbor, to those circumstances, even before you get to superfund. When you get to superfund, for reasons we explain, ppas are not as readily available. Land use -- nature of the contamination. We need to be cautious on brown field redevelopment. If we overstate it, our supply will be overstated and we will fall short in a few years. Thank you.

Adams: I will be coming to council in a couple of weeks in partnership with Portland development commission, we did a -- sent a request for anyone who needs assistance. Every land owner and business in the north reach area, and to your point, think each of your points, we got some good requests for assistance back. And future work as well. And many of them deal with the issues that you have outlined. I don't have a copy of the ports letter. You didn't submit anything, right?

*****: We will, though.

Adams: Okay. Great. Thank you all. Staff come up then. Do you want the staff or the panel --

*****: That was the panel.

Adams: We have panel and staff. Bureau managers come up. You each have 10 seconds. No, i'm kidding. I don't need that much time.

Fish: I will yield my time.

Adams: Parks and housing will take as long as you need. Make --

*****: As long as I get to go first.

*****: Appreciate you giving up half a day for 30 seconds.

Adams: Director Quinton.

Patrick Quinton, Director, Portland Development Commission: Thank you for the opportunity. I will be quick. I wanted to re-enforce all of the great work that has been done on this analysis and particularly on the industrial land, employment land analysis and economic opportunity analysis. This council knows we have been working for three years under an economic development strategy that is focused at its core on created sector job growth. Despite the fact we started implementation of that strategy at the depths of the recession, we are beginning to see signs of life. We have added 15,000 jobs in Multnomah county since the adoption of the

September 5, 2012

strategy. That is not nearly enough to replace the jobs loss in the recession and they're still -- still are significant numbers of people who are unemployed. If we're to continue on this trend, we need to continue our focus on traded sector job growth, and traded sector firms, we note the -- we know the benefits of that. So, among the many things that we need to do to support our trade sector industries, those do include access to skilled talent. Access to risk capital. Access to deep supply chains throughout the region. These industries need a supply of industrial land and they need a supply of employment lands, talking about the nonindustrial traded sector firms. This is a very nuance topic. It is not the case that you can say I make ten parcels available and I can guarantee ten parcels are going to get used. When we have opportunities through recruitments and expansions the region works together to meet those needs. Might meet a particular need in hillsboro, in Portland, in vancouver. If Portland is going to get its share of these opportunities, and particularly the opportunities that match our competitive strengths and access to the poor, access to the airport -- access to the port, access to the airport, access to talent -- the city needs to have an available supply of industrial land and, you know, there are lots of things we can talk about in the future discussions. But we are certainly ready to help on that. And I want to emphasize, both points are made in the previous testimony. The industrial land supply. There is also the supply of commercial space for start-up firms, younger firms. Class b and c space that we see. Both are critical needs to growing the economy. Both should be priorities as we move forward in the implementation of the comprehensive plan.

Adams: Also -- I would just add to your great testimony is four example, peter -- we have an issue of the viability of unre-enforced masonry buildings to convert from previous uses to the office industrial. Funding mechanisms. It is like -- it is one of those strategic challenges -- what otherwise has been preserved as a district that is quite -- except for that well suited for the industries of the future. Those are two issues that I would underscore.

Quinton: Thank you.

Adams: Mr. Marriott.

Dean Marriott, Director, Bureau of Environmental Services: Hi, good afternoon.

Environmental services. I want to thank susan anderson and the staff of planning and sustainability for the excellent work and collaborative work. It has become before -- for the first time this comprehensive plan will include issues like watershed health, infrastructure, endangered species and climate change. That is a positive thing. We were able to assist in the infrastructure -- urban forestry background report. On watershed health, I don't need to beat this drum any further, but for no other reason than to say we have spent literally billions of investment to protect watershed health and improve watershed health, particularly related to the willamette. It is important to include that feature in the comp plan, if for no other reason than to simply protect that investment. Economic opportunity analysis, you have heard a lot of this and I second patrick's notion let's come back and talk about this more. One thing I notice when I look at the industrial land inventory and the shortage that is described, they discount brownfield property from the list of availability property. One way to tackle the shortage is to tackle the problem of brown fields. We stand ready to assist. We have been able to secure grants from epa worth millions of dollars to help with assessment and clean-up on brown fields. It is not enough.

But it is a small step forward. And we look forward to working with all of you in the future to make sure that that work gets done.

Adams: Hi.

Bret Horner, Parks & Recreation: Hi, i'm bret horner, planning and design manager for Portland parks. On behalf of our director, we are happy to see this come before you today and also to have contributed to its development. I just have a few key points to mention. Firstly, parks are included and highlighted in the infrastructure and conditions report. We chose to do that even though state law does not require it in order to really highlight the importance of parks

September 5, 2012

and natural areas as essential components of public infrastructure. Secondly, service levels established in our parks 2020 vision, have also been included, and the key one of these is getting every resident within a half mile of the park. That is in the infrastructure report and follow through on the comp plan. Thirdly, natural areas and recreation, trails are recognized as key city assets. This is encouraging to see for the first time. And finally, we are really happy to see the city's green infrastructure highlighted and included as dean mentioned. Background reports not just focused on hard aspects and traditional assets of the city but the green infrastructure. Urban forestry program is highlighted in the infrastructure report and it will continue to play an important role in maintaining, expanding, and enhancing the city's unique green infrastructure. Thank you.

Fish: If I may, one note, mayor. The comment that was made about percentage of Portlanders that are within, what was it a half mile, making steady progress there. The truth is that every ten years or so, we go out to the voters for a bond measure to have the dollars to fill out -- capital dollars to fill out the system because there is not enough money and other dollars in the pipeline. The deficit identified is still east of 205. So, we cannot tackle that without a bond measure, which is why it is a little tidy. Better late than never. We will go out next year for a bond measure so that we can have resources to -- to make sure that more families east Portland have access to the park.

Adams: Thank you.

Daniel Ledezma, Portland Housing Bureau: I lead our equity policy and communications team at the Portland housing bureau. On behalf of our director, Tracey Manning, we wanted to appreciate the thoroughness with which the issue of housing availability, affordability, and connectedness are examined in the report. And the collaboration with the staff to develop them. We have the shared goal of -- proactively addresses issues of equitable opportunity for healthy, well located and -- the report shows the continuing challenge to provide an adequate supply of affordable homes for low and middle income households and the need to, number one, preserve existing housing and communities at risk of displacement and create new affordable opportunities for housing located close to transportation and amenities. The report shows that these issues are not a zoning problem. Policies and programs that support private development of -- also respond to city housing priorities. The analysis makes important shifts in defining affordability that also -- that also considers housing and transportation costs. That puts more emphasis on location and access to jobs and essential services. Focusing on creating more affordable homes in the high opportunity areas with the infrastructure and services to support the households and their success will be an important strategy to avoid displacement of existing residents. We look forward to continuing the collaborative work between the housing bureau and BPS in developing a housing strategy and policies for the comprehensive plan that we hope will help move these issues forward.

Adams: Thank you, all. We will leave the record open and staff will come back to us individually before we meet again as a group to go through these issues. As outlined earlier in this hearing, this hearing is continued. Can you please read the title for item number 1002?

Item 1002.

Adams: What are we looking at here, director Marriott?

Dean Marriott, Director, Bureau of Environmental Services: Mr. Mayor, Mr. Saltzman was going to introduce this item. And here he is.

Adams: Just in time delivery.

Saltzman: Fastest gavel in the west.

Adams: You have 90 minutes for this. And I think you can do it more quickly.

Saltzman: I think we can, too.

September 5, 2012

Saltzman: Thank you, mayor and my colleagues. We are here today to consider a change in how the city recovers costs of stormwater management in the drainage district. Since 2000, instead of directly billing customers in the drainage district for storm water charges, there has been an intergovernmental agreement between the city and districts for stormwater cost recovery. After unsuccessful negotiations to renew the intergovernmental agreements, the city provided notice to the districts in 2006 that the intergovernmental agreements would expire on June 30th, 2012. And that is -- the city then intended it resume direct billing of district stormwater customers. The proposal before you today is to do exactly that. It is to resume direct billing for city stormwater management within the districts. The charge is only for the off-site portion of stormwater. So, which is 65% of the stormwater bill. 35%, we are assuming people manage their stormwater effectively on site. We are only trying to get the 65%. And that is a lot of residences throughout the city, do, in fact, get the stormwater discount -- Ultimately the intent of this proposal is to bring drainage district property owners in line with what all rate payers throughout the city pay for stormwater charge. This off site charge goes to cover stormwater runoff from public rights of way. Goes to support watershed enhancement activities and goes to support the cost of getting a permit from the EPA, our municipal stormwater permit which is a huge undertaking. And we're also, in return, the city is proposing to pay its drainage district from managing public rights of way inside the district boundaries. Our original proposal was to recover our full costs in about two years. And I'm putting forward today a substitute proposal that is a reflection of the public involvement process that we have had, and what we have heard constituents as well as my colleagues on the council. The alternative delays the implementation date and adds in more transition years to achieving the 65% stormwater rate. And in essence, we would propose -- the power point gets into this. We would propose starting this February to recover 17% of our costs, which basically covers the cost for this fiscal year. Start of July 1st. We have not been paid by the drainage districts, the \$670,000. In essence, recovering what is owed us for services rendered. And July 1st of next year, we could recover 25% cost recovery, and then 25% each of the ensuing three years. In other words, we are spreading it out over four years. But for the 17% charge in February to recover in essence what is owed to us for stormwater management. I will turn it over to Dean Marriott, the director, and Jim Hagerman the business services --

Marriott: Thank you very much, commissioner. Dean Marriott. In lieu of the fact we are running late and we have people here, I'm going to pass it off to Jim Hagerman. Jim has been personally involved in a lot of the outreach and communications and has a short number of slides that he can run through very quickly to summarize what commissioner Saltzman just highlighted.

Jim Hagerman, Bureau of Environmental Services: Thank you. Jim Hagerman, bureau of environmental services. In very brief -- I will be very brief. The proposal is to bill directly in the drainage districts for stormwater services, to replace the expired intergovernmental agreement and phase it in, in multiple steps. You can see the light green area near the top of the slide. Those are the three drainage districts. Peninsula drainage district number one on the left. Number two in the middle. And Multnomah county drainage district number 3. Brief history of the relationship.

The districts were formed in 1917 by property hunters to manage flood plain and local stormwater runoff from properties in the area. Prior to 2000 the city did bill for Stormwater services in the districts with exemptions for those discharging directly into the slough-- some were billed, some were not. As part of rate reform, in 2000, it was decided that we would pursue an intergovernmental agreement that would unify the billing structure and we would bill on a whole sale basis rather than a retail basis. Negotiations to renew the contract in 2005, and later on a new 10-year agreement broke down. They were not successful. The city, as the commission noted, notified the districts in 2006 of the impending expiration. In brief, the city builds, operates, maintains stormwater pipes and water quality facilities many of which are in the

September 5, 2012

districts. Treat stormwater runoff from public rights of way, water quality analysis, source control activities as well. Components, very briefly, 35% of the stormwater charge is considered on site costs, covers cost of dealing with flows off of individual sites. The remaining 65% is right of way, stormwater management, water quality, regulatory requirements. And that is not discounted. Again, we presume billing directly and would sign an agreement with the districts could contribute an equitable share to their costs of managing the stormwater. Public involvement for this began in January, 2012. We met with members of the Columbia Corridor Association board in January. We have had three meetings with the Bridgton and East Portland neighborhood associations. One in January. Two in July. Attended two meetings with representatives of the Port of Portland, commercial airlines representatives and Air National Guard representatives, two mailings to property owners and account holders. One June 19th, one August 9th. Coordinated two public meetings in June for district residents and businesses. And on an ongoing basis have briefed Portland Utilities Review Board. In addition, the Bureau's budget advisory committee recommended pursuing this course of action in January. So, some details about rate impacts as Commissioner Saltzman mentioned, 17% of the off-site stormwater charge, February 1, 2013, would affect approximately 690 commercial accounts and 685 residential accounts. Roughly citywide, about 180,000 combined commercial and residential accounts. Starting July 1, this would go to 25%. And adjustments to 50, 75, and then in June, or July, rather, 2016, 100%. The impact would be to a single-family residential customer beginning February 1, \$2.64 per month. And for commercial customers in the districts it would be \$1.17 per thousand square feet of impervious area per month. That is all that I have.

Adams: Commissioner Fish.

Saltzman: Actually I should move the substitute at this point. I would like to move the substitute which reflects the cost recovery as outlined by my opening remarks and the powerpoint.

Adams: It's been moved and seconded. Discussion.

Fish: I may offer an amendment to the substitute, but first if I could pose a couple of questions to the director. First of all I want to thank Dan and the Director for a number of changes that have been made in this ordinance. Particularly the 4-year phase in with 25-50-75 and 100 over that period on a fiscal year basis. For a number of reasons I think that's both fair and appropriate. The concern that I still have has to do with the February payment. In two respects. One is let's take the example of the Portland International Raceway, Pir, which is in this district. We have already done our budgeting for the fiscal year. This was not a cost that was budgeted. There are other entities in the district for whom this is not a budgeted cost as of February. And that is why I would like very much the fact that you're proposing the four-year phase-in start on the fiscal year, so starting July of next year, 25%, 50, 75, 100. The other concern I have, it appears that people will be double billed under this proposal and unless I'm misunderstanding this, this is a charge which public and private entities have already paid to the drainage district and are now being asked to pay to be in February, which in effect is a double payment. That doesn't seem equitable. I think I understand from your point of view why it would be appropriate since you have a hole in your budget.

Marriott: Well, let me be clear. It's not double billing. They are not paying what the rest of us are paying now. I agree they are paying for the drainage district but they are not paying anything for their off site drainage costs. For any of the rest of you when you pay your Stormwater charges are paying an onsite portion unless you have the discount, you are paying for off site drainage. For this fiscal year we will receive no payments to assist with the management of the storm water utility for off site storm water. So what's happening is if we don't send this bill out to people directly, then the city storm water utility receives no payment for any off site Stormwater costs associated with the properties located in the district.

Fish: Just so -- this is a complicated subject, so bear with me. What, then, have the property owners paid already for this fiscal year?

September 5, 2012

Marriott: They will have paid the assessment from the district. Which goes to cover the cost of operating the district.

Fish: Right. And had you been successful in renegotiating and extending an iga with the district would any of that money have come to bes?

Marriott: That was the whole point of the renegotiation, which is why it broke down. We requested they pay more of a fair share to the actual cost of the city running a storm water utility which they declined to do.

Fish: Okay. So to what extent is there a duplicate payment then? If you add up the 17% -- payments that have been made to the district, what's the cumulative burden for that year for property owners in the district?

Saltzman: Take a stab at it. Drainage district businesses and residents have been assessed by the drainage district a storm water management fee. I'm assuming they assess that effective july 1, 2012. And have hence collected that \$670,000 or so. So that \$670,000 should have been paid to the bureau of environmental services. That has not been paid. So what we're proposing is to recover what is owed us. To the extent maybe there's double billing I think the customers from the drainage district are entitled to a credit from the drainage district for what's been collected but is not being paid.

Adams: Is anyone from the drainage district here?

Fish: Let me just, mayor, frame the question. We can come back to it. I understand from bes point of view they feel that money should come to them and they have to make up for the money that didn't transfer over so they are looking to the ratepayer. Hasn't the ratepayer already paid to the drainage district for what you are charging in february and is it the ratepayer's obligation to seek credit for the drainage district or is does the city have some --

Hagerman: As of this year, that drainage district resource not a city resource. It would be up to the district to say I suppose voluntarily pass it through or to rebate it or to --

Adams: As a matter of customer convenience, will you do that?

Reed Wagner: Mayor Adams--

Adams: Please introduce yourself.

Wagner: I'm reed wagner, executive director of the drainage district as of seven weeks ago. I have my deputy director here to share more technical and long term knowledge of the district, but what we can do is to suggest to our boards that payment would be -- was made to the city and that they had the opportunity through their budgeting process to rebate the customers of the district.

Adams: But it would be easier to rebate the customers or just send the payment to us to not have the customers go through all that rebating process?

Wagner: I believe it would be easier to send the bill on to you and for us not to have the customer versus to deal with everything.

Saltzman: So you're prepared to make the payment that was due july 1 of this year?

Wagner: What we would do through the budgeting process in talking to our boards would find a way to finalize payment due this year to the city. That way not have to go through the rebating process with customers.

Saltzman: By no later than february?

Wagner: That I will have to check. It's something we would discuss and complete with our finance team.

Fish: I really appreciate you making the offer. However this gets worked out, whether bes works with you directly or the money goes back to the customer as a credit or whatever, it's my interest that with all the changes the commissioner Saltzman has made to make this fairer and phase it in, I think this piece has to be resolved in order to be fair to rate payers. Otherwise in plain english they are being asked to double pay because of a dispute you two parties have. I don't think that's fair to the rate payers.

September 5, 2012

Saltzman: I would say that we consider the ordinance as is. We have a week until the second reading. We can either get clear definition or we can give the district up until as late as January of 2013. If they do pay the money that's owed we can have some other ordinance that suspends the 17% collection in February. I would argue we shouldn't take it out of the ordinance now because frankly nobody wants to pay -- nobody likes to pay storm water bills but everybody else in the city is paying their share and we believe residents and businesses in the drainage district should pay what everybody else is paying.

Dave Hendrix: Yes, sir, if I may, I'm David Hendrix, deputy director, Multnomah county drainage district. I would like to concur with commissioner Fish. With the original IGA, the 680 or whatever number it is for the year, the original payments were due in two invoices one in January, one in June 30th, through July. The bill from June 30 never gets to us until after July. So we've already made one payment this year for the last fiscal year. The next payment would have come half that in January, the other half in June. But if you start billing in February of this year, then they are being doubled billed because we're going to pay you the full amount and then you're going to bill them for those extra months. We shouldn't pay you a full amount. We should only pay a reduced amount to the city if they are going to start charging in February or start charging on July to make it equitable.

Saltzman: What does that reduce the amount in your opinion?

Hendrix: It would be by however many months. One-third in one fourth, whatever it is, March, April, May, June. Four months.

Saltzman: I would like to have Jim respond to that.

Hagerman: I think -- that what commissioner Fish was talking about was saying not doing the billing for this year, then pass through the full amount. I believe you're saying if the billing starts on February then it would not be the full amount passed through.

Adams: Right. I think you get the legislative intent of our comments. Whatever works best for the customers works best for all involved. I don't know that we need -- that we're in the best position to figure that out.

Saltzman: I would suggest we have a week until second reading. If there's a different percentage recovery that should be plugged for February 2013, we'll plug it in but they will figure it out and have information to us by next Wednesday.

Fish: My preference would be on just one vote that you work out that arrangement so there is no billing for any one in the drainage district until next fiscal year. However you work out the dollars that the billing starts with the new fiscal year.

Wagner: Mayor and commissioners -- [speaking simultaneously]

Adams: I'm sorry, Mr. Wagner. I'm going to take a sense of council on that little issue so that we can clear it up. Do customers have a preference? Bill sooner, bill later, from the city?

*****: [inaudible from audience]

Adams: Who said never? Oh, we're going to have fun when you come up here. We have had these arguments with East Portland for decades. We'll let you have your chance, I promise. Council, do you have any thoughts on this? Sounds like July 1. Why don't we take that week and find out if there's some convincing fatal flaw. May I ask a question that has to do with the levees? What happens to the levees? In terms of responsibility.

Marriott: Certification of levees?

Adams: Our concern is some of the levees are quite old. I wouldn't be surprised if because of what happened in other parts of the nation that we might have to make some improvements to them. That is why I want to air this out and make sure there's some council discussion about the levees.

Wagner: Mayor, commissioners, for the past many decades the drainage residents have owned the responsibility of maintaining levees that were built by the Corps of Engineers. The Corps standards since Katrina have changed dramatically. We're trying to manage into those changing standards.

September 5, 2012

They are not just substantial differences financially but also the impact to the communities. That has to do with trees and tree removal and development removal. Utilities, these types of things that I think it's very important that we have a conversation amongst our community, not just in the drainage districts themselves, about the values of our community, how we need protective standards for our community and how we do so that meets the values of the city, the region and the state. This is going to be a very large, very important conversation over the next six months then again 18 months to decide whether we meet the standards of a certain federal agency or the standards that will protect our residents in the right type of way.

Adams: What's your point of view on the levees, director marriott?

Mariott: I think you put it well. It's a topic that traditionally has been in the venue of the drainage districts. So with commissioner Saltzman we have already talked about how to have a wider discussion about this. We have involved the staff of government relations to reach out to federal agencies and potentially to the delegation to look at this. This potentially has a very big price tag to it. Could change the relationship as far as no longer being just a drainage district responsibility. It's a conversation that I think going to have to include a lot of participants.

Adams: This really speaks to a preview of the conversation with the gentlewoman in the back row. That is we're one city and different parts of town, one sewer system, even though sewer system is different in different parts of town, the discussion if you're going to hold out that you're not part of the big pipe, shouldn't pay part of it, then you also have to sort of in my personal opinion have to keep the levees within the financial responsibility of your neighborhood. I would be careful if I were you to ask for that deal. But I look forward to you coming up to testify. Thank you all.

Saltzman: I want to say before we leave the issue of february, we haven't voted on the amendment, I want to say I want to keep the substitute intact until the second reading and we can amend it next week if that's the will of council. We had a very long and decisive decision today about the mt. Tabor reservoir. It's important to move on. If we postpone everything until july 1 of next year we'll have at least two new members of council here an the opportunity, this is complicated stuff, the opportunity to sort of confuse and ask for delays in perpetuity. It's just too easy. We need to start getting a storm water bill in the district residences and business hands. I'm not ready to concede we shouldn't start something this year. We'll find out what the fair percentage recovery is for february that doesn't double bill, but I don't want to concede that until at least next week.

Fish: I very much respect your position on this, commissioner Saltzman, and all the progress you've made. Because among other things the public entities have already build on a fiscal year, have not built this in, my preference would be we at least take up the amendment, see what the will of the council is. My guess is if the council decides that we're going to stick to a fiscal year billing it adds additional incentive to work this out the next week so everyone is taken care of. With all due respect I would like to move an amendment that we begin billing in february, excuse me in july, on a fiscal year basis, not do an interim billing in february.

Leonard: second.

Adams: Moved and seconded. Karla, please call the vote.

Saltzman: Putting it off until next fiscal year I think risks sort of putting it off in perpetuity. We took decisive action this morning on issues surrounding the water bill. We need decisive action today around the environmental services and its collection of the true cost of storm water charges, which if they are not paying the true cost everybody else in the city is picking up that charge. Figure out by next week what the fair percentage recovery is in january that doesn't double bill, and I would advocate that we get on with the task and start in february. I vote no.

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

Adams: Aye. How many people have signed up to testify?

Moore-Love: 15 people.

September 5, 2012

Adams: Okay. Well, you got what you wanted. I'm not done yet. You got what you wanted. We have been in these seats all day long. So if you're here to testify for the billing issue, I would ask that if you can forego your testimony, if you have other issues that you want to raise as part of this over all issue, that would be great. Thank you all. If you signed up to testify, you can testify about i'm trying to get folks out of here because we have evening meetings. Again, if you want to testify, it is what it is, council has made a decision. We're going to bill on the fiscal year. Our bills will start on the fiscal year. Let's take testimony. Starting with a minute.

Adams: If you need more time, let me know. Please try to keep it to a minimum. Would you like to begin?

Maryhelen Kincaid: Sure. Make sure before I testify that I understand what happened. The city and the drainage district are going to negotiate how they get the money that we have already paid through property taxes and the drainage district ratepayers won't begin being billed until July 1.

Adams: Correct. If they don't, this ordinance could be -- this ordinance stays on the agenda the way it is so folks have an incentive -- you have an incentive to contact your drainage district that the board follows through on what is right now I call a handshake agreement. Therefore it obviously has to agree with what we have just suggested.

Kincaid: When the second reading happens next week can it change?

Adams: Yes.

Kincaid: Okay.

Adams: But this council has expressed its legislative intent to do exactly as you said, but we do need some signals from the drainage district that they are willing to go along with that.

Saltzman: I mean we just amended the ordinance so there's no February 2013 recovery. Starting July 1 --

Kincaid: I understand that. But if next week you decide to go back to February—

Saltzman: It was a 4 to 1 vote.

Adams: If the drainage district board and in informal head count of the drainage district board by staff gets a sense that they are not going to agree this this, yes, the deal's off. If they agree to it you're going to not get bills from us until July of next year.

Kincaid: Okay. Then I support that because that was from one of the big pieces of it. The other big piece that I had was about community outreach. I want to take public involvement in this because many people didn't understand what was going on. The public meetings that they talked about were all arranged by neighborhood leaders. The one in January was at Kenton firehouse that Leslie Sawyer organized and asked Bes Multnomah county drainage system to be there. We were promised two public meetings. We didn't get units -- notice was mailed June 19 for a June 26 and 27 meeting so most people only got it a day or two before the public meeting. So my point is when this begins, just some sort of direction or a wish that they work with the neighborhoods so I think I used the term with commissioner Saltzman switch boards don't light up. The neighborhood boards get a lot of grief, why did you do this. If we can do them ahead of time and keep people informed it would be easier for the city. My whole intent was to make sure that this was done right and that the city got their facts and figures and 685 residents that they talked about, there are 1700 single family residences in East Columbia. I'm not sure you got everyone on the books.

Adams: We need to do a better job of outreach and information. We got it.

Kincaid: There's some discrepancy there.

Adams: We will redouble our efforts.

Kincaid: Thank you for listening. I know it's taken me months to figure this out. And I don't think I have it yet.

Adams: I think the levee issue is a big, big issue.

Kincaid: And there are other people who will speak to that. I won't take your time.

September 5, 2012

Mike Wells: I'm Mike Wells, managing director of CRE the largest commercial real estate business in the world. I'm also on the board of Multnomah county drainage district. On behalf of Pacific Northwest Properties that owns a number of buildings in the area, this impact is 100% about \$100,000 to our tenants. So it's of some significance. That being said, I am in favor of the motion as it has been amended.

Adams: Thank you for your testimony.

Matthew Rotchford: I'm the director of the Portland Expo Center, also wearing a hat as Metro's representative on Peninsula One drainage district. The Expo is home to a number of consumer events, most recently the Cirque du Soleil. The proposed increases of storm water fees for the various drainage districts and specifically the Expo Center are substantial, and could eventually reach close to 150,000 a year to our estimate. Our facility is fully self-supporting and with these different proposed fees it really gives a significant impact to our business. I just wanted to go on record saying that. I'm encouraged by the motions taking place today and again I want to echo Commissioner Fish's comments regarding PIR. There's a very symbiotic relationship and partnership between PIR and the Expo that makes a number of events take place. It broadly impacts the port and convention district.

Adams: When you say things like that had which I know are on the ground true but it makes me wonder -- makes me take on the worry that Commissioner Saltzman has, do you support the compromise you just heard us talk about?

Rotchford: I'm in support of the July staggered increase.

Adams: Do you accept the fact that paying the same amount that the rest of the city is paying although no one likes to pay more and it will have difficulty of course, but are you supportive of that?

Rotchford: I'm not in full support due to the different nature of what Pen 1 brings to the city. I just need to be more fully informed in terms of all the numbers as to how that --

Adams: Again, I understand that, but again, I worry on your behalf because this is going to look like decimal dust compared to what will likely be required for the levees. So just I really need you to let that sink in. I won't be mayor then.

Rotchford: My concern was just the notification.

Adams: I don't want you to repeat yourself, just understand if you don't think that paying the full freight as we define it, you can argue about that, if you don't think that's fair generally, it means you're going to be taking on probably a lot more expenses when the levee bill comes due. Keep that in mind. Ma'am, welcome.

Anne Davidson: I'm Anne Davidson. I own property, my husband and I own property at 8900 Northeast Vancouver Way. I'm excited. That helps us a lot. This rate increase would have been a 400% increase in our bill. I do support the fact that it takes a whole village to maintain a storm water system. We are on a private storm water sewer but we are in a low area and we are impacted greatly by what happens around our property. We bought the building in 2001 and in 2002 we had no problems with anything until 2005 when there was a huge federal express property built an other things that happened and we now have a nightmare every time it rains. What happens is the runoff comes down into our storm sewer. It's overwhelmed, and our building floods. I have a machine shop in my building that I own, and we have hundreds of machines on the floor. So I just want to talk about the fact that other things that happen around the area affect property owners, and I hope you take that into account whether you look at who is paying what. I'm a full believer in paying my full share but the things that I have to pay for because it's my private storm water sewer are greatly affected by what happens around my building.

Adams: Again, free advice from the former sewer commissioner, I'd start talking to be about problem solving for your issue.

September 5, 2012

Davidson: We have been to this drainage district and their answer was you're on your own. Okay.

Adams: This is transitioning now responsibility.

Davidson: Okay.

Leonard: I'm sorry, I just have to ask, you must have a twin sister.

Davidson: I don't.

Leonard: You don't?

Davidson: Is she a judge?

Leonard: Yes.

Davidson: I don't know who she is. I'm sure she's beautiful, right?

Leonard: When you introduced yourself I thought --

Davidson: I'll have to meet her.

Fish: Brilliant too.

Davidson: And brilliant.

Adams: Thank you very much. Next four.

Adams: Welcome. Glad you're here. Thanks for your patience. Begin.

Cathy Humble: I'm Cathy Humble. My husband and I have lived in east Columbia neighborhood for 34 years. As part of our property tax we now pay a \$472 fee that supports our drainage district.

The proposed environmental services offsite storm water charge would cost us about \$186 per year in addition. We have broader concerns than specific dates for starting the charge. Yes, our drainage district uses our fee to handle storm water but much of the drainage district fee covers protection of 35 miles of levee systems crucial to the safety of I-5 and 205, Portland International Airport, wetlands that back up the Bull Run water supply. Currently residents in other parts of Portland do not pay through their water bill or property taxes for this protection. Although the levees are so vital to the whole city's infrastructure by a legal quirk we're told the cost of maintaining it cannot be considered in the water bill rate setting process. It's been proposed the city pay the drainage district for these crucial services however that amount has not been settled and the drainage districts are still analyzing the relevant cost with no assurance that district would pass on any of this to residents in their reimbursement or use property tax amount. The addition of direct off site charges for residents is going to get under way. In the interests of fairness and equity we ask that Portland residents who not live in the drainage district share the real world total cost, the full freight as the mayor says, of managing storm water and protecting the flood plains. We ask that any change in rates be tabled until the drainage district cost is available and a cost sharing agreement with the city is final. We ask that city officials give residents adequate notice on all part of this process. Thank you for your consideration.

Adams: Thank you. I think you're going to be in a better negotiating position if you're paying the same amount of off site storm water charges that everyone else in the city is. I think you're in a stronger position to have a city-wide discussion on the levee. Not guaranteed but I would say that that puts you in a stronger position. If we don't know the central cost of whatever the levee improvements might be it's not really possible to do what you ask, but I appreciate your point. Hi.

Val Humble: I'm Val Humble. I just want to take a moment to focus on the big picture. Looks like we're changing from an old philosophy where if water fell on your property or backed up in your backyard you were financially responsible for removing it. We're now accepting that all citizens of the city benefit from cleaning up all of the city. That's a change in philosophy and it certainly is a defensible way of looking at it, that we're all responsible for disposal of water throughout the city. Given that we are making this change, we do need to recognize as my wife mentioned that those of us paying for the drainage district have been maintaining and carrying the full weight of benefit to the whole city in protecting the pier, the expo, the airport more than anything else. There is this big

September 5, 2012

issue that we have been in the past responsible for. If we're recognizing that the whole city gets benefit from various things throughout the city, then please do recognize this. Thank you.

Adams: Thank you. Hi.

Dick Shafer: I'm dick schaffer. I'm a resident in pen it and a supervisor for 13 years. I was on the committee that first negotiated with the city for the enter government agreement for parity. It's interesting how things have progressed. Mr. Mayor, I do think your point if we are paying what other people are paying gives us a good stand when we start talking about levee benefits. My point in being here is to say if parity and equality is where everybody is going, i'm in support of that.

Adams: Thank you, supervisor. Thanks for your service. Hi.

Beth Cohen: I'm beth cohen. I'm a public policy advocate with Oregon food bank. Thanks for the opportunity to testify. I want to thank you for your support of the phased approach for the storm water fee increase. Oregon food bank it's helpful for us to have predictable operating costs and for fee increases to be gradual allowing us to budget and account for those accordingly and really reduces impact to our mission to eliminate hunger. As a reminder, if we were going to see a fee increase this fiscal year we would have to divert funds from budget we use to purchase bulk foods like rice and beans.

Adams: We took care of. That don't plow the ground again.

Cohen: I want to reminds you how important it is to us and the families we serve. I close with saying we believe Oregon food bank requires strong partnerships between the public and private sector. We want to recognize the city of Portland as a strong partner and collaborator. Thank you.

Adams: Thank you. Next four?

Adams: Thanks for your patience. Go ahead and begin, sir.

Justin Callaway: I'm justin callaway. Last time I was here it was for the airport futures which I think is relevant. To me there was somebody from the planning bureau who tried to allay my concerns regarding some of the over lays on my property because i'm adjacent to some industrial properties. That they then got decoupled and those over lays don't exist on their property this. Person said to me, I was trying to explain the fact that my kids would have to walk a mile to get to the bus stop, it's not even covered. They have to walk on a road with no sidewalks with trailers and I remember another planning bureau person said, oh, I love having no sidewalks. I live in southwest. Well, these are kids walking a mile. You're talking about fairness. We're talking about the city of Portland. We're talking about what matters here. This is important to me in a sense that you divided and conquered our neighborhood to get over lay through. You then put wetland delineations across my property that doesn't extend to the neighboring industrial property. That now is somehow increased in value even though it's got lessened development potential. My big question, we don't have a public structure in our neighborhood proper that we can meet at. We have to go to a church. When I get my tax bill, \$1400 before I even start looking at what it takes the city for the rest of the fairness. We subsidize that land to exist. That airport and all these properties there we want to talk about fairness like somebody takes advantage of the bes disconnect, where there's going to be parity, now we have wetlands. I'm not going to get an additional discount for that, i'm just going to get a live in the drainage district discount but you've taken away the development potential and said, industrial properties, you sued us so we're going to back off because you sued. We aren't going to put these over lays on you.

Adams: Sir, what was your name again?

*******:** Justin callaway.

Adams: I'm being lenient. You're supposed to testify on the topic at hand. I'm being lenient, letting you give us some context. What's your opinion on what's in front of us?

Callaway: My problem is that I have heard you discuss fairness and I live in I call it not Portland. I'm a northeast address. There's no bike map that can show you how to get to my house. My

September 5, 2012

opinion is you have discussed fairness and this rate -- talking about parity. You have a bureaucracy in bes and you're telling us that in the drainage district that what will be just as good as the highland people, we'll be the same as everyone with all the schools and sidewalks.

Adams: I didn't say that.

Callaway: You told people, you be careful what you ask for with the levees.

Adams: Talking about the issue --

Callaway: I don't mind paying my fair share. I have kids in public schools. I pay for it. If development occurs within the county but outside city limits you mentioned the roads.

Adams: Mr Callaway, this part of town has only been within the city of Portland, annexed in the late '70s. so it's development occurred within the county but outside city limits. You mentioned the road. Let me just -- roads especially residential roads are paid for originally by an assessment on the adjacent property owners when that subdivision occurs within the city of Portland. This part of town, parts of it were urbanized and industrialized outside the city. Those requirements didn't apply. The difference if it's a different conversation when you talk about fairness. I'm going to have to move on. I still don't know if you support this approach or not. The issue of the drainage district which right now has the responsibility for levees and has had the responsibility for storm water, are the two things that are before us. You can't fix everything that happened over time --

Callaway: I do understand that.

Adams: My advice to you, my political advice to this neighborhood, I won't be mayor, is take this because it will help you I think make the arguments later that there's a city-wide benefit for the levees. If you reject this then it's a stronger argument to say levees are the problem only of the drainage district. That's just my opinion.

Callaway: I fully agree with the --

Adams: The roads are a different issue.

Callaway: Can I just say one superquick point? When we do talk about fairness, this is really key because to me I believe in paying our fair share. I completely appreciate the service that you guys do. It's been an edification thing. I want to say take this fee in isolation is not fair. We are a separate neighborhood with way different concerns. Yes, I don't mind paying up to the fee of being discounted with somebody else who can avail themselves of the program that we can't avail ourselves of because we're talking about having the drainage district handle those. There's no additional discount for doing good storm water management.

Adams: You took advantage of the city-wide storm water fee. I just want to tell you, the city-wide storm water fee we run a sewer system and storm water system. Unless you only stay in your neighborhood and grow all your own food and raise all your own crops, you have a benefit from the city-wide storm water fee. Ma'am?

Barbara Kerr: I'm barbara kerr. It's east columbia neighborhood, not east Portland. Thank you.

Adams: I was referring to east Portland we went to the same conversation. I know where you live. I live in kenton. I'm well aware of where you're at.

Kerr: It wasn't your comment I was referring to. It's in the report.

Adams: They are fired: [laughter]

Kerr: Okay. The stated purpose of the proposed ordinance raising the storm water fees is to create equity. The determination of equity however is based on a study that did not include the drainage districts and there's been no investigation to determine if equity exists or whether the issue would be that the citizens would owe more or paying more their fair share already. We have been told there's one or more -- city provides storm sewers however the great majority of us not only manage all of the storm water on our property, 35% we get discounted for, so we also manage all the storm water from the streets and rights of way. Since we have no storm sewers all the water flows on to our property. We pay 100% of the costs of managing it and the consequences of having it run into our yards. These costs are above and beyond what we pay the drainage to manage. What the city

September 5, 2012

would get paid for maintaining the storm sewers in our streets which we do not have and the cost of the combined sewer overflow which we do not and have never drained into should be deducted from our 65% since this is a service we do not receive.

Adams: Your time is up, ma'am. Is there any final thought?

Kerr: That we have not been -- the issue has not been examined and we're not ready to have a proposal because the numbers have not been put together. The drainage district is going to do a study. The city needs to look at the issues that 65% would pay for that we do not receive.

Adams: Okay. What neighborhood do you work in?

Kerr: East columbia.

Adams: What neighborhood do you live in?

Kerr: East columbia.

Adams: And you grow your own food?

Kerr: We are in the process of starting that, yes. I understand that --

Adams: We all have to pay for the arterial street that you use every day.

Kerr: I don't think anyone is objecting to that. The issue is that it's like 65% or nothing. It's like we have to pay the whole 65% when we're not getting the whole benefit that other people get. We have not --

Adams: We all pay the same amount.

Saltzman: Part of the proposal is the bureau of environmental services would start paying the portion of storm water runoff associated with public rights of way.

Kerr: To the drainage district. For the services that the drainage district provides. That doesn't pay us for the fact that we don't have storm sewers. I don't want storm sewers in front of my house but I don't want to pay for them either. Not having storm sewers means that we manage that issue on our own.

Adams: I think you made your point. I gotta move on. Thank you. Sir?

Gary Clifford: Good afternoon. I'm gary clifford. I also live on philoma road. I invite you to visit our neighborhood, to explore a bit deeper and seek out our exemplary drainage district system of open ditches, water wades, sloughs, levee systems and multiple power pump stations that handle the storm water. These are not -- I have never seen a bes person in our area. There's the only actual construction that they have done is adjacent to the airport. There are no storm systems that are city. They are all drainage district systems that are paid for by our taxes directly to the drainage district. I think the failure on the part of Portland staff not to be able to negotiate a similar intergovernmental agreement that we have been having that recognizes the importance and the amount of money that our taxes are paying for those levees and all that complete system that is protecting such important infrastructure.

Adams: Thank you, sir.

Fish: I have heard you state it eloquently but it finally even dawned on me. I want to say that whether there's a failure or not, by coming into the broader system, I may end up paying my fair share to address what would have been your levee problem. On the record and for the record, I have no objection to that if that is the larger city-wide fix. That's not just a potential dividend. The mayor I think has made the point so many times, eloquently, it is in effect. There is a benefit here with all this uncertainty about the regulatory impacts on levees. This approach is going to not just arguably, as far as I can tell shift the burden to all of Portland. And that is an enormous public benefit to this neighborhood.

Clifford: I would hope the new enter government agreement addresses that. Thank you.

Adams: We have to figure out what's going on with levees. You don't know this necessarily but we had similar discussions, you could easily draw a circle around johnson creek, which floods a big swath of the city. Why should people in parts city that never go to johnson creek pay for the measures we're taking to prevent it from flooding and restore its habitat for environmental reasons?

September 5, 2012

Because we're one city. You know, every part of the city sort of has to help every other part of the city. I would be willing to guess over a 50-year period. I gotta move on.

Fritz: I think you're bringing up a very good point in terms of fairness and who pays what and what are city-wide benefits like Johnson Creek not flooding is a benefit to all of us. But we have been having this discussion in southwest Portland for 20 years that I've been involved. Because we also have to choose and we don't have storm water facilities and street construction in the southwest is hugely expensive in large part because we do not have drainage for storm water. So I think that this is the beginning of a really good discussion about what is really fair throughout Portland. We have had the discussion in east Portland where the drainage is really good. We started the discussion in southwest. There's a further issue about the levee which I agree benefits all of us. How do we collectively take care of these issues so everybody has good city services and well maintained services.

Adams: If you're not going back to --

Corky Collier: I just want to say one thing.

Adams: Make a few comments. [speaking simultaneously]

Collier: Corky Collier, Columbia corridor association executive director. I want to thank you for your comments about the levees. That is another discussion coming up soon. That will be hard to work on. I also want to thank council on phasing in the implementation not because we want to delay these fees but because we have to work them into budgets. Budgets are tight. I want to thank you for that consideration. It's unfortunate that we're here in the second month of the fiscal year rather than the 11th month. So in summary thanks.

Callahan: Only thing is just that I really feel like gets left here is just that we all pay before we even pay our taxes and we talk about fairness, I pay \$1400 a year just for the privilege of living under water. Nobody else in Portland does that. That was what I wanted to say. I feel it's a highland lowland conversation we're having here, something that is incredibly unique to our neighborhood. Before I even start thinking about the fairness, I don't mind paying my fairness to the storm water but if we want to talk about levees, I asked, Dave Hendrix, are we 500 year flood levees? Talk to the city. I know that we all dance together with the airport. If I want to leave—

Adams: southwest Portland wasn't annexed until the 1950's. That's why the roads are so cruddy. It doesn't have a storm water system. It has ditches just like here. You do have the added cost of pumping it out. But I would also expect I'm going to get the last word here. Drive down Lombard. North side of Lombard. Everything is crap. Southside of Lombard, not as bad. Not perfect. I shouldn't say everything is crap. Much of the street system is in crap. Street system I'm talking about. South of Lombard, part of the city since 1890. North of Lombard has been since 1970s, 1980s. So those are issues where you have not paid for the improvements of your streets. I got the last word here. [speaking simultaneously]

Adams: Is this our last four?

Moore-Love: Two.

Adams: While they are coming up, may I ask you a question? We're approaching seven hours of council hearings with perhaps two compassion breaks. We're can you think of a time in the last four years where we have rivaled that?

Leonard, Fritz: Oh, yes. Oh, yes.

Moore-Love: We have had some long ones. [speaking simultaneously]

Lise Glancy: Representing the port of Portland and Portland international airport and their tenants. I thank council and their staff for the collective efforts to broker a positive resolution to this issue. We support the phased in approach. You have our letter with our concerns so I won't plow that ground again. I would say the four-year phase-in will allow the port to work out the complicated logistics of implementing direct billing. It's not in our budget, the 4 million. The costs need to be reallocated to airlines and tenants.

September 5, 2012

Adams: You like what we have to say. Great, thank you. Nobody likes to pay new fees. We understand that.

Walter Valenta: Bridgton neighborhood. Also on the pen 2 levee supervisor board now and because of the last time we went through this certification the board has been expanded and brought in neighborhood people. So I want to thank randy and amanda for the help last time we went through this, but thank you for bringing up the other side of the equity question and with that i'm a strong advocate of what we're doing and also will be a strong proponent that we're all in this city together including with the levees. Some of the stuff we're going to need from council might just be staff or brains or politics and not just money because coming back from sacramento on the levee symposium they brought their property owners, their levee districts, counties, cities, legislature at the state level and the federal level because as you know from the water terminals the feds get this one size fits all approach to everything and they are trying to have that happen with us. So we pulled together and worked with the system. You'll find support. I personally support the next direction that we need to go where we recognize the levees belong to all of us.

Adams: That concludes the hearing. We're a bit rummy, I appreciate you all being good sports about our conversations. We have a week to figure out, get some indication from the board. They are independently elected, that we can make this happen.

Moore-Love: Clarification, I still have commissioner Saltzman's motion for substitute seconded by commissioner Fish.

Adams: Quick vote on the motion to substitute as amended.

Saltzman: We're voting on as amended?

Adams: Correct.

Saltzman: I want to say I think we all have become more sensitive to the fact that levees are indeed important to the entire city. I think we need to as walter just said, it could be money, but there's also the city has new relationships with fema and the u.s. Army corps, other sources of grants. We have a lot of expertise in our governmental relations department that can help with grants. I know they have had some conversations and we can make that commitment that we'll work with you. Maybe on money too. At least helping you access other sources of money. Thank you. I vote aye.

Leonard: Aye.

Fritz: Let me be very clear my intent voting for the amendment was that the drainage district and bureau of environmental services will have discussions before the vote about payments for this year from the drainage district rather from residents and businesses. With that thank you very much for all of your advocacy and the constructive manner in which the issues have been brought forward to all of council. I very much appreciate it. Thank you, commissioner Saltzman, for your leadership and bes for your good work. Aye.

Fish: Commissioner Saltzman moved the ball about 90 yards down the field, the amendment adds about ten yards. I appreciate the work of the council and the testimony this afternoon. Aye.

Adams: Let me be very clear. I was referring to the roads, north and south of lombard. If you're worried about -- I can't speak for everybody else but i'm all over this part of town all the time. It's a really -- I love the esprit de corps of folks. It's really important. The state's biggest airport is in the city in your neighborhood and the levees are a huge problem. I would argue individually that it's a city-wide problem. So that's -- i'm going to testify it's a city-wide problem. Aye. We're in recess until tomorrow.

[Disposition: Substitute ordinance passed to second reading as amended 9/12/12 at 9:30 a.m.]

At 4:30 p.m. Council recessed.

September 6, 2012

Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

SEPTEMBER 6, 2012 2:00 PM

[PCM-TV technical difficulties. 2:00 pm – 2:23 pm was not captioned. These minutes contain transcription from the audio files of the missing section.]

Adams: Good afternoon everybody. We're glad you are here. How many of you are attending for the first time in let's say, the last 5 years? Let me explain the rules of the chamber intended to facilitate the ease of people testifying can say their piece. That means there is not hollering, hooting, clapping, no noise. If you like something raise your hands, you can also do this or this. I will have security remove you—no fuss or drama—if you make noise. That's because I want everyone to feel comfortable saying whatever it is they have to say, whether or not the rest of the room agrees with them or not. The other thing is by local law if you are a lobbyist, someone who is authorized to speak on behalf of a business, an organization. If you're here to speak on behalf of more than just yourself, you need to disclose that under local lobbying law. The restrooms are located from the hallway outside this room. Flagging, putting signs up make security nervous. If you want to have signs in front of your chest, that's fine. We call people in order of how they signed up. I give deference to elected officials and folks with small children. How many are here with small children? For those upstairs with children, if you want to make your way down here when we take testimony we'll do that. There will be a presentation, invited panels and then we'll go to testimony. I'll be calling panels for and panels against. Do we have one for I don't know? No. Again we're glad you're here. This meeting will go on—I will play it by ear. A number of the council members have prearranged, other responsibilities. There is no vote today, so we are just taking testimony. Next week we will consider this for a vote. This is the week we have public testimony. There will be no public testimony next week. This is called the first reading. With that, this is Karla. You must do everything she tells you to do. She works very hard, she's the Council Clerk. How are you, Karla?

Moore-Love: Very well.

Adams: Please call the roll. [roll]

Adams: Quorum is present. We shall proceed with item 1003.

Item 1003.

Adams: Commissioner Randy Leonard

Leonard: Thank you. Can we bring our first panel up? So they can begin right after my remarks.

Adams: That is Nichole Maher, Dr. Lisa Bozzetti, Gayle Pizzuto, Dr. Mike Plunkett.

Leonard: Thank you all for being here today. One in three kids in Portland have tooth decay. One in five kids in Portland have rampant tooth decay. That is, walking around right now with 7 or more cavities in their teeth. Over twice as many kids in Oregon suffer tooth decay than the kids right next door in the state of Washington. Worse, Oregon is near the bottom of the list in the u.s. for childhood oral health. Not a place that we want to be. For every dollar that we spend as a community in costs associated with fluoridating water, citizens save about \$38 in dental healthcare costs. This is what I think is important for people to understand, especially here about this debate. Over 73% of Americans currently drink fluoridated water. That's over 204 million people. The

September 6, 2012

center for disease control said “fluoridation of drinking water was one of the 10 great public health achievements in the 20th century.” So in the 20th century, you’ll recall they came up with a vaccine for polio, vaccines for some of the most horrendous childhood and adult diseases known to humankind up until the 20th century. And in that context, the cdc said still fluoridation of water systems in the united states ranked among the top 10 achievements. Organizations such as naya, native American youth association, medical teams international, Kaiser, the Oregon dental association, Oregon nurses association, Portland African American leadership forum, African partnership for health, the asian health and service center, the asain pacific American network of Oregon, the urban league, upright growing company, centers for disease in the public interest, centers for disease control and prevention, children’s dental health, 100 black men of America, the American cancer society, American society of dentistry for children, us public health service and world health organization have endorsed fluoridating public water systems. It is time for Portland to join every other large city in the united states and do what they have been doing, that is fluoridating their public water systems. We talk about equity in this community, and the people that suffer the most from not having fluoridated systems are kids, and particularly kids of color and poor kids. It has to stop. This is a public health issue, an issue that ranks with me with making sure our kids are vaccinated before they go to school. It’s about protecting their lives, preparing them for the future and making sure they have every advantage possible that a modern society can offer children to succeed. [interruption from audience]

Adams: You’re out, removed. I gave you warning, you’ve got to leave the room.

Leonard: And so this discussion has gone since I was 22 years old. When I was 22 years old I was an intern in the Oregon legislature from Portland state university. I sat in the galley having to think of what my next paper would be that I had to turn in to earn credit for being an intern. And I observed the galleys filled much like I see here today with people feeling strongly about fluoridation. I watched down on the Oregon house floor as two elected state representatives got into a shouting match in the center aisle. Fighting over fluoridation of public water systems. If I thought there was any reason to believe what we heard in the outburst and what I’ve been given to read is true, I would not support public fluoridation of water systems in the u.s. But unfortunately, everything I’ve read, been asked to read, watched on youtube, every email I’ve read is either filled with untruths or misrepresentations of the truth. Let me be clear about one thing. Anything that’s intended to be taken as a prophylactic, to prevent something bad from happening can be abused. And can be toxic. For example if you take too many aspirins it can cause sever internal bleeding and even leading to death. But every doctor tells people particularly of my age to take an aspirin a day to prevent heart attack. Or if you’re in the middle of suffering a heart attack, to take an aspirin to reduce the damage caused by a heart attack. Or if you’re having a stroke to take an aspirin to save your life. And that does save lives in that dosage. If you take too many advil it will cause liver damage. And the list goes on. The dose that we’re talking about .7 parts per million, 7 tenths of one part per million is the minimal recommended dose for preventing tooth decay. It does not cause the type of harm each of us here have received hundreds if not thousands of emails claiming. It does not and will not. So thank you for your indulgence, council over this past few weeks as we’ve had a very raucous debate. Thank you panel and the other panels for coming forward and helping us reach the decision we will make later.

Adams: I’m going to save my comments to the end of the hearing. I’m going to listen to everything. I appreciate that and we’ll go right to nichole maher.

Nichole Maher: Good afternoon, my name is nichole maher and I have the pleasure of serving as president of NW health foundation. We are a foundation that works in partnership with the community to advance health, opportunity and we serve the entire state of Oregon as well as sw Washington. Nw health foundation has been a longtime advocate of water fluoridation because we recognize it as one of the single most impactful public health measures in the history of this

September 6, 2012

country. We know it has the best opportunity to decrease disparities and allow everyone in our community to live up to their potential. Today I want to emphasize this is really an issue of social justice. It's very dear to my heart because it's not just an issue of social justice, it's an issue that has the potential to benefit everyone in this community. And what makes this conversation so special in this community today is for the first time we have all the communities at the table. Historically the communities who have suffered the most from not having fluoridated water have not been at the table, have not had a chance to talk about how it impacts their communities and their children. Today is different because as you can see from the list that commissioner Leonard read and the 70+ groups that support this initiative we are all at the table, unified and are saying our children deserve healthy teeth. I also want to reflect back on my experience on my last 11 years. Many of you know me through my experience as executive director of naya family center who serves the 4-county area. I had the opportunity to see first hand what it does to a community when there is not fluoridation. When we started our first head start program and 13 of the 18 kids that were there had complete dental decay. 13 three and four year olds with mouths full of metal. And I want to point out that the families that were part of this head start program were the most active and engaged and caring. But here they were experiencing severe dental decay. The #1 reason children miss school is due to dental decay. And the #1 reason children go to the emergency room in this community is because of dental decay. Now I am a mother of a 2 and a 3 year old. We are a fortunate family. We have health insurance, two parents in the home who are college educated, one with a masters in public health. There isn't a day that goes by when I brush the teeth of my children that I don't think about and worry about their oral health. Because we do not live in a community with fluoridation. The last thing I want to say is I have faith in your ability to make this decision. This community has voted on multiple occasions to affirm our form of city government and the 5 of you will make the right decision, think about the issues of equity and fairness and opportunity for all of our most vulnerable children and families. Thank you.

Adams: Thank you very much. Dr. Bozzetti.

Dr. Lisa Bozzetti: Good afternoon mayor and city council. I'm the dental director of Virginia Garcia memorial health center, a thoroughly qualified health center which serves low income kids and adults. I'm also a member of the Oregon oral health coalition and care greatly about the oral health of the kids in Oregon. At the clinic everyday I witness first hand the dental health crisis and I think about how access to fluoridated water would cut the decay, pain and suffering by at least 25%. That's a big difference in an urgent need for solution. The issue of the dental health crisis affects me personally and in the community that we serve. We see kids with childhood dental caries which is defined as having more than 7 cavities in their mouths containing a mere 20 teeth. Many require complex treatments including kids root canals, stainless steel crowns and other extractions when these teeth are badly infected. Just at our clinic alone we sent two kids to local hospitals for treatment due to severe childhood dental caries. This takes a toll on a child's development, ability to concentrate in school and compromises their overall health and well being. This, like all dental disease is completely preventable. One of the kids I just mentioned was a six year old boy who we sent to st. vincent's hospital for immediate care due to cellulitis which is an infection of the face. The infection had spread from his upper baby molar to his eye. Upon arriving at the hospital, a ct scan showed that the infection had spread further and there was concern about spread to the brain. So the child was admitted overnight, placed on iv antibiotics and monitored. The next day a pediatric dentist was brought in to do the extraction before the little boy could be sent home. The pain and suffering this little boy had to go through is completely unacceptable. Not alone the stress it puts on his parents who worried if he was going to be ok. The truth is this kid could have died. On a personal level I cannot accept that knowing that dental disease is fully preventable. Another young girl came to us at age 15 with all her permanent molars completely decayed to the point of needing to have them all removed. She was a star athlete in high school and

September 6, 2012

experienced pain that affected her performance in school and in her sports. Her family had not brought her to the dentist until she was in pain and she is the perfect example of a child who could benefit from water fluoridation without ever stepping foot in a dentist office. These are not isolated stories. I've only picked a few to show you the pervasiveness of the issues we see in our clinics. In the communities we serve we do have pockets we see that do have fluoridated water and we see fewer problems in these areas. This has been well documented through head start screening data that we can also corroborate with our own data. I was also shocked upon moving here from California that there are so many little pits in Oregonian teeth. I call them Oregon pits. The pits are enamel defects I often see in permanent molars harbor bacteria and plaque that cause cavities. In my own experience I don't know how many times I've seen a nice newly erupted molar only to see a big pit and enamel defect with dental caries almost immediately upon entering the mouth. Frankly I rarely saw this in the patients I saw in California where there was fluoridated water. Interestingly enough California is only 62% fluoridated and yet the difference is notable. Fluoride plays a critical role in the development of teeth before they erupt so they are stronger and more resistant to decay. I've also seen patients throughout my career who come from places like Michigan who are in their 50's and 60's and have benefited from fluoridation in their entire life, only to come to Portland in their later adulthood. Their teeth take on this glassy look and typically have very few if any cavities. It's really incredible as a dentist to see this. Sadly many folks don't realize upon moving here that we don't have the added protection of fluoride in our water so many folks just assume that all water is fluoridated in big cities. I find it interesting to note that most of our patients actually think that our water is fluoridated. I'd like to add too that one of my staff dentists, dr megan sack, who unfortunately could not be here today shared with me that upon moving here from north Carolina where 87% of the water source is fluoridated, she was completely shocked to see the amount of decay that we have here in Oregon. She assumed we were fluoridated and when she learned we were not all the cavities she was seeing started to make sense. Oregon has a long way to go in catching up on dental health and to provide good oral health to our residents. Whether or not you see a dentist everyone benefits from the protection of fluoride in their water. Please make the right decision for the community and future generations and provide access to fluoridated water for our communities. Thank you for the time and opportunity to be here.

Adams: Thank you, and just for terminology, you called cavities, caries? The literature calls them caries and cavities. Is that the official medical term?

Bozzetti: Yes. It is.

Adams: And it's my understanding locally that the closest cities that we share boundaries with, Beaverton and Vancouver, are cities that fluoridate.

Bozzetti: Correct.

Adams: Hi are you Gayle Pizzuto? Welcome.

Gayle Pizzuto: Yes I am. Thank you for the opportunity to speak to you today. My name is gayle pizzuto and I am recently retired from the Multnomah county health department dental program. I was the program manager for multi-care dental which is one of the dental insurance plans under Oregon health plan for over 15 years. We had approximately 25-30,000 members, the majority of them were children. During my 15+ years in the dental program, I was shocked to see that so many of our children had cavities in almost every tooth in their mouth. I personally approved hundreds of referrals to pediatric dentists who needed to use iv sedation to treat these children. It would often take 4 to 8 appointments because every tooth needed to be restored and some extracted. Many children needed to be treated in a hospital under general anesthesia due to the severity of their needs. Some of them were only 2 years old. The majority of the children we saw needing extensive treatment ranged in age from 2-6 years old. The cost of treating these children was enormous. The cost per child would range from \$1500 to over \$4000, not to mention their pain and discomfort. But these were the fortunate children because at least they had dental insurance. The

September 6, 2012

dental program received calls from school nurses, parents and families who had no dental insurance. These children were often in too much pain to attend school. For them finding adequate dental services was much more difficult. The dental community throughout the state has worked together to provide programs, treatment and do whatever they could to stop dental disease. It is time to fluoridate our water. Not only will our children benefit but all of us as well. Dental disease is preventable. Having fluoridated water is a huge first step in the right direction for all of us and our children.

Adams: So, our video feed is not going out, so I'm going to request a pause in the proceedings and I apologize to all of you, while our technicians seek to work out getting a feed to the tv for folks watching in the overflow rooms. We're not getting the live feed out. I just tried to get it online and we're not getting online feeds. I do apologize everybody and we're going to take a break.

The meeting recessed at 2:28 p.m. and reconvened at 2:43 p.m.

Adams: And we have video feed. Houston, or apollo, this is houston, we have video feed. If everyone would take their seats. If our runners -- director enge, did we notify folks standing outside? Ok. So the tvs are back on, and our three -- in our three overflow room and we'll pick up where we left off. Commissioner Fritz had a question.

Fritz: I have a question for gayle pizzuto. My understanding is that under the healthy kids program, which is now available to all children, that dental check-ups twice a year are available under both of the plans available in Multnomah county. Is that correct?

Pizzuto: That's correct.

Fritz: So in addition, or instead of, whichever we decide on this outcome, I think it's very important for parents to know that they can sign up their children for the healthy kids program, everybody is eligible, for services in some way or another and under the standard plan there is dental coverage for twice a year check-ups. Is that correct?

Pizzuto: i'm not sure about the -- when you say standard plan, are there kids that are on the standard plan now? I thought it was the flat -- .

Pizzuto: The healthy kids plan -- .

Adams: Try it now. One more time.

Pizzuto: The eh kids plan --

Adams: Will you introduce yourself, please?

Mike Plunkett: My name is mike plunkett. The healthy kids plan is for children that don't qualify for Oregon health plan and they're in that range between qualifying income level and the children that actually have commercial insurance or can afford commercial insurance. Yes, that plan will cover basically the most comprehensive and robust plan that would occur under like s-chip.

Fritz: I want families watching to know they don't have to worry about cost to go to the dentist. Thank you very much. Please go on.

Adams: Their income eligibility requirements, the plans are also in flux because of the Oregon share the tri-county and they're also cuts at the federal level for medicaid, so that is the answer of today, but there's quite a bit of retooling going on right now as well. So I just want to make sure everyone knows that overlaying reality. Sir.

Dr. Mike Plunkett: My name is mike plunkett, and I am wear multiple hats in our community. Advocating specifically for children that are on Oregon health plan or uninsured, Low-income families in general. What i'd like to do in this testimony is speak to you from each one of those hats a little bit. I am a public health dentist for neighborhood health center, which is a federally qualified health center. In that role, we care for Oregon health plan and uninsured children and adults. And what we see in that environment as do other providers who see Oregon health plan and low-income adults, and sometimes middle income adults, is frequently we see a child that looks like

September 6, 2012

these children, and their hair is healthy, their skin is healthy, their eyes are healthy, they walk with a normal gait, otherwise, they're fine. And then they open their mouth and we see this. What we call rampant, decay throughout the mouth, and there's abscesses, there are abscesses which are infections in those teeth, chronic pain, if you look at the child on the bottom, you'll notice something is not happening, either one of these children, they're not smiling. Because this is what the front teeth look like.

Adams: That's their actual teeth?

Plunkett: That's their teeth, yeah, treated at ohsu. When -- once a year, twice a year clinics put on by the Oregon dental association and all the partners in the state, and in other states, where access is an issue, we have up to three, four, 5,000 people who probably two or three people that don't get in the doors. Because they can't make it that line up, spend the night, in the cold and rain, to get in front of someone that has knowledge about the delivery of dental care. When healthy people 2010 was developed, he came away with that and still said this in speeches. That dental health disparity assist a silent epidemic in our country. The hat I wear at care Oregon is the dental director. Care Oregon serves 180,000 Oregon health plan medical patients, is working with health -- around health care reform, and serves 35,000 dental patients. Of the 180,000 patients last year, approximately the care Oregon concern, 7% of the children, 0-5 years old, 7% of that population, got their dental care in a hospital operating room under general anesthesia because they were too young and their severe was too severe to fleet a traditional environment. This morning we have a clinton 96 our child, one of my colleagues saw them, they'll end up in the hospital operating room because of these issues. When we look statewide, according to healthy smiles document, which was put out by the Oregon health authority, 63% of the children in Oregon have experienced tooth decay, two-thirds. 35 have untreated tooth decay, 20% rampant decay, again, rampant decay, for those of house see these patients, daily practice, we want everyone who is addressing this issue to see. What this looks like and imagine their family member, their friend, their children, having this as their oral health. 20% have rampant decay and 4% have urgent needs. They have draining, infections in their mouth while they're in school, some of the late err panelistless tell you those numbers, will describe those numbers. Missed school days and other impacts that this issue has on families. With the elderly population in our communities, there's effectively less they can get public transport, transport from a family or some kind to a dentist, whatever clinic that may, private, public, otherwise then they just don't have care. I do my post op checks every oral surgery procedures in nursing homes, i've been to marquis more than two or three times in Oregon city, and do other types of procedures there, because it's too hard for a 90-year-old patient who is there to go through the trouble of coming to a clinic. Lastly, in fact, when I -- just back to this, another hat I wear, I teach corresponds in public health and policy at ohsu school of dentistry, and when I developed those courses I do a course on fluoride, I do a single lecture on fluoride, it's talked about in other courses, and in that role, when I developed those lectures and my colleagues developed those lectures, and base their opinion on -- and make up their opinion on community water flouridation, we look to the most respected scientific bodies in our Society. That would be institute of medicine, the cdc. Unanimously, every organized medical and advocacy group that deals with children and families health, oral health or otherwise, stoppeds in support of community water flouridation. There are some outliers, I understand, and I respect their opinion. But the data simply speaks for itself, and the major organizations that look at this support it. And that's what I have to take into consideration when i'm talking to a group of dental students, or to a patient or family member or colleague. I can consider all sides of a story, but I have to respect those bodies.

Adams: Keep going.

Plunkett: Probably the most important hat I wear is one as a citizen of Portland. A citizen who with his wife chose this community to raise our family, because of the unique way in which in our opinion Portlanders view community, consider the lives of others, the well-being of others, that's

September 6, 2012

why we picture community to raise our children. And both my wife and I, I can't -- she's not here, encouraging the city council to vote for community water fluoridation, because it is the best thing to do for the oral health. Is it a cornerstone of any comprehensive plan to improve the oral health of the citizens of Portland. Thank you.

Adams: So the follow-up Question for you, one of the sided studies of continuously raised has been the university of harvard study that was studies of china, most in china, and had one of its conclusions that fluoride could -- fluoride lowers the i.q. My understanding is that that fluoride in china is a naturally occurring element, and their -- in their drinking water wells, and it's my understanding it was 11.5 parts per million and ours is .70 parts per million, and that the study did not evaluate optimal water fluoridation, and it did not conclude that even higher levels of water fluoridation reduces i.q. Or harms brains. I wanted you to comment on this study as a reason not to support fluoridation.

Plunkett: Two statements. One is, later panelists will speak in greater detail about that. My own opinion on it is that that has been distorted and used as a fear tactic, because as you said, there were very specific things pulled out of that study, pieces pulled out of that study, and they looked at children in a vacuum throughout the study that -- whose water concentrations were 10-15 times that, which is being proposed here. And it lowered the i.q. Over that -- those -- this particular group, half a point, and follow-up reviews of that have not been supportive, and have insisted that further studies would be needed to even consider that a valid --

Adams: You understand how That is -- this has scared the heck out of a lot of people.

Plunkett: Yes. And I would not support water fluoridation at that concentration. I don't think any major scientific body that's reviewed the evidence would. So it's quite possible that at that percentage, there is an effect. But that would be a public health issue, and I would support fully getting it to the optimal level.

Adams: Thank you very much. Thank you all. The next four are dr. Eli schwarz, dr. Ken wright, bill maas and dr. Phil wu. They'll be followed by dr. Stacy nicholson, inge aldersebaes, and I apologize inge. And katy zuckerman, they'll be next. Dr. Schwarz.

*****: Thank you.

Dr. Eli Schwarz: Thank you mayor and commissioners for this opportunity to talk to you about water fluoridation, which is on the table. My role today is just to go through a number of the scientific bases for water fluoridation, how fluoride works, what it does to the teeth and what it does to the rest of the body. Its effect on the teeth is real lay chemical effect. In the mouth we have an ongoing war going on between the bacteria and the surrounding saliva, the tissues and the fluoride enters this war on the good guys' side in that it connects with phosphate and calcium, and helps to create a Hot layer on the surface of the teeth, so that they become more resistant to the acid that comes from the bacteria and which is essentially the thing that creates the cavities in the teeth. It also remineralizes, which means part of the teeth will be dissolved all the time, and when there is fluoride in the mouth, it helps to restore that balance to help to harden the surface of the teeth so they will be more resistant. And the final thing of the fluoride is that it enters the complex works of bacteria and eventually prevents them from being as harmful as they could be. The greatest protection of the ongoing fluoridation, like in community water fluoridation, is really when the teeth are developing and the teeth that we have in our mouth now as adults, really developed between birth and 8 years of age. And when we actually ingest fluoride during that period of time, it helps to strengthen the teeth while they develop, and when we then have our teeth out in our mouths later on, and the fluoride is in the environment of the mouth, it helps in the way that I explained before, so that there is this constant balance and regeneration of the hardening of the teeth so we will be able to prevent the cavities' development. I've been very conservative, studies have demonstrated the effectiveness of fluoridation in community water. In a sense it is hence of studies. Water fluoridation and the Effect of fluoride on the teeth is really a truly american discolor --

September 6, 2012

discovery, because it really happened in the beginning of the 1900s, when in colorado, detected some brown stains on the teeth of the people he was treating. And after several years of study he found out that it had something to do with the water. This is what i'll get back to that in a moment, but what we today would call dental -- the water content of fluorides in colorado at that stage was very high, maybe more than we have talked about parts per million, so it was not like in china, but probably around 426 ppm, in colorado it probably still is in those cities, and those communities. But it was from there that the connection was made to the effect of the fluoride, and since the 1930s to 1940s when the public health service took over the studies of this special relationship, there have probably been thousands of studies, not only in america, in australia, in the u.k., the rest of the world, which have pointed out that there is this positive relationship between reduction in the cavities in the mouth of children and adults, and the level of fluorides in the water, when it is at the optimum level. These are just mentioned here, the recent studies that have been published, but there are also reviews i'll get to in a moment. In Oregon we really don't have large population studies that show the relationship. As the mayor point out, there are a few cities, 24% of 27% of The population in Oregon live in cities that have the fluoridated water, beaverton are among them, but also florence in lane county, and one of the other communities in lane county, oakridge, which does not have any fluoride, and when the small children in head start programs are being screened for oral health, we have had possibilities to get the data from these, and these are the four usual groups that children are divided into. And as we can see from the simple slide, the fluoridated community has most of their children in the blue pie component, which is called routine dental care, meaning that the children were supposed to come back to dental care. Nobody in the emergency part, and very small part in the level three urgent care, whereas in the nonfluoridated oakridge community, a large proportion, one-third of the children actually had either urgent or emergency care, something that dr. Plunket was just showing you. It could very well be these would be one of the children on the right side of the slide here, this is another slide, in hood river, the dalles, where it's fluoridated, but hood river is not fluoridated, and some data from a few years ago -- a few years ago this data was collected to show the hospital charges for severe cavities, done by some of the local dentists in those communities. And they were starkly different, obviously, and the dental workers in those communities are quite aware of this difference. This is just a final slide to show the difference, which essentially was the same picture we saw from oakridge and florence. What I need to tell you which you have probably been informed about as well is that one of the side effects of fluoride or user fluoride is what we call flourosis. What essentially brought attention to fluoride as a relation to teeth in the first place. At the levels where we are working at this stage, 0.7 ppm as recommended by cdc, the flourosis levels are supposed to be mild. We're seeing an example of that on the left side of the slide with a very mild and from what -- from a normal perspective you would say, you don't usually look at your fellow human beings like this. Kind of the lips drawn away and looking straight at the teeth, and this is really a dental work. Mild to very mild flourosis would not be noticeable, and we know it does not have any adverse health effects. Most of this is caution that we really have is what would you rather look like as the one on the left or the one on the right? Which is actually also adult teeth, not primary teeth or children's teeth, but adult teeth which have actually been disappeared almost by cavities. My final comment is really that water flouridation has been proven to be more effective than any other community oriented preventive measure. It is a primary prevention, it is prevention mets order that is used prior to any disease coming, any of the other programs that we can do in terms of sealants, or preventive fillings or anything like that as dentists, is all trying to repair something that has already been damaged. And what we tried to do with water flouridation in the most cost effective way is to ensure that our children and adults for that matter will never actually be able to get this disease as cavities which are totally preventible. Thanks very much.

Adams: Thank you, doctor. Dr. Ken wright.

September 6, 2012

Dr. Ken Wright: Good afternoon, mr. Mayor, council members, I want to thank you for this opportunity to come in and talk to you about this significant crisis that we all face together as a community, and explain why kaiser considers this an important part of our social responsible mandate to address. As a graduate of harvard dental school and school of public health, I take exception to the fact that openen times we attribute the right thing to do to data that is not accurate. That is sometimes distorted. I went back and read the article you spoke of 35 times. Doing that continued reading of the document was clearly evident even the first time was that the author who I happened to know, explicitly said the i.q. Level that was stated could have been a simple matter of measurement error. The fact that as you noted earlier, that the fluoride Levels were so high, that you wouldn't even consider as an optionable treatment protocol to be used in any community level. I believe and kaiser believes that the safety, the affordability of community water flouridation has been documented globally by multiple organization and experts all over the world. I'm not going to cite the documentation, some of my -- those who will follow will do that. Needless to say, kayer is supports this initiative because it's the right thing to do, kaiser supports this because it's our friends, our families, it's our children, it's our community. Kayer is supports this -- kaiser supports this because it spreads health in the community. It aligns with our focus to prevent disease before it occurs, not to treat the ravages of the disease after it becomes more expensive and quite a burden to the system, to our families, to the business community, to the government, and certainly to our health care delivery system, which is undergoing its current challenges about how do we fund, how do we provide resources necessary to address those most critical levels of disease. And for the bottom line, more than anything else, the fact every child deserves to smile. Every child deserves to smile. And to thrive. We've talked before about the level of the decay, the number of people, how the breadth is spread in the community, I can tell you based on that I Reviewed about 70% of the patients that we see at kaiser are patients -- replaceable fillings. 70%. The workload that we see. We know that studies have documented that a 10-year-old child that has a cavity over the course of his or her life, it will cost that individual \$2,000 to address that cavity. Which could have been prevented. We simply can't afford to continue to do this. To fix things after they occurred, to elevate the level of burden on our community because of the cost of care that could have been prevented. And we're talking about every level. Employees, families, insurance rates are high, the more you use insurance, the higher it becomes. And we have I think I believe I was told one of the lowest uninsured rates in the country, family members, we talk about our ability to provide facilitated care to our children, the elderly, sick, poor, uninsured, it's been quite a burden. Those who will follow will talk about impact on emergency room visits. You've seen some of the studies that document the fact that most emergency room visits by the uninsured are due to dental disease. Typical dental -- typical cost for an emergency room visit might cost upwards of a thousand dollars. That could have been for a cure that could have been prevented for a hundred dollar dental Visit. Our social responsibilities, protectors of our community, shapers of our future, to do something right. To do it right now. This is our moment of truth, to demonstrate we care, that we are concerned that we will make a difference. We can talk specifically about studies that have documented over the years, scientifically based, consistent, subject to the most explicit scrutiny in terms of scientific process, documented that savings can result. There's a colorado study that was produced in 2005 that looked at the level of benefit provided in colorado, they've documented that 149 million dollars could be saved annually in treatment costs, and fillings -- in extractions and root canals in the community that had fluoridated water. If the remaining 52 communities would adopt this plan, would it save an additional \$56 million. That's significant. In new york, they documented that 32% of those members who were medicaid patients who lived in fluoridated communities, 33% of those had less dental treatment than those who did not. In the texas study, they documented that \$24 per child could be saved from medicaid recipients for those members who lived in fluoridated areas. It's for public record, it's been seen, it's visible. The cdc, in 2011 it was documented that --

September 6, 2012

Mr. Mayor, you related to that, about one in -- commissioner Leonard, \$1 Invested in flouridation would save the city an estimated \$38 in dental costs. What does that mean for Portland? That means about \$18.6 million a year. In medical burden that could be relieved if we fluoridate our waters. For minimum nominal side of cost much about \$5 per citizen. \$5. We're talking about a facility start of \$5 million, annualized over 25 years, that's about 11 cents a month per citizen. To prevent the ravages to reduce needless suffering and pain and anguish that we see in our future. This is our future, these are our kids, our friends, this is our neighborhood. This is our defining moment to make a difference. Charles Dickinson, no amount of regret can make up for an opportunity lost. I believe together we the community can make a difference, we can shape the future. Think communal public water flouridation will make that difference. Every child deserves to smile and every child deserves to thrive. This is our moment of truth. Thank you.

Adams: Thank you, Dr. Wright. Bill Maas.

Dr. Bill Maas: Thank you Mr. Mayor and commissioners. I'm Dr. Bill Maas, from -- Bethesda, Maryland. I'm an advisor to the Pew Children's Dental Campaign. From 1998-2008, I was director of the Division of Oral Health at the CDC. It has been -- CDC identified flouridation as one of 10 great public health achievements of the 20th century, in recognition of the improvement in dental health that occurred since the widespread implementation of flouridation in the 1950s. It is now in use in more than 40 countries, reaching over 405 million people worldwide. You may hear from opponents of water flouridation that in the United States flouridation is in decline, and hundreds of communities have declined or discontinued flouridation during the past decade. Such statements are a distract shun from the truth. The truth is, since 2000, about 42 million more people in the United States have received fluoridated water than before. Data submitted by state health departments confirm 204 million Americans now receive the benefits of optimally fluoridated water. The proportion of the U.S. population served by water with fluoridated water has increased over the past decade at the rate of 4 million more people each year. And while there have been setbacks in various communities, the overall situation in the United States is one with more gains than losses, with an annual rate of increase that has actually improved during the last decade. In contrast, Oregon is one of only three states who provide less than 25% of its residents on public water systems with optimally fluoridated water. One of only three states. In the 40 states that provide optimum flour it a, even the residents of nonfluoridated communities benefit from the halo effect. In Oregon, flouridation coverage is too low to provide a halo of protection for hardly anyone. That would change if Portland were to fluoridate. As it would benefit not only the people of the Portland community directly, it would also provide at least some benefit to anyone consuming foods or beverages processed in Portland. People often ask me, what is the one best study that proves flouridation prevents tooth decay? Science doesn't work that way. Rather, we reach conclusions based on the weight of the evidence. Provided by several studies. Conclusions reached that way are considered to be robust. So our confidence in the effectiveness of water flouridation comes from the systematic review conducted by the U.S. Task Force on Community Preventive Services. They reviewed 21 high-quality studies to track tooth decay in the same community over time, and observe what happens when flouridation was started or when it was discontinued. Sometimes two communities were compared to one another, but only after the population were matched carefully to rule out confounding factors. The review reported in 2001 focused on children, later in 2007, similar conclusion were reached by reviewing studies of water flouridation's benefits for adults. Most people in this room have seen the long list of local and national organizations that have endorsed flouridation. So I'm only going to provide quotes from a few of them. These are the organizations we trust to provide us guidance on a wide range of health issues. We have every reason to trust what they say about water flouridation, too. It's also important to recognize your water operators are also guided by high professional standards, and they can be readily trained to provide the community with optimally fluoridated water. Water flouridation is the addition of

September 6, 2012

enough fluoride to the amount already present in water to bring the concentration to a level optimal to prevent decay. Unfortunately, the internet is rife with misinformation about fluoride additive. So let's review a few facts. Fluoride exists naturally at some level in every water source. If we were salmon swimming in the ocean, we would be drinking water at over 1.2 parts per million of fluoride. We're humans, we need freshwater. And the bull run water supply contains fluoride of a level of around a 10th after part per million, which is quite typical of surface water sources. The optimal level has been noted earlier to prevent tooth decay is .7 parts per million. So how are we going to get the fluoride to the right dosage? We'll add something to the water just as we already do at the bull run water supply. In the late 1990s, opponents of fluoridation claimed the fluoride compounds added to water acted differently than naturally occurring fluoride. You may even hear such claims this afternoon. You should know, however, in response to those claims, very sophisticated studies have been conducted in the United States and in England which confirm that when the fluoride added to -- dissolves in the drinking water, it dissociates to free fluoride ions that behave in the body like any other fluoride ion. Fluoride additives in the U.S. are very pure. Regardless of where they are manufacturing, they must meet standards for purity. Batches of the product are tested to verify their purity. Reports from these tests confirm that most samples show no detectable contaminants. Those samples in which they are detected have such low levels as to pose no risk. To put this in perspective, the typical cup of tea has 290 times as much arsenic as you would consume by derricking a glass of fluoridated apple. An apple has 250 times as much. In a few minutes Dr. Wu is going to discuss the safety of water fluoridation. And other testimony you will hear today will also discuss safety and many of the statements drawn from the 2006 report of the National Research Council. It's a very important report. Because fluoride can occur naturally in drinking water at high levels that could cause adverse health effects, the EPA is required to regulate the safety of water. And it relies on distinguished independent organizations like the National Research Council to provide advice. I'm raising this issue now before Dr. Wu's presentation because I want to spend just one more minute describing the regulation of fluoride in drinking water before I turn the microphone over to him. The NRC report was commissioned by the EPA which is responsible for assuring the safety of drinking water. Contrary to what you may have heard elsewhere, the EPA does not make recommendations about water fluoridation. This is the responsibility of the CDC within the Department of Health and Human Services. In January 2011, these agencies made a joint announcement to provide status reports of their respective roles. The joint announcement was intended to stress the fact the agencies rely on the same body of scientific evidence, but I'm sorry to say it's also resulted in some public confusion that I would like to clear up today. If you look at the graph, drinking water sources in the U.S. have varying levels of fluoride. Naturally occurring, ranging from near zero to 10 milligrams per liter, represented by the blue bar. If there were no regulations, depending on where one lived, they might have water with a fluoride level anywhere on that continuum. But for the past 30 years, the EPA has enforced a maximum contaminant level for fluoride of four milligrams per liter, the red bar. This means the communities that had water source with higher levels of fluoride had to provide an alternate source of water. EPA also had a secondary maximum level, two milligrams per liter, the green bar, that level was intended to protect children from severe dental fluorosis which can occur above levels of two. This means communities are allowed to have levels of water with fluoride above two, but parents there are urged to provide an alternative source of water to young children during the tooth-forming years. Only one or 2% of the U.S. population is served by such systems. As noted earlier, almost 74% of people in public water systems in the U.S. have optimally fluoridated water. Natural levels are supplemented by just enough fluoride to bring them to the optimal level. Well below the two milligrams per liter above which a parent might be concerned with severe dental fluorosis, the other 25% of the population, which includes Portland, has suboptimal levels of fluoride, which is associated with higher levels of dental decay. The 2006 NRC report was significant for the EPA because the NRC concluded that

September 6, 2012

severe dental fluorosis was not mere lay cosmetic effect, but was an adverse health effect. This was not a conclusion that severe fluorosis would be coming more common, only that new research had found people with severe fluorosis required more dental restoration. Therefore it was an adverse health effect. This finding has set the stage for the epa to conduct further research, which it is now doing, to set a new maximum contaminant level goal, which is likely to be no higher than two, and perhaps as low as 1.5. If you are among the three or 4 million people drinking water with fluoride levels between two and four parts per million you might be very interested in what the epa eventually concludes. And whether it set the new maximum contaminant level. But you aren't. The epa action will have no effect on the Portland water system. Your choice is simply to continue to have a water system that provides suboptimal levels of fluoride, or whether you will supplement the natural level with pure additives to raise the level to one which is effective in preventing tooth decay. Thank you.

Adams: Dr. Wu?

Dr. Phil Wu: Thank you. I'm dr. Phil wu, pediatrician with kaiser permanente. I'm also a director of the northwest health foundation and upstream public health. You've heard a lot about the effectiveness of fluoride, and the earlier discussions here, and I want to say a little bit more about the safety aspect. So I want to piggyback on what commissioner Leonard had said at The outset of this hearing. Which is, basically there isn't anything that you put in your mouth and swallow that won't potentially be toxic to someone under the right circumstances. And that's a very important concept to keep in mind. And so common things, like salt, like vitamins a and d, which are present in a lot of the foods we consume, iron, all of these have health benefits at appropriate levels and doses. But all of these can have adverse effects and potentially even be toxic at extremely high doses. To give you one example, potassium. Potassium is life-saving for certain heart problems. Some people even use potassium as a salt substitute. But potassium at extreme levels is life taking.

And the best example of that is lethal injection. Which potassium chloride was used in several protocols. So here you have a balance between appropriate controlled doses that have benefits, and yes, at the other extreme, have you potential adverse effects. This is true for everything that we come in contact with. Next slide. Another general point I want to make is this whole issue of science and medicine. Thousands of studies are done annually, all over the world on just about every topic you can possibly imagine. The data that comes out is enormous. Most people, most health care professionals, myself included, don't have the training, nor the Time, to systematically review all of these studies and be able to come up with appropriate interpretations. We leave that to experts. That's why we have credible objective organizations that have experts that do this job of reviewing the studies and the data and offering consensus opinions on what we're supposed to do with all this information. It's not helpful. It's chaotic. For individuals to take it upon themselves, to try to review this mountain of data, and then say, this is what it says. That's why we have organizations like the cdc, institute of medicine, ada, u.s. Services task force on community health, that do this kind of work.

Adams: If I could interrupt. You're doing great on the hand gestures. Someone that hits up there, i'll have you removed. But the hand gestures are great. And good exercise.

*******:** I want -- .

Adams: To the person that hits, i'm really not kidding.

Wu: I want to come back to the national research council that has been referred to so far. This was a very important review in 2006. This was not a study, this is a review of studies. And the important thing to realize here is that in evaluating fluoride levels, they were looking at levels of naturally occurring fluoride. And with the goal of trying to set these levels of the maximum level that would be tolerable and let's call the secondary level of fluoride. So naturally occurring fluoride, this is a whole different issue from what we're talking about here, which is the optimal level of fluoridation for community water sources. Now, this review looked at everything,

September 6, 2012

including all the potential health effects that you could possibly imagine. Including neurological, intelligence, liver, kidney, bone, carcinogens, a number of effects. And the bottom line is, if there were any possible effects, these were noted at high levels of fluoride well above what we are talking about in terms of the optimal levels of fluoridation. And the only conclusion that fits -- the national research council could come to was that severe dental fluorosis could occur at four parts per million, and their recommendation was in fact to lower that maximum level to somewhere below four. And as bill maas referred to, the level that will eventually be ascertained has yet to be defined. We're not talking about what happens at levels at one or below. Like at 0.7 points per million. Finally the national research council acknowledged that most communities have the optimal level of 0.7. I want to come back to what mayor Adams, you were talking about on the issue of intelligence. As a pediatrician, this is something that really hits home. Pediatricians are concerned about neurodevelopment. And so what happens to a child in the formative years, it's the whole thing we're concerned about. So I think just as eli had said, if there were any doubts about effects on intelligence on the brain, we would be the first to say, fluoride's gotta go. Now, both the nrc report in 2006 and the review that you have referred to, mayor Adams, the one that was just published within a month or two ago from harvard, looked at this issue of intelligence. And it's important to realize that again, this was looking at naturally occurring levels of fluoride in asian countries. Their normal control level was 1 part per million. Their normal control level. They were looking at populations that have fluoride levels as high as 11.5 parts per million, and those were the populations they were comparing and telling us to -- and so the difference of a half a point between their normal and their elevated. Now, there are a whole number of issues that you could point to when it comes to the study design. A lot of the i.q. Tests that were done are not the kinds of i.q. Tests we would do in the united states. The ravens test is a test that measures preverbal intelligence, sometimes called fluid intelligence. This is intelligence that's not affected by what you learn. Now, preverbal or fluid intelligence is highly affected by maternal i.q., maternal nutrition. These were factors that were excluded and not controlled for in the vast majority of these Asian studies. So the study design makes all the difference in the world, and what you can conclude on this kind of an issue. There's been a lot of debate over the decades about fluoride and osteosarcoma. In february of 2012, the national cancer institute position statement was there is no association between fluoride and osteosarcoma. None. That should put to rest any ongoing question in this regard. There's albanian lot of discussion about infant formula and the fact that you're going to mix infant formula with fluoridated water, and that would be a problem. Well, if a - - as a pediatrician I can say that breast-feeding is always the ideal form of infant nutrition. However, the american academy of pediatrics acknowledges that it is perfectly ok to mix infant formula with fluoridated water at optimal levels, and that is not an issue. Finally there's this issue of toothpaste. You will hear that because there are product warnings on toothpaste, that that's an indication of fluoride toxicity. First of all, toothpaste does contain a thousand times more fluoride than what we would be talking about in fluoridated water. That's why we say children under the age of 6 should not use fluoridated toothpaste without parental supervision because of the issue of swallowing. However, product warnings are designed to prevent excessive intake. That's what they're there for. And there are other things in toothpaste that are also potentially a problem. Notably, sodium fluorosulfate. If you look at your bath gel or bar of soap, you'll see this as the second ingredient. This is what makes your bath gel bubble or makes your soap lather. This is basically a pretty safe substance. But it does have significant skin irritation, and it has been known to cause the equivalent of what we call canker sores. The point here is that product warnings on toothpaste are not only directed towards excessive ingestion of fluoride, but also everything else that might appear in toothpaste. So that concludes what I wanted to comment on about safety issues. I think just to kind of wrap up this panel, what I want to encourage you as city commissioners to do is that when you are making your decision, that you listen to authoritative,

September 6, 2012

credible signs. And you have sources of credible authoritative science, we've mentioned them here numerous times. To do otherwise introduces uncertainty, inaccuracy, and misinformation into your deliberations.

Adams: Thank you. Thank you all very much. We appreciate it. We've got folks that are going to be testifying that are far flung. If we could list the first four con testifiers. But i've got four more.

Leonard: We have a couple additions from our partner agencies that --

Adams: Ok.

Adams: Why don't you read the first eight pro, and the first eight con, if you're over -- we've got folks in the Portland building so I want to give them plenty of warning to wait in the wings. So the first eight pro, the first eight con, we'll go with the first four cons when when we're done with the invited testimony.

Moore: On the support

Adams: If you could come to the right hand door, the south door of the chambers, we will facilitate folks coming in and out. Dr. Stacy nicholson, inge aldersebaes, there's a place reserved in hell for my mispronunciations. Dr. Katy zuckerman and carmen rubio. Dr. Stacy nicholson, would you like to begin?

Dr. Stacy Nicholson: Thank you very much. I thank you for taking on this very important issue and i'm grateful for the chance to participate today. I am the chair of pediatrics at ohsu and the physician in chief at doernbecher children's hospital. I am speaking on my behalf, but my physicians also concur of that with ohsu. In both the school of dentistry as well as at doernbecher, we do have ways to treat dental illnesses, particularly at doernbecher we have oral surgery and dentistry there that is colocated with the operating Rooms so that anesthesia is readily available. But prevention is much better than treatment in everything but in particularly in terms of dental issues, and water flouridation is one of the best means for preventing tooth decay in children. Poor oral health, which you've heard a lot about today, and about cavities, is not just about cavities.

Adams: Karla? Do you have a slide show going or no?

Moore-Love: I do.

Adams: There. Now we have it.

Nicholson: Thank you very much. Most of the previous presentations have been around oral health. But oral health in children in particular is not just about cavities, but has an impact on other health as well. There are health consequences of oral health in terms of both chronic illnesses as well as acute infections. In children, acute infections resulting from poor nutrition are particularly problematic in dental abscesses have been associated with brain abscesses, infection of the heart and clotting of blood vessels in the neck leading to blood clots traveling to lungs, and in some cases, these are severe enough to require the care and sometimes children have died. And we do those -- view those deaths as having been completely preventible. Also we treat children with cancer and other serious illnesses and there are times when they come in with poor Nutrition and those very treatments are delayed because we have to deal with their dental illnesses first so the infectious complications of chemotherapy, for example, are lessened before we give the chemotherapy. The slide show has stopped moving.

Adams: Really?

Nicholson: So the next slide is about anesthesia. As mentioned earlier, young children and children with a lot of dental carries as well as children with developmental disabilities cannot tolerate general dental treatment in a chair as most of us would get. But have to undergo anesthesia, and when you can avoid unnecessary, that's also another benefit of improved oral health. Poor nutrition is also a reason for emergency care. Leading cause of e.r. Visits in children. This is a very bad place to get dental care. Typically all that can be done is antibiotics and pain medications which doesn't treat the underlying problem. Each of these e.r. Advice sits both ineffective and also

September 6, 2012

a waste of our resources as a society in taking care of these problems. Each cavity that occurs in childhood also has cost over the lifetime of those dental issues will have to be prepared over and over again, the estimated cost is \$2,000 per cavity over the entire lifetime. It's also dental issues are also a leading cause of missed school days for children, as well as missed workdays for adults. And then adults who have had serious dental issues as children often become adults with either missing or poor dentition. And has impacts on their quality of life and how other adults view them. In pediatrics the cornerstone of everything we do is prevention. And preventing dental decay is. Better than treating it in terms of preventing human suffering and also less financial cost to families our government and our society. And one of the very best ways we can prevent dental decay and children is fluoridated water. At doernbecher children's hospital, our tag line is, because every child deserves the best. That's why we come to work every day. We believe that every single child deserves healthy teeth, and that water flouridation is a great way to move that track -- train down the tracks. Thank you very much for your attention.

Adams: Thank you. Hi, welcome.

Inge Aldersebaes: Thanks. Good afternoon. My name is inge aldersebaes, the program manager for oea choice trust, a nonprofit organization dedicated to promoting the health and well-being of school employees across Oregon. I'm here to share some of the realities of the dental health crises and how it's preventing our children from learning to their fullest. No matter how well teachers are prepared to teach, no matter what accountability measures are in place a. Student's educational success is compromise the when they are struggling with health problems. We know health and learn going hand in hand. And as mentioned earlier, our Oregon school children have some of the worst teeth in the country compared to seattle in Washington, Portland and Oregon children have more than twice the rate of untreated cavities. Despite similar dental programs and coverage of health care, the major difference is water flouridation. Too many children miss school or are unable to concentrate in school because they are in pain from tooth decay. Putting them at an educational disadvantage. If you have ever had a cavity, you know the pain all introduce well. Now imagine trying to pay attention in school when you have seven cavities. One in five Oregon children currently suffer from rampant decay, cavities throughout their mouth. This translates to six students in a classroom of 30. Struggling to concentrate because they're in pain from tooth decay. This is a very serious problem to face by schools every day and it's supported by recent research published in the september 2012 american journal of public health titled "the impact of oral health on academic performance of disadvantaged children." not only did the study find that children missed more school due to dental problems, students With dental problems were four times more likely to have a low grade point average and their parents missed an average of 2½ days of work as a result of their children's dental problems. Bottom line, oral health affects the students' academic performance. In an attempt to address the dental health crises, the oea choice board, composed of educators, made the decision to cosponsor the partnership with the dental foundation of Oregon and odf. The tooth tax singling -- signaling a mobile dental office with full-time dentist and staff. It visits schools throughout Oregon to provide free dental care and oral health education to uninsured and underserved children. While the tooth taxi does provide immediate relief from dental pain and infection for thousands of children at school who lack the access to basic dental care, it cannot physically or have the capacity to reach all of our children in need of dental care to support their health and ultimately their success in school. At the tooth taxi we see the dental health crises firsthand. Up front and personal. We've seen children in so much pain, that they try to pull out their own teeth. We need a better and more comprehensive solution. And this is why we support water flouridation in Portland. Water fluoride provides everyone with protection, it doesn't leave children's oral health to chance or whether they are fortunate enough to have insurance, parents who have paid sick leave and can take time to go to appointments, or parents who can afford fluoride supplement and have access to healthy foods. Water flouridation is an effective public health

September 6, 2012

preventive service that has been safely used throughout the united states for 65 years. Fluoridating Portland's waters will help make our community a healthier place for children to live, learn, and grow. Thank you for this time, and please seize this opportunity to support the dental health and educational success of our children. Thank you.

Adams: Thank you. Dr. Zuckerman.

Katie Zuckerman: Thanks, mayor Adams and city commissioners. My name is katie zuckerman, and I am a general pediatrician at Oregon health and science university. I'm also a researcher who studies health disparities among minority children. I'm here to testify on behalf of myself as pediatrician and mother, as well as on behalf of Oregon pediatricians 0 site which represents pediatricians across Oregon and ever. I'd like to speak about the reality that faces pediatricians in Portland. My general clinic which I think is representative of many people's clinics, it's a safety net for children who have un-- who are underserved. Dental decay is part of our patients' daily life. Many of the children we see have cavities in multiple teeth. Some have teeth that are completely eroded or broken due to dental decay. We routinely sending children to the operating room to have their teeth repaired, because the children are too young or the cavities are too expensive to do it any other way. It just seems wrong to be putting so children under general anesthesia for health conditions that are entirely preventible. I think you're going hear today that there's other solutions besides water flouridation. That doctors, dentists and public health officials need to do more to help protect children's teeth in other ways, but the truth s. Doctors, dentist and health officials are already doing a lot to improve the dental health of children. We give out fluoride drops and tablets to children at no cost if they're medicaid eligible or low-income, fluoride drops also available in schools. Our medicaid program provides dental care at no cost for eligible children. We tell everybody to brush their teeth twice a day with fluoridated toothpaste. We do all of these things, but clearly they are not enough. The truth is four in 10 latino children and seven in 10 native american children in Oregon have untreated dental decay and poor children in Portland suffer twice the rate of untreated decay which compared to healthy children. Oregon children have worse teeth than children in neighboring States, and all the trends suggest children's dental health is only getting worse. It's easy for some people to say that parents should be more responsible for their children. That one would brush their children's teeth and go to the dentist or eat less sugar the problem would be solved. To these people Oregon pediatricians say, come and walk on mile in our patients' shoes. Many of the families we treat are struggling with really basic needs. Like having enough money to pay their rent, or getting something on the table for dinner. Many are single parents, who have no transportation and few resources. Many don't speak english. They're good parents and they're trying the best they can for their children, but finding low sugar foods, picking up fluoride refills at the end of every month, taking off time for work to make and keep dental appointments or even being able to call the dentist is just not as easy as it is for you and me. The great thing about fluoridating our water is it helps everyone, regardless of income, race, ethnicities tino network, or education. All Oregon children will benefit, not just those with well off families, or educated responsible parents. It's also affordability. For the less after cost after toothbrush per child we can improve the health of every child in Portland. It's hard to find other public health measures that are as effective. Pediatricians throughout Oregon support community water flouridation. We hope on september 12th you'll think of our patients and their little smiles and vote to support this measure to protect their teeth. Thank you.

Leonard: Thank you very much.

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

Adams: Thank you, doctor.

Carmen Rubio: Good afternoon mayor and commissioners. My name is carmen rubio, the executive director of latino network, a nonprofit in Portland that serves Portland area latino families and youth. I'm also here in the capacity of my role as cochair of the coalition of communities of

September 6, 2012

color, which is a coalition that advocates for social justice and ending racial disparities in Multnomah county. So latino network supports water fluoridation. We see it as a basic health service and a social justice issue. Nearly 100% of the families we work with live in poverty, access to basic human services such as dental care, are not ever taken for granted by the people we work with. We regularly see the results of this disparity in our work in our work with youth. Young people with severe tooth decay and loss, who end up missing school due to tooth pain, trips to the emergency room, or who end up with feelings of embarrassment and shame because of visible tooth decay. Over the years, our staff would take several youth to the free Dental clinic at the convention center which would often require follow-up work or visits. In one of our programs working with adjudicated youth we have paid hundreds if not thousands of dollars over the years for youth and their families members to receive urgent dental services, costs that could have been prevented through care like water fluoridation. Oregon's kids' teeth are in crisis. One-third of kids have dental decay. While all kids are affected, low-income and youth of color are disproportionately impacted. We see this every day. This city has publicly stated its commitment to equity, with your leadership, we can ensure that this inequity ends today. I understand that this is a charged issue for many people. However, I doubt that many of the detractors know the people that we know and work with the people and the families we work w the family of the little girl with the capped teeth, the young man whose trying to stay out much trouble but who's missing teeth create false impressions on others about his personal potential. Or the young girl who's too embarrassed to smile. If you have experienced poverty firsthand like we have at our nonprofit, it would be hard not to support water fluoridation. I personally care about this issue because I grew up with several family members who grew up in poverty. And to this day experience the cumulative effects of this flus poor dental preventive care. My cousin whom i'll call lang 0 was born and raised in Oregon, and he's in his early 30s. He had five teeth pulled and capped by the time he was 7 years old. He's had some troubles in his life, but now he's worked hard to get to a place where he can barely support his four children as a single dad. He gets them ready for school, prepares their meals, and rides tri-met with them to go grocery shopping or school clothes shopping. When you talk to angelo, he doesn't smile very much, and laughs with his hand over his mouth. Because of the several teeth he's lost. Angelo continues to have dental issues that have at least at one time resulted in a trip to the emergency room, or a missing work, or missing things that a single dad of four children living in poverty must do to keep the household running. And now at least two of angelo's children experience the same decay issues that he grew up with. Just this august, the centers for disease control and prevention release add report on oral health disparities that points out a number of ways that communities of color and low-income populations have less access to the prevention and treatment of dental diseases. Nationally approximately 25% of children living in poverty have untreated cavities compared to 10% of children living above the poverty line. In Oregon, 46% of latino children have untreated Cavities. Compared to 34% of whites. Mexican-american toddlers are more likely to have cavities, fillings, and untreated tooth decay than white toddlers. Water fluoridation will help with this. Adults living in poverty or from communities of color are more likely to have lost their teeth. Employed latino adults are twice as likely to have untreated cavities as whites. Water fluoridation would help with this. Children who are lower income and from communities of color are less likely to have dental sealants that. Leads to greater cavities. Again, water fluoridation will help with this. Water fluoridation protects all of our teeth. But whether people do not have access to dental health care, it is even more important. The bottom line is, not having fluoridated water makes dental health disparities worse. I care about water fluoridation because I care about my cousin angelo and his kids, and the thousands of other children and families like his. Fluoridated water would increase health equity, it would narrow the gap between those with access and those living in poverty. And would help all of our communities. It would help all of us. Everybody wins when we have fluoridated water. Everybody wins when we have

September 6, 2012

healthy teeth. This is important to so parts of our lives. Healthy teeth means lower dental costs, healthy teeth means your smile comes across better in a job interview. Healthy teeth means it's easier to eat a good diet, and fewer infections that can enter your body. For everyone's health let's have fluoridated water.

Adams: Thank you all. Let's take testifiers with kids and we also have a representative from west slope. Let's take -- I hear a child over here. We have two representatives.

Leonard: I wanted to give them the opportunity to speak first and then I wanted to close our presentations with commissioner Fish who is my cosponsor.

Adams: Ok. Let's have our representatives of our partner water districts come forward. Do we have a child, a mom and a dad and a child over here?

Leonard: We have a few requests.

Adams: We'll get you next. Do we have only one representative -- ok. Welcome.

Charles Conrad: Thank you, mr. Mayor. Mr. Mayor, city commissioners, my name is charles conrad, I am one of five elected commissioners for the west slope water district and I am here today to -- on behalf of that board to address our concerns about a lack of public process to involve your wholesale customers. In a letter to you all and to some other city officials dated august 28th, we set the following -- sent the following Letter and i'd like to read night public testimony. Dear mayor Adams and Portland city council members. We the board of the west slope water district, are writing to you to express our concerns with the Portland city council's aggressive time line and lack of inadequate -- an adequate public process for considering the proposal to fluoridate Portland's water supply. Because of these concerns, we are requesting that you and the council put into place a process that provides a thorough review of the proposal to flouridate Portland's water, and involves all of those potentially impacted, including all of your wholesale partners. West slope water district with the service population of over 11,000, is located on the westerly bound rift city and extends westward to highway 217. The district is bounded on the north by highway 26, and generally on the south by the beaverton hillsdale highway. Incorporated as special district under Oregon statute in 1922, west slope water district has been a customer of Portland's water supply system for over 90 years. During this current fiscal year, west slope water district will pay approximately \$1 million to Portland for water supplies. West slope water district has no other water supply option except an emergency connection with a tualatin valley water district. Therefore, if fluoride is added to Portland's water, it will be consumed by the west slope water district customers. As of this writing, no board Member, nor the management or staff of the west slope water district, has received any communication from the management or staff of the water bureau or member of city council. With regard to the proposal to fluoridate water supply system. As a customer of Portland for over 90 years, we're appalled no effort has been taken to consult or advise us in any way on this issue. All of our information about the proposal to fluoridate has bent result of information from the local media. As of this time, we do not have a position by the board regarding the flouridation of our customers' water, but we are greatly alarmed that you are proceeding without a process including consultation with your wholesale partners that provides adequate time for considering an issue that is proven to elicit strong opinions from opponents and supporters alike. O unfluoridated water goes from the bull run to facilitate the needs of this region since 1896. Taking time to consult with and involve your retail customers and your wholesale partners would be time well spent if your intentions are to protect the health and quality of life of the region's citizens. To be hasty in your imposition of fluoride into the region's water supply may well jeopardize your intentions and risk your relationships with others in the region. This letter was signed by robert reek, chair of the board, richard conklin, commissioner charles conrad, commissioner, Donna davis, commissioner, and thomas marino, commissioner. I would like to add that a copy of this letter was sent to your city auditor as well as your administrator for the water bureau, additionally a copy was sent to commissioner elect steve n owevik, mayoral candidates

September 6, 2012

charlie hales and jefferson smith, and council candidate mary nolan. Thank you for this opportunity to address you.

Fritz: My response is in the mail.

Conrad: Thank you. We have received that.

Fish: First I want to thank my friend randy Leonard for bringing this matter before the public for debate. I want to say I'm extremely proud to cosponsor the ordinance before council today. I have met with both sides who care passionately about this issue. I've met with the Oregon citizens for safe drinking water and I have met with the everyone deserves healthy teeth coalition. They have both presented to me strong arguments, citations, and follow up homework which I have diligently attempted to follow and to read.

Saltzman: Could I ask point of order?

Adams: Commissioner Fish has to leave early is that why --

Saltzman: Over 200 people signed up to testify. We're two hours into the hearing and we haven't even gotten to public testimony yet.

Leonard: This is our last presentation.

Adams: All right.

Saltzman: Are you going to be brief, commissioner? That's rude.

Adams: Commissioner Saltzman, that's fine. You were out of the room for a while too.

Saltzman: I'm waiting for public testimony.

Adams: Let's settle down. Commissioner Fish, please continue.

Fish: What I want to say, I have received literally thousands of emails, letters phone calls, and I have found most of them thoughtful and constructive. There is a few that fall below the standards which we expect for debate in this community, including people who have told me that neither me nor my family are welcome in businesses that they run or enterprises that they have something to do with. I actually believe in this debate we have a chance to model something different. As someone who has watched with alarm the inability of our friends and representatives in Washington, d.c., to come together around something akin to a national agenda, and seem to be locked in a partisan struggle on almost every issue of public concern, I think in this community we have a chance to do something different. And this forum is an important place to ventilate our opinions and our disagreements on this issue. And I suspect the council may not have the last word on this issue, and in a democracy, there are checks and balances set forth that allow people to have their say in this forum and in different forums. But I simply want to add to the introduction of commissioner Leonard is that I agreed to cosponsor this ordinance because based on the information that I have been presented, I think fluoridation is a safe and cost effective and common sense approach to protecting the public health, especially the health of our kids and our families. Reasonable people can disagree about this or any other issue. In closing, I will say that to those who have suggested that we either kick the can down the road, or duck this issue, I have a rebuttal. I think we were elected to make the tough calls. In fact, I think too often people in our legislative and deliberative bodies refuse to address the important issues and kick the can down the road. I think it is time we take a position on this issue. History will judge us on how we address this important issue. I thank commissioner Leonard for giving me the honor of cosponsoring.

Adams: We have folks with kids. Why don't you come forward. Anyone with kids come forward and then we will do first four off the opposition list. Folks with kids. I mean, not adult children. I mean -- and your kid has to be in the room, too. All right.

Fritz: And I have to say they have been so well behaved. I don't think any of my three would have sat through this hearing this well behaved.

Adams: Give us your first and last name and that is all we want to know. If you are speaking for yourself, just first and last name. We will start with 3 minutes. And then eventually we will

September 6, 2012

probably go to 2 minutes, and we will see as we try to get everyone who is on the list who signed up before us.

Angel Lambart: My name is angel lambart. I guess i'm here lobbying for my daughter. I was diagnosed -- 11 or 12 years ago, after that I had to have most of my thyroid removed because I had a big tumor growing on it because of that. It is an autoimmune disorder that affects your thyroid as the rest of your body. I have greatly decreased thyroid function because of this. Fluoride is a thyroid suppressant. It has been in the past prescribed to people that have greats disease as well as other hyperactive thyroid disorders to lower their thyroid function. If -- if you guys vote to put fluoride in our water here in Portland, then that means that you are going to be effectively be voting to suppress my thyroid further than it is. It has taken me a long time to get to the point where i'm at medically speaking through better nutrition and taking better care of myself. And, you know, but there was a long, a long time where, you know, I suffered from great fatigue. I suffered from depression. You know, incredible joint pain. And, you know, I -- I had trouble walking because my knees hurt so bad. I would sleep 16 to 18 hours a day because I was just so exhausted and it didn't matter what I did. I was just always exhausted. Now, I have a toddler, and if my thyroid problem gets worse again, then how am I supposed to take care of my daughter? And, you know, there is people that are allergic to fluoride. There is people like myself that are, you know, very sensitive to chemicals. And, you know, it -- if -- if there is a problem with kids dental health, then why don't we put the money towards better nutrition? You know, I grew up with a single mom and we were on welfare and there were lots of days when we were not really sure what we were going to eat because, you know, there wasn't food in the cupboards. And, you know, there is other ways than putting something in the water that is going to hurt people, like myself, that is going to hurt my daughter because i'm not going to be able to be a good mother to her. It's not fair. You guys should at the very least put this to a vote for the city of Portland to be able to tell you yet again that we don't want this in our water. It's -- it's not fair that five people get to make this decision for all of us. You know, what am I supposed to say to my daughter when i'm too tired to get out of bed in the morning to make her breakfast? What am I supposed to say to my daughter when i'm too tired to take her to ballet lessons.

Adams: Thank you for your testimony. Appreciate it very much, angel. Hi, welcome.

Joseph Santos Lyons: Hi, i'm a community minister with the first unitarian church of Portland and I work as the director of the development and policy with the asia pacific american network of Oregon. Here lobbying on their behalf and here with my family and wonderful wife who will speak first and introduce herself and we will just use 3 minutes together.

Amy Santos Lyons: My name is amy, and i'm a mother of three young children, age 12, 6, and four years old. I'm also an immigrant resident here in Portland. A community leader in the -- a public health practitioner. And these three pieces of myself came together as I reflected on the fluoridation campaign and considered whether to offer my support. As a mother of young children, I look to the welfare and what could benefit their health and well being. My two eldest children have had really poor dental health and early on have already had very painful tooth extractions. My daughter here has had painful extraction that cost us \$1,000. And for a family that has very little wiggle room in our income, this feels like an outrageous expense. And then as an immigrant resident and leader in the community, I look at the statistics of the dental crisis. And know deeply that people of color, immigrants and refugees are disproportionately affected by this. Understanding how low income and immigrant communities receive little benefit from the school fluoridation program, my own family's concern -- I have a friend who organizes many of the dental health clinics for free. And she describes how thousands of people come to them, often coming the night before, and lining up for blocks on end. To me, this is unacceptable. All of the more because it is demonstratively preventible. And to my mind, this crisis needs bold leadership and political will to address. And then lastly, as a public health practitioner, I look to the science,

September 6, 2012

and really search for what has been validated by both the scientific community and other cities and neighborhoods. I understand and accept the sound rationale for public health programs. I accept mandatory vaccination programs for my children, I accept the regulation of tobacco free spaces. Universal access to fluoride helps the most marginalized of Portlanders, and a community -- this makes sense for my family, for my community, and the Portland that I believe in. I choose to raise my children in Portland because I believe that most Portlanders believe that everyone should have high quality of life. Not just for a few. Not just for some. And not just for the privileged. We believe that green space should be accessible to everyone. We think that is a good thing. We think opportunities to excel and thrive is a good thing and made accessible to everyone. Similarly if we believe that all families matter, universal act test of fluoride needs to be a hallmark of our community.

Adams: The next four in opposition. And then the next -- the next -- i'm going to take my prerogative and the next four in opposition after that.

Adams: I'm going to call -- we will have two panels of opposition. Eight folks. 3 minutes each.

Frances Quaempts Miller: Hi, my name is frances quaempts miller. I want to just point out one thing that I noticed somebody mentioned that everybody was able to speak at a table which is true, but not everybody was invited to the table today. It appears that mostly people in support of fluoridation were invited as special guests.

Adams: That's part of our -- whoever sponsors a measure gets to invite special guests. I'm going to have eight folks in opposition.

Quaempts-Miller: Okay. All right. Thank you. I actually -- now I know. So, one thing I want to ask, I want to ask a few questions. Has the council looked at any other options before spending \$5 million on this project? For instance, how does water fluoridation address the core determinants -- such as poor diet or poor brushing habits. Why are citizens not getting to vote on this matter? You commissioners happen to be sitting here because we voted you in. You trusted us to vote for you. Why can't you trust us enough to vote for our own health and our own bodies? By the way, sam, I voted for you to make the city better. I didn't vote for you to be in charge of my dental and medical care. What will you do for low income families that have newborns or have thyroid or kidney disease or diabetes or other chronic conditions? Increased water intake is necessary. For instance, the concentration, you can control. But you cannot control the dose. If you need more water, you take in more fluoride. For people who have medical advisement to not have more fluoride, how will those people get fluoride, especially low income people like myself who only take the bus? I have a chronic condition where i'm not able to actually carry things on the bus. How am I supposed to take fluoride-free water home. Another thing that I want to ask is what do you -- how will people who have to already take medicines that have fluoride in them, for instance, 30 to 50% of the medications out there already have fluoride. I take two medications that already have fluoride and then on top of that I have to have fluoride in my water? How are people on these medicines going to have access to fluoride-free water? I also want to tell you, I grew up in a city with fluoridated water and I had eight cavities. I want to tell you that recently I took a concentrated fluoride paste that my doctor prescribed, my dentist prescribed for two years.

In those two years my enamel never got any better. When I quit the -- in five months my enamel healed. The last thing I want to let you know. I am a person of color. I'm a muskoguee indian and a proud african-american. I don't appreciate you trying to alleviate your white guilt by trying to put toxins in the water. That is not how you help children.

Adams: Welcome.

Kellie Barnes: Kellie barns -- I believe in healthy teeth for everyone and I oppose communal water fluoridation. Voting on such a -- secondly, fluoridation promoters cite statistics and we have heard them all day comparing Oregon children to Washington children. A closer look at this data, in fact, the same data used by the fluoridation promoters show that when comparing

September 6, 2012

Portland, metro children as compared to those outside of Portland metro in Oregon, that Portland metro children have 54% cavity rates. Those outside of Portland, 70% cavity rates. This is true even though only 8% of Portland metro children are drinking currently fluoridated water. 33% outside of Portland. When looking at this same data that these people who propose using water fluoridation programs, again, citing Oregon statistics, when we look at Portland and compare how we in Portland are doing nationally, we are actually not doing so bad. If you look at the oral health web page, cdc, and take Portland statistics out of that site, we are the 15% lowest rate of cavity experiencing in the u.s. Why are you citing Oregon statistics when we are talking about Portland water? Why are these public health officials and people we give credible respect for their authority on this decision not using Portland statistics? I find that incredibly disrespectful and uninformative. Why are we in Portland, mayor Adams, commissioners, you have the ability, you have the responsibility to take pause and look at all of the evidence. Peer reviewed science is complex. I have two masters and -- asking us to take pause and more studies, the harvard medical analysis - yes, it wasn't a great study, however, if you look at that study for trends, there is a reason to take pause. There is a reason to wonder about those of us who have more exposure than others. Those are us that are chemically sensitive. I treat chemical sensitive individuals and their connective tissue health every day. There are reasons that some of us cannot take fluoride in. There are reasons that some of us are more sensitive than others. I and the people here compare about those at risk and those without economic need. They - reverse osmosis if they are allergic or have diabetes or - this is your moral responsibility and it is our right to vote. Look at statistics and trends in science, I ask you, I beg of you. I have two children. I find this incredibly important and i'm very passionate about the issue and I am just a citizen. I spent time researching this. I'm a single mother. I put my kids in child care this week to research this on your table. I find this so frustrating when our organizations paid and lobbied that have finances to do this and are able to give you data and we simply cannot, unless it is someone like me doing it on the sideline. I am so sorry, but I do not find that acceptable. Thank you.

Adams: Thank you for your testimony. For those of you that got in the room late. No matter what side you are on. No clapping, hissing or any of that. You are doing great with the hands. Appreciate. We want everybody to feel welcome to say whatever they want.

Kim Kaminski: I am kim kaminski, clean water Portland, Oregon citizens for safe drinking water. I have been working on this issue for seven years. We started working at the state level protecting Portland's -- the state's water from mandatory fluoridation in salem. I want to say that I feel like the city council is moving forward with plans to fluoride date our drinking water with very little notice to the public and very little opportunity for the public to be heard. This is a blatant violation of due process. And I am angry that we were not invited to the table. We had a panel of several experts on the pro fluoridation camp. Where are the people that can testify to the potential harm that these chemicals have? Not only on our water, but in our watershed. We strongly oppose the proposed ordinance to add fluoridation chemicals to our drinking water. We believe that we have some of the best water in the world. The method and manner by which the city council is attempting to rush this ordinance through is equally, if not disturbing as the chemicals that we're adding to our drinking water. In light of the fact that Portlanders have voted three separate times that we do not want fluoride in our drinking water, the city council, is usurping the will of the voters. Proponents of fluoridation have learned that it is very difficult to convince 151 legislators down in salem that this is a good policy. The people of the state of Oregon have spoken out against this almost every single legislative session since 1999. Proponents have figured out it is easier to convince three out of five city council people than to put it to a public vote because we know when you look at trends across the country, when the people have a right to decide this issue, they typically vote no. And when people are educated and they understand what it is exactly that we are putting in the drinking water. They vote no.

September 6, 2012

We're talking about byproducts of the phosphate fertilizer industry. They come from the scrubbers because they are not allowed to be released into the air. They are not allowed to be dumped into the ocean. But yet we're putting it in our drinking water without opportunity for the public to say no. I encourage you to allow this to go to a vote. I don't think it should be up to us to prove that this -- these products are harmful. It should be up to the other side to prove that they're safe. And these products contain lead and arsenic and other toxins that no parent in their right mind would add to their drinking water. Thank you.

Adams: Thanks, appreciate it. Hi, welcome.

Rick North: Thank you. I'm Rick North with Clean Water Portland. Former executive director, executive vice president of the American Cancer Society for Oregon and like so many other people, I -- I used to think fluoridation was safe. But once I started studying the science, I completely changed my mind. You're only hearing me, but I'm backed up by a great team of scientists, physicians, and dentists. I am not a doctor or a scientist. You have heard three different people on the i.q. Study. I would like to address this. Just so people really know what is going on with it, okay. There is a whole side of the story that you haven't got. Okay. 27 studies that compared high and low fluoride villages mostly in China. In 26 out of the 27 studies, the higher the fluoride, the lower the i.q. The weight of the average was a difference of seven i.q. points. Via -- I have a question for the two doctors that addressed this. I didn't know your name --

Adams: You're welcome to talk to them in the hall. You are here to testify on the matter. You can pose the question publicly.

North: I will pose the question publicly. I thought I heard them say that the differences was about a half an i.q. point in the villages. I was going to offer to bet them. I'm retired and on a fixed income. I was going to bet them \$500 apiece on television that that is absolutely, totally wrong. That half an i.q. point referred to the standard deviation. Not the number of i.q. points.

So I will just pose that question because I want sure if I understood them right. But that is my offer to both of them. There are many misconceptions that have been put out. Here is the major one. The levels of fluoride in the Chinese villages are much higher than the Portland -- than what Portland proposes. That's accurate. The misperception is that that means that it is not applicable.

Too high. Too much over what we're proposing. And that is completely wrong. By standard toxicology methods. Standard. You have to apply a factor of at least 10 to build in a margin of safety for the variety in the human population. Individual variations to fluorides toxicity. 12% is going to contribute to lowering of i.q., and then the very simple fact that some people just drink more water. You've got to figure in a factor of 10. And the fluoridation -- never mentioned the standard practice of toxicology. A typical high fluoride village, three parts per million. You divide by 10. .3 parts per million to upper limit to protect population. Much lower than the .7. In other words, Chinese studies are directly applicable to Portland. Conclusion that these toxicological studies on fluoride should be a high, my underscore, research priority. For further evidence in animals --

Adams: I need you to start wrapping up.

North: I'm just about done. 80 controlled animal study, 15 affecting memory and learning. Entirely consistent with the human studies. We're not going to go past the science. There is not 100% proof that fluoridation lowers i.q.'s in children, but there is obviously far more evidence that fluoridation is harmful than it is safe. All of these organizations you listed supporting fluoridation, all of the people testifying today about their teeth, they did not know this information. This study just came out. They have gotten a lot of misinformation since it has come out. How many, I wonder, would trade the intelligence of their kids to prevent a cavity? And this is my last slide. If you vote to fluoride, your most lasting legacy may very well be the diminished intelligence of an entire generation of Portland children.

September 6, 2012

Adams: I want to be sure that I understand you. I have read the report a couple of times. Are you saying that the study evaluated the levels of fluoridation on i.q.? It was definitive?

North: It measured villages, typically two villages. One with high fluoride levels and one with low. A few variations in that, okay. I did not say it was definitive.

Adams: That's what i'm trying to -- i'm trying to clarify and make sure that i'm understanding it. Are you saying that the study showed -- are you saying if it wasn't definitive, I want to make sure that you have given us, useful, you have done a great job, I appreciate how you distilled your thoughts down on power point. You are saying that fluoride, that the study does show that fluoride reduces i.q.?

North: It shows that there is -- it is pointing in that direction. Not 100% proof, okay, but absolutely. When you've got 27 out of 28 showing going in the same direction, and you have made mention, or the doctors did, not all of the best studies. Definitely some weaker ones and some stronger ones. You can't have a perfect epidemiological study, but the authors of this study from harvard funded by nih, published in environmental health perspective. This is --

Adams: I read the study.

North: When they are saying this, that we really need -- this is showing -- this trend here -- this is not proven at all that this is safe. You know. That 2006 study that they mentioned before

Adams: I'm keeping to this one study. I read the study. I wanted to get your take on it and I appreciate your testimony.

North: As you recall, you asked that I meet with our whole sale customers. I apologize I didn't get to everybody, but I did have a conversation with the mayor and a conversation in a follow-up meeting with the mayor of tualatin in my office. In that initial conversation, lou said that he knew rick and would I agree to allow rick to come to our meeting? I said absolutely. Rick came. I also invited dr. Wu who is here as well. So, rick and dr. Wu had quite a conversation about this very subject that rick is focusing on right now. And I think it is fair to say that dr. Wu did not agree with your conclusions based on his background as a pediatrician. But, the question that I ask you in my office, what I would like to ask you here and give you an opportunity to answer is -- it just strikes me as a -- what you are saying, 73% of the u.s. Population drinks fluoridated water. You are citing studies in china, at least dr. Wu took the position were invalid studies, why haven't we seen some evidence in any of the u.s. Cities that drink fluoridated water? Why have we not seen any of this evidence in 73% of the population, and why is it that Portland is the only city in the united states, largest city in the united states that is --

North: I'm happy to answer that. Why haven't we seen any evidence of lower i.q., is that what you are asking?

Leonard: You are taking the position that studies in china that there are lower i.q. In communities that drink fluoridated water. 73% of the population of the united states, 203 million people drink fluoridated water. Why haven't we seen that evidence here?

North: That evidence of lower i.q. -- i'm trying to get what you are asking. Because they have never tested for it in the united states?

Leonard: Why?

North: Ask you who is funding all of this pro fluoridation, why they are not putting money. In 2006 in the report, they asked the same thing. We need more research on this i.q. And that was based on only four studies. That was six years ago. Not one study in the united states. And now choi is asking the same thing and knowing now it is based on 27 studies. And since choi there have been two more that have come out, both showing higher fluoride, lower i.q. They keep rolling.

Leonard: Why would the centers for disease control endorse this effort? Why would these undisputed leaders in these -- in the professions that are here to protect us somehow not be aware

September 6, 2012

of the position that you're taking and at least acknowledge that that kind of an analysis needs to be done in the u.s.? Why have they --

North: Randy, that is a great question.

Adams: They're having the discussion.

North: I have asked myself the same question. I can tell you this. Whenever any scientist or doctor comes up with a research project that starts showing, okay, that there is real problems with fluoride, I tell you the establishment comes down on them like a ton of bricks. It has happened time and time and time again. You ask why all of these organizations have shown, you know, agree on this? You are talking about the united states, and it is like this echo chamber of organizations in the federal government all saying how great this is based on one premise. That it's good for lowering cavities and it does absolutely nobody else any harm. That is absolutely false. If you go outside of the united states, okay, there are 196 countries in the world, randy. 27 of them have artificially fluoridated water. 11 fluoridate more than half of their population. That is it. If you look at the statements from scientists of western european countries, they have looked at this and have basically said there is no way that we're going to fluoridate our water. You might just as well ask all of these scientists around the world, and many europeans, closer to the united states, gee, what are you seeing here that we're not? Well, I think what they're doing is they're looking at all of the science. And they don't have the blinders on. They're not looking at lists of organizations. And by the way, I might add, because the list -- the list --

Adams: You asked a question, you are having a conversation about a specific issue that -- did you have more?

Leonard: No.

Adams: Commissioner Fish.

Fish: A quick follow up. Appreciate your patience.

North: I appreciate your questions.

Fish: If we don't have any studies that we can point to that track this issue of i.q. Domestically, there is another measure that we can look to potentially. We know over the last 50, 60 years, there has been a steady increase in the number of united states citizens who drink fluoridated water. We could look at aggregate data on trends and i.q. Nationally. My question to you, if you know, since 1950, has the i.q. In the aggregate for americans gone up or gone down?

North: Well, I have -- interesting that the i.q. Of americans has gone up. Okay. In the aggregate. But that doesn't mean anything. Because if you look at the years before that, you know, before the fluoridation really started, they were going up at the same rate. I question --

Fish: I want to be clear. I was born in 1958. I am not in any way implying that my birth contributed in an increase in the i.q. And I think many people here would probably vigorously resist that assertion if I made it. But I -- but it just seems to me, and i'm trying to understand this at a more practical level. If we had a history of steadily increased incidents of fluoridated water in this country, one benchmark we might want to look to is where the i.q. Rate is going. And if it has been marching upward in tandem with the increase of the number of people drinking fluoridated water, it may not prove a point, it might rebut your thesis based on some scholarship which has come under question in china that there is a negative impact -- I just offer that -- it seems to me a salient point.

North: Just an observation here. When you are looking at i.q., there are all kinds of variables and -- the fact is that this has been going on, this steady, you know, every -- 23 years of studies. Some better than others, absolutely. 23 years of studies associated higher fluoride to lower i.q. Not one study done in the united states. I will tell you what comes to mind. Criticism of other studies. Why don't they put their money where their mouth is. I don't know if this is don't look, don't find, or what. But we have been trying to get studies in the united states and they won't do it.

September 6, 2012

Adams: Thank you.

*******:** Excuse me, mayor.

Adams: Kim, a question for you. We can ask questions of specific folks, but otherwise you are limited to 3:00. I wouldn't get to other panelists. I am going to ask kim a question. Excuse me. I read a heart felt blog post. I want to thank you for your advocacy on this issue. Whether we agree or disagree, I like it when people get involved. I read a blog post that you got into this specific issue in '05, when you read a study about osteosarcoma, and young men, young male kids. And I want to give you a little more time to talk about that. And then what was that study and has there been additional work done on that specific issue that illuminated the initial studies findings?

Kaminski: Well, there were studies prior to the 2006 harvard study which showed an increase rate in osteosarcoma, a rare but often fatal bone cancer. And I had a five-year-old at the time. And I was very concerned, because what that study did was look at age-specific exposure. So, the author found that boys between the ages of five and 10, who are exposed to fluoridated drinking water during the growth spurt, were 500 times more likely to develop osteosarcoma than boys that did not. She also looked at the age between zero and 20. Because when children develop osteosarcoma, they often die before they turn 20 years old. There has been subsequent study, where they spread out the -- they were not just looking at zero to 20, they were looking at zero to 75. At that point it became statistically irrelevant. The reason why the study is important is because it looked at the population. Looked at specific ages of exposure, where the following study did not.

Adams: Thank you all very much. Appreciate it.

Fritz: A question, I think the four of you were very, very helpful and good spokesperson for this well-reasoned debate. There are good studies on both sides I believe. Kelly, what did you want to add?

Barnes: A quick comment --

Adams: Ma'am, I have to treat everyone the same. She didn't speak to you directly. Oh, you did.

Barnes: She did. I was under 3:00. I have 20 more seconds.

Adams: It doesn't work that way.

Barnes: My only comment was in regard to the cdc comment, yes, this has been proclaimed to be one of the 20 centuries great things, fluoridation, but that same document states that the benefit is post eruptive and not topical. Commissioner Fish, a good idea to do an aggregate study. Granted it won't prove a thesis, but it can rebut one as being safe. Thank you.

Adams: Next four in opposition.

*******:** You will be forcing me to move if you fluoridate.

Adams: Ma'am, you are not helpful. I gave you the time. The next four.

Adams: Would you like to begin?

Malogosi a Cegielski: Good afternoon, I will take one half second to say that for the dental pediatric epidemiologist, there is no such thing as a half an i.q. Point. It is not measured that way. I have never heard in my 30 years of being a psychologist a half an i.q. Point being referenced. I'm very concerned about the impact of fluoride on young brains giving the mounting evidence neurotoxicity -- I have been diagnosed with multiple chemical sensitivities, mcs. The american academy of environmental medicine explains mcs an a very real chronic medical condition. Recent estimates suggest that the chemical sensitivity, meaning hyperreactivity to various environmental agents affects 10 to 15% of the american population. American academy of environmental medicine, international association of physicians and scientists researching the relationship between health and the environment. Position paper on fluoride states fluoride is a known neurotoxin and carcinogen even at levels added to public water. They support banning the addition of fluoride to public water systems. My dentist put topical fluoride on my teeth. I

September 6, 2012

mentioned this. He recommended that I never put fluoride in my mouth again. We talked about the impact of water fluoridation on my health. For me this is a frightening prospect. My doctor practices in Vancouver. Expensive water filtration system in his home and office. Further more, multiple chemical sensitivities is a disability under the American with Disabilities Act. This law created permanent civil rights protections for people with disabilities. Therefore, I believe it is my legal right not to be forced to consume fluoride. I am the canary in the coal mine. Per the statistics provided by the American -- affect of health of 60 to 90,000 citizens. Find it hard to believe elected officials are willing to deny this evidence. Thank you.

Adams: Thank you for your testimony. You cited that you -- you spoke very fast, which I appreciate, but you said known carcinogenic and a citation. I want to be sure I capture that.

Cegielski: American Academy of Environmental Medicine.

Adams: And then -- that was the same citation then for the last point you were making as well.

Cegielski: Yes. And I just extrapolated to the population of Portland.

Adams: Thank you very much. Hi, welcome.

Dr. Patricia Murphy: My name is Dr. Patricia Murphy. If you vote to add fluoride to our water, you have the ethical and moral obligation to understand how fluoride affects human physiology. I submit that you do not. Fluoride affects more than just the teeth. You've heard from other people that there are several groups of people at risk. I wanted to add about infants. The CDC says that infants should not drink only fluoridated water. I suspect that those who have low income are not going to be able to afford bottled, unfluoridated water for their infants. Mayor Adams, the letter you wrote you stated -- no negative effects from fluoride, this is factually wrong. They cite many concerns with fluoride. I submitted a document to you that in part explains the NRC fluoride report written by one over the authors of the report. I highlighted it for easy reading. Only 20 pages as opposed to over 500. A few concerns raised by this report are -- they said -- they say flat out that it is an endocrine --

Adams: August 17th?

Murphy: No, April 2011. I just gave him the quote. Okay.

Adams: We have it. Yes. Okay.

Murphy: As far as the endocrine system, they have particular concerns about diabetes and the thyroid. And we know that those are two major problems in this country right now. They state that fluoride can interfere with functions over the brain and body. Including concerns about brain chemistry, free radical formation and the immune system. Since fluoride is stored in the bones and the immune system, a lot of immune system -- made in the bones, this is a particular concern.

We need to know what kind of interaction is going on there. And it took decades of intense investigating of lead for us to finally accept that lead lowers i.Q. The indicators are such with the i.Q. Studies that it looks like fluoride made be headed in the same direction. This is something really to take -- I think to take seriously. We -- ignoring the red flags we have now from the research is irresponsible. It is also poor public health policy. I feel like everybody deserves good teeth. Everybody deserves good food. And everybody deserves to be healthy. Fluoride is not a silver bullet here. Portland has adopted the precautionary principal as policy. It is time to invoke it in relation to water fluoridation. Thank you.

Adams: Hi, welcome.

Charlie White: Thank you. My name is Charlie White. This isn't about me, but I am one of the over 59 million Americans living with mild to severe thyroid symptoms. Some of these are fatigue, weight gain, low blood pressure, fluid retention, constipation and more. This is a public health issue. It is -- -- there are others who can address that. The very children you aim to help with water fluoridation will actually further compromise their already compromised immune systems because these children don't have adequate nutrition. They are needing adequate education nutrition and dental care that they're getting. We need to take responsibility for our

September 6, 2012

own health. And we feel those of us who are concerned about water fluoridation are feeling that our health is jeopardized by this decision. There are many of us who will be at risk. You are actually risking the health of an entire metropolitan region, despite our objections to adding this cumulative body burden of toxic chemicals, lead and arsenic also come along with fluoride. And other pollutants. We either honor the precautionary principle you signed on to in 2006, you would protect us from fluoride, not force us to drink it. Your decision of forced fluoridation is not only unconscionable in my opinion, but guarantees the people of Portland increased thig rid dysfunction, heart disease, obesity, cancer to name a few. And I say that is possible. As city council members, you are legally responsible for these health effects which are the real crisis. Approximately two-thirds of the water in the united states is synthetically fluoridated. It is no wonder that tens of millions of americans are suffering from the effects of toxicity, spending billions on prescription drugs to relieve their most common symptoms. While it may not be water fluoridation alone, credible institutions suggest it is a major contributor to the ill health of the population. All of this while there is no government agency, no public institution, no medical board. No special dental special interest group, no public health official, no city commissioner and no individual who has ever taken responsibility for the disruptive health effects of this ill advised policy. Portland is reveered as progressive. To mandate an outdated, unsafe, water fluoridation policy -- destroy our resource and compromise our health. Do I have more time

Adams: You are out of time. I want to get your take. You talked about, someone else mentioned and we will have questions for others as well, the Portland metropolitan area better tooth health than the rest of the state of Oregon. And I don't -- I will ask staff to research that, but two big cities in the metropolitan area fluoride their water. Wouldn't that be expected? Vancouver, Washington, which is 150,000. And beaverton which is almost 90,000. Wouldn't that make sense, the two big --

White: Can address this better than i, but I know for a fact that the overall statistics include Oregon. Based on Oregon statistics. Portland children who have not been fluoridated typically have better teeth and a whole united states statistical standard.

Susan Miller: My name is susan miller. This has been a fantastic experience today to hear all of the comments made by everyone. I think it is a great coming together. And I appreciate our working together. So, mayor Adams and commissioners, I just want to say that the city's teachers are back in the classroom this week. As a result, they cannot be here. But I just retired at the end of the last school year, so I can contribute, I hope to the well being of all of those people involved in the educational process. Teachers love their students. Take great joy in their every progress and hurt when those kids hurt. That's why i'm here today. I taught in a fantastic high school in beaverton for 11 years. I would like to tell you what I saw after beaverton fluoridated its water supply in the spring of 2004. Within a year of that addition, I was certain that I saw decreasing memory among my students in such mental functions as remembering vocabulary, grammar, and facts, integrating ideas and seeing connections. Learning any foreign language uses many more mental functions than just learning in our native language. It is not surprising that some of those impairments seemed to show up in a foreign language class. With each passing year, the memory loss seemed more pronounced and I heard many students express their own frustration at themselves for the things they could not remember anymore. For the past two years, it was clear that I was not the only teacher seeing this loss of memory, though other teachers did not know what might be a cause. Long-term experienced teachers especially commented nearly every day in the teachers lounge about their frustration with the students poorer memories. We all agreed that today's students were not as strong as those of five years or so ago. Our principal agreed there seemed to be academic difficulty, most notably among the boys. Because of foreign language class requires back and forth communication, class became more frustrating. Many just looked blank. Many were distracted, and often they said they had

September 6, 2012

nothing to say, even when we had visitors from foreign countries there. I also noticed that they seemed much less curious than my previous students before that happened. I was concerned about what appeared to be decreasing language capacity as well as memory, but as the grades dropped, the -- even my best and brightest students were commenting about their lack of memory and their stress level was rising because of that. There were also indisputable visual signals that something had changed. Unprecedented, at least for me, spike in the number of students with fractured and broken bones --

Adams: Your time is up.

Miller: Can I tell you one thing?

Miller: We had a boy that came down with osteosarcoma and he died. It took three years. It was the saddest thing our school ever, ever, ever went through. And I just want to say, that if there is the slightest possibility that we could prevent one death in this hideous way by keeping the fluoride out of the water, I would say please let's look for every other way that we can help the children that they have talked about without putting it in the whole water supply.

Adams: Thank you for your testimony. Thank you all.

Miller: You're very welcome.

Adams: Let's take parents with kids and then we are going to take a break for five minutes. Compassion break. I see some of you looking uncomfortable. Parents with younger children. Universal -- we're agreeing on compassion break. Okay. Hi, welcome.

*****: Hi.

Adams: How are you? What's your name?

Adams: Welcome. Is this your first time at the city council?

*****: Uh-hmm.

Adams: What do you think so far?

*****: I don't know.

Adams: Would you like to have a tv that big in your front room?

*****: Yeah.

Adams: And hi, how are you?

Adams: Would you like to continue?

Damien Fair: All right. Good afternoon, mayor Adams and commissioners. My name is damien fair. I am a neuroscientist and father -- I run a lab where I study brain development. Why I support water fluoridation for Portland and I will cover two points. The first with regard to the significant amount of misinformation circulating on the internet causing concern on whether or not we should join the other 200 million americans -- I reviewed this evidence, and what I have concluded is in line with the centers of disease control and prevention, environmental protection agency -- -- there have been studies conducted in china, iran, mongolia and other countries where fluoride levels are naturally higher in the water. Up to 15 times greater than the optimal levels we find in the u.s. Studies reviewed by the national resource council. And the harvard study, the primary measurements used in all of these studies is i.q. Which, by itself, is a quite controversial way to estimate mental abilities, especially across cultures from the multitude of these studies compare the i.q. Results with children of high versus low fluoride areas. The control groups actually had levels of fluoridation in many studies that were similar to what is found in the u.s. At the highest levels of exposure, minor differences are found well within the standard of error measurement for i.q. Testing and without controlling for other factors such as parent education, family income, school attendance, other children's exposure to arsenic and lead all factors that can affect i.q. In the u.s., average i.q. Scores have increased 15 points since water fluoridation was initiated in 1945 highlights the safety of this intervention. Second point related to the question, how does fluoridation assist in brain development? Some of the most influential factors that lead to typical brain development are the environment and stress. The pain and stress of tooth

September 6, 2012

decay -- children often miss school, which engenders lower grades -- these problems are not hypothetical. They are real and importantly we have an opportunity to do something about it. As a father of these two beautiful children my hope is that they will have the access of water fluoridation as I did when I was a child. I hope that their friends and peers, not all of whom are as well off as my wife and I have access to the same benefit. Good oral health promotes healthy brain development, maximizing all of our children's mental abilities.

Adams: How do you think your dad did?

*****: Good.

Adams: You're a smart kid. Hi, welcome. Who is this?

Fair: This is brianna, my granddaughter.

Adams: How are you?

*****: Hi.

Adams: She is shy.

Mary Lou Hennrich: Mayor Adams, city commissioners, i'm a second generation Portlander residing on the east side of mount tabor. 89-year-old dad, two adult children, granddaughter all born in Portland. Spent my career in public health, improving the health of children, improving health disparities -- I want to applaud you mayor and commissioners for announcing your support of fluoridated water. I hope you make it a unanimous yes vote, commissioner Saltzman and Fritz after hearing the informed and supportive testimony today from experts residents and community representatives. I am here asking you to take the most effective and economical step possible to protect Portlander's teeth -- i'm here to remind you that even people like my family who have been blessed with good education, access to healthy foods, family wage jobs and some level of dental insurance have experienced much unnecessary dental disease because we were born and lived our lives in Portland without the advantage of fluoridated water. I have had several dentists comment on my and my children's teeth saying oh, I can see you grew up in Portland. My father recounts similar comments. These statements were not said in a complimentary manner. Vote yes and take this long overdo step to assure all of us who drink our water have the presented health benefits of fluoridated drinking water. I have been listening to a lot of opposition. I don't have this in my testimony. I'm not here speaking as an expert today. There are a lot of experts who will be speaking and refute things that I believe are not scientifically based. I'm here to say for my granddaughter, I am in many ways sorry that she lives across the river in vancouver, but for the sake of her teeth and health and her brain, she is quite bright, as every grandmother believes i'm glad she lives in a city where fluoride is strengthening her teeth as she drinks the city's water.

Adams: How do you think grandmother did? You got very still all of the sudden. We are going to take a 5:00 compassion break.

(The meeting recessed at 5:00 and reconvened at 5:10.)

Adams: If I could get everyone to please take their seat.

Adams: We have someone who is recovering from surgery. We are going to give them, in addition to children, if you have had surgery in the last week and you have a note from your doctor, I will give you priority to testify. Ben hoffman, dr. Ben hoffman in the house. I think I violated a hipaa rule, but sorry. Anyone else with recent surgery in the last week? Anyone at all? All right. Three more anti fluoride.

Adams: While they're coming forward, doctor, would you like to begin.

****[speaker did not give name]: I would like to, thank you so much, mayor Adams and commissioners. It is a pleasure to be here. Before I begin, I want to make one comment as a pediatrician in response to one statement that was put forth by one of the opponents about water being appropriate for infants to drink on the cdc recommending that infants not drink fluoridated water. The issue is around water as a sole beverage for children six months and under. It is

September 6, 2012

perfectly acceptable, to mix infant formula with fluoridated water. So, every time she laughed she put her hand up to cover her mouth. As her new pediatrician, I worked hard to make this four-year-old girl feel comfortable with me. I realized she wouldn't show her teeth. I figured out why.

She didn't have any. She had remnants of them. They decayed in gray stumps -- she was ashamed to show them to the world. She was born and raised in Portland. Although her single mother did the best she possibly could, she was raising the girl alone, working two jobs, by her own admission, giving fluoride drops was yet another thing that she had to worry about. My family and I moved to Portland last summer. My wife and I spent our entire pediatric careers serving in underserved communities -- we thought we had seen severe dental disease. It turns out we had seen nothing yet. We were shocked at the state of the oral health in our patients here in Portland. We were shocked to learn about our community's approach to water fluoridation. Water in Portland is already naturally fluoridated, but just not in sufficient concentrations to optimally protect our teeth. Water department optimizing levels of other natural occurring levels, and we accept nutritional supplements in our food and drink. Why should we treat fluoride any differently? I have lived 45 out of my 46 years, practiced 19 out of 20 years pediatricians in communities with fluoridated water. This is the first place I have ever lived and ever practiced that didn't have fluoridated water. If fluoride was a dangerous toxins without adverse health effects, don't you think we would see those differences in health outcomes between our city and those that do fluoridate? If you look at the data, you will see one significant difference. Children in communities without fluoridated water have significantly higher rates of dental disease and the consequence adverse effects there of. No higher rates of cancer, birth defects, decreased i.q. Or any other category of illness or disability. I took my 16-year-old -- dentist didn't know where we had lived previously. He took one look in her mouth, looked at me and said, oh, where did you just move from? He knew at a single glance that she had grown up in a place with fluoridated water. The true cost of fear around water fluoridation is borne by the entire community but paid for most dearly by our children. No child should ever have to hide their smile.

Adams: Thank you, doctor. Appreciate it. Hope you heal well.

*******:** Thank you so much.

Rev. Dr. Steven Bailey: Reverend dr. Steven bailey. Three dr. Steven baileys in Portland, so I had to throw another degree so I get all of these confidential records sent to my office. I am living in the 7th decade in my southeast neighborhood within a mile. Nick Fish was not here, but I think commissioner randy Leonard was when the cattle died out by the alcoa plant -- we were -- at the same time manhattan project and elsewhere we have seen aluminum company -- detrimental effects at the same time fluoridation was being proposed as a safe -- I have practiced in Portland for 30 years. Nonprofit in north Portland, columbia villa to teach healthy nutrition every month. On the back of the notebook is our nonprofit statement by amy rutherford close, wife of a Portland policeman who went to the gulf crises. They have two children who -- our handicap is opposing fluoridation. Amy grew up in los angeles and with fluoridation lost most of her teeth. Her two children who she has to especially adapt diets -- have no cavities. My daughter who I will not let fluoridate her teeth has no cavities. She is in eighth grade. You have been subjected to a terrible bastardization of the american language. If you want to take in 30% of the 100% that we spend. You would not call that a balanced budget. 30% of carries -- it is not prevention, it is reduction. You have been talked about prevention. It is a preventative measure but it does not prevent carries. The habits that create these carries, and you have a time line and outline. Most important things that I wanted to tell you, this is a short period of time. I'm also author on my national profession heavy metal toxicity. Medical textbook most medical schools use, fluoride is mentioned twice. It talks about misinformation by the proponents, fluoride does not seem to be a necessarily element for metabolism. I would ask you to ask one of your supporters to identify a single healthy biochemical pathway in animals or humans -- it does not exist -- I have read these.

September 6, 2012

This is light reading. You just read them from start to finish and try to remember it. Fluoride does not make the teeth stronger but poorly understood effect on -- it is not required as people say for the calcium appetite conjugation and weakens the bone and along with cdc, topical as the sensibility, but -- physiology says the topical application but no generation from the pope from inside the system from drinking water goes into the outside of the teeth. It is a topical process. I provided you with 10 different articles. I talk about the fact when we started fluoridation --

Adams: Your time is up.

Bailey: 13% mercury was safe for human consumption and I worked on the lead pipes in Portland for a long time. Risk analysis should make you want to slow down reconsider. Thank you.

Adams: I have a question for you.

Bailey: Yes.

Adams: So, we have chlorine in the water. Ammonia.

Bailey: Yes.

Adams: Sodium hydroxide, all very dangerous chemicals.

Bailey: Yes, absolutely. I understand toxicology, but I do --

Adams: And my question to you is, do you support those chemicals being in our water?

Bailey: I have always since the early '70s had a water filter and recognized studies on chlorine and gas increasing the endothelial inflammation and increasing cardiovascular disease. I think you need to let the chlorine out gas. Regulating microbial invasion into our water as it gets to us -- but I will not drink chlorinated water unless I have no choice.

Adams: And sodium hydroxide?

Bailey: You see, hydroxides and sodiums, if you look at sodium, look at the citation, 62, biochemicals, normal part of the human physiology have much less potential to interfere with normal physiology.

Adams: Okay with sodium hydroxide.

Bailey: I'm saying that that will be -- I would prefer to drink straight bull run --

Scott Fernandez: concerned citizen and trained scientist -- how is -- sodium fluoride and other forms of water fluorides are waste products of the nuclear aluminum and fertilizer industries. These are not pharmaceutical grade chemicals. These are waste products. With known contaminants that include toxic and carcinogenic chemicals, arsenic, cadmium, chromium, copper, lead, mercury, and radioactive materials, radon, radium, uranium -- these over time have a cumulative effect in the human physiology in the body. This is gross negligence by doing this knowingly and willingly. One of the things that Portland is very proud of is the Portland community gardens. Last Saturday, I spent the afternoon at the community garden as we were finishing up building it and putting it into place. At that time, there were a lot of children there waiting in anticipation for the next spring to have a bounty of fresh produce that they could have for their neighborhood. But they don't know when fluoridation, if it takes place, that these chemicals that I just described will be introduced from the drinking water into the irrigation system and uptake in these fruits and -- in the vegetables that they are going to be waiting to eat. This will, again, be a cumulative effect. How do we tell them that we are knowingly giving them these toxic chemicals, allegedly for their better health? Secondly, the water bureau has spent millions over the years in a lead abatement program. How do we tell our citizens that we are doing everything we can to remove lead from the system through leeching and other areas, when we are knowingly adding lead to the system and the drinking water that they will be consuming? It doesn't make any sense. Please vote no on fluoridation in our water. It is not a public health benefit. And as far as the treatment goes that you are talking about with chlorine, ammonia, sodium hydroxide, that is a treatment for water. It is a very distinct difference. With the fluoridation will do is a treatment for medication. Not treatment for water.

Adams: Sodium hydroxide is --

September 6, 2012

Fernandez: It is draino essentially.

Adams: We use it to harden our soft water.

Fernandez: Let me finish.

Adams: I actually didn't finish my question.

Fernandez: A chemist I guess.

Adams: No, i'm asking you these questions and you will have a chance to respond to them. We add it to the water, as required by I think the Oregon health authority, so that we manage or sort of kick back copper and lead. But in and of itself, it is a very caustic, very dangerous chemical. But in the right sort of amounts, it has had an additive effect. I want to hear your point that the amount matters, the dilution matters, the parts per million matters for all of these. I would assume you would agree. I want to give you a chance to why sodium hydroxide, which we could choose not to put in there. Why that is okay.

Fernandez: I think -- you just made the point for no fluoridation. Sodium hydroxide is put into the -- into the system to stop leeching of lead. Yet you want to add lead to the fluoridation process. In the fluoridation process, you will add more sodium hydroxide, because -- you will have to add more sodium hydroxide. You are giving the community a double whammy of adding this chemical that we don't need if we don't add fluoride. You are screwing us when you do both things --

Adams: I appreciate that response. Now chlorine, ammonia, sodium hydroxide, we all add to the water. Again, they're all incredibly dangerous in the wrong doses. Would you agree?

Fernandez: Um, yes and no. It depends on what kind of format you are putting it in and how you are going to use it.

Adams: Okay. Thank you. I appreciate your testimony and answering my questions. Next.

*******:** Oppose or support?

Adams: Let's see one more of oppose.

Adams: The next four off of the pro just so that they can get ready.

Adams: Hi, welcome. Ma'am, would you like to begin?

Nancy Chapman: Certainly. Thank you, mayor Adams and commissioners for this opportunity to come before you and to tell you why I oppose fluoridation. I'm a retired cancer physician. There is strong evidence to the contrary. You have heard about osteosarcoma and this is very alarming to me as a cancer specialist that occurs in children and young adults. It is a bone cancer that may result in amputation of an arm or a leg and even death. Some human studies show no association, but in 1992, new jersey health department reported a higher incidence of this cancer in young men in fluoridated versus nonfluoridated cities. 2006 study showed a link between tap water fluoride at levels common in u.s. Water supplies and this cancer in boys. The range for which the link was most apparent was for exposures at ages four through 12 years. Proponents of water fluoridation will use a 2011 study, as proof that water fluoridation is not linked to osteosarcoma. But there are several major problems this study. The first is that it did not address the age of exposure, which the 2006 study pointed out. The comparison group was older patients with longer lifetime accumulations of fluoride in their bone. So, a difference would be hidden. Chronic exposure to fluoridation has also been shown to increase the risk of burn fractures in the elderly, especially the hips -- bone fractures in the elderly. These fractures result in death in about 25% of patients. Fluoride makes the bone more susceptible to fracture and causes the condition called skeletal fluorosis. In a report of bone fluoride content for residents of fluoridated toronto, who underwent total hip replacement for arthritis, two had -- in the range of skeletal fluorosis. No effort to identify skeletal fluorosis in the u.s., but arthritis is the leading cause of disability here and affects 50 million adults. It is possible that a significant fraction of these cases is due to fluoride exposure. Until more studies, such as those suggested by the national research council in 2006, are performed, we need to take a precautionary approach. I

September 6, 2012

urge the Portland city council to avoid making the mistake of adding fluoride to our drinking water. Thank you.

Adams: Thank you for your testimony. Hi, nice to meet you in person.

*******:** Yes, nice to meet you. Thank for having me. I would like to say I have a petition here of 3,000 --

Adams: Repeat your name.

Mark Colman: Mark colman, a concerned citizen. I have a petition of over 3,000 voters that have voted against fluoridation. But i'm not really here to talk about fluoride. I'm here to talk about the democratic side of it. In the ordinance, the timeline says that it should be effectively added to our water by march the 1st, 2014. When this was first raised, randy Leonard, according to the Oregonian, said it would take five years to build the fluoridation plant. Some people are saying that there is an initiative that has been filed that would go to ballot in may 2014, and it that this shortening of the timeline is a way to ram this through without voters having time to get the signatures on the ballot and oppose it. What i'm suggesting to you, to prove to us it is not true, why not change this part of the ordinance to three years. Compromise not five years, not 15 months, but three years. And I also would like to note that most of you have before this meeting, decided that you are against this. And before you heard anything anyone had to say. So i'm not asking you to change that. I'm asking you to change the time line to prove that you are not trying to get this in before the citizens have a chance to get an initiative and vote on it.

Adams: Thank you.

Fritz: Mayor, if we could before we vote next week get information on the water bureau on time lines and what it all entails, I would appreciate that. Thank you.

Adams: Hi, welcome.

Joe Miller: Hi, my name is joe miller. Time has changed dramatically since fluoridation was initiated. In order to have a beneficial effect, it had to be swallowed. Current research indicates that only a topical application will have a beneficial effect. The whole idea of fluoridation systemically is inconsistent with the current evidence. Number two, there has been a dramatic increase in our cumulative aggregate exposure to fluoride across time. As more and more communities have gotten fluoridated, more and more fluoridated water is being used to process food and beverages and drinks and so forth. There are a number of fluoridated pesticides that are used. They wind up as fluoride residue in the foods. So, basically we have higher levels there. Then we have fluoridated dental products. Toothpaste, rinses, and so forth. A number of other sources as well. The point is that across time since fluoride has been initiated in the 40s and 50s, we have more and more cumulative exposure. This cumulative exposure is creating more and more health problems. In the 40s and 50s, fluorosis was a rare condition. The most recent data from the cdc, says that 41% of youth 12 to 15 have some level of fluorosis. Fluorosis is a sign of excessive fluoride. It is a function of all of those different things going on. There are all sorts of other health problems that are occurring as well. We now know, and we did not know when fluoridation was initiated that infants and young children are especially vulnerable to fluoride. You can begin to see, you know, society is reacting. Ada recommends fluoride-free toothpaste under two. Cdc says under six, you should use child strength toothpaste, which is half the normal level. The health services administration recently reduced the level of fluoride. And all of this is in acknowledgment of this increasing fluoride load that everybody is exposed to. And in 2011, dr. Kathleen thiesen, notable risk analysis professional and participated in the 2006 national research council study, reviewed the research on the effects of fluoridation on the oral health. Her conclusion -- I will just give her conclusion. This is a quote. The availability data responsibly interpreted indicate little or no beneficial effect of water fluoridation on oral health. This is a risk professional. My comments, longer comments are available over there. All of the links are in there. I would encourage you to review the study. Incredibly revealing study.

September 6, 2012

Adams: Sir, your time is up. Any last comment?

Miller: Given all of the above, why would we subject our children, our animals, information on horses --

Adams: Comment meant a short barb.

Miller: This will be very short. Why would we subject our children, animals or ourselves to fluoridating our water supply and everything that we grow or create --

Adams: This is more than a barb, but I appreciate your passion. Can you press that button in front of you?

Floy Jones: I oppose this fast track plan to fluoridate our water supply for many reasons. If you want to address children's poor diet and dental hygiene problems, expand at low cost the free dose control fluoride program by schools, to make that available during the summer break. This addresses the target population without causing harm to others. Families have the option to reject that available free fluoride. Contrary to the ordinance statement, the city has violated its own public involvement principles adopted in 2010. I attended all of the water bureau budget meetings from september to june. As well as the whole sale customer meeting. Absolutely no mention of this plan was ever brought forth during any of those meetings. Bull run advocacy and environmental organizations and others have had no opportunity to adequately consider this plan.

Hard working citizens struggle to afford the 63% water rate increase that the majority of this city council impose since 2008. Those on kidney dialysis, are already paying high medical and water bills. They're going to be harmed. How can we protect families with infants, you know, who need to prepare infant formula, but can't do so using fluoridated water. Our pets, organic gardens and beer and those who reject the idea for its medication. The water department in 2010 asked city council to terminate fluoridation reporting the biggest costs came down the road, much higher than expected costs when the system was initially installed a decade prior. I provided you with a document. The report on that. Their equipment was harmed by the -- requiring replacement, higher operational costs, including the costs of the caustic acid itself. Operational costs in Portland alone will raise water rates. The Portland water bureau is noted in their report a low confidence in their project cost estimates. Fast tracking a five-year project to 15 months demonstrates there is water bureau budget bloat in an effort to thwart the democratic process. What budget cuts were not made that allowed for this fast tracking. We heard during the budget process that the water bureau had 15 vacant positions and like the bureau of environmental service. 99% of fluoridated water will turn to the environment. The water bureau committed rate payers to the most expensive Fish restoration plan that is now up from \$100 million to \$124 million. Fluoride causes harm to Fish. What scientific study as the city done or anyone that has determined our individual fluoride exposure from all sources. Before you can say fluoride --

Adams: Your time is up too.

Jones: You need to know when total fluoride exposure from all sources.

Adams: You mentioned to improve and beef up the school dental health program. I want to give you a chance to respond. The slide of the kids we saw. Kindergartners, five, six years old.

What do we do about the zero to five or six-year-olds that are not -- that are not in school?

Jones: Well, infants should not be ingesting fluoride. Because that is where you will have the fluorosis problem.

Adams: You heard other testimony that after that time passes, you still have years -- you still have years, they're not in school. I want to give you a chance to --

Jones: I'm not an expert. I think you can expand a program. Expand the topical fluoride program and keep it out of our water supply.

Adams: Thank you all very much. All right. Four pro.

Adams: Welcome. I forgot which name was first.

*****: Metra.

September 6, 2012

Adams: How do you do?

Mitra Ebrahimi: I'm the clinic operation manager of -- health center dental clinic. Our clinic predominantly serve low income individuals such as uninsured children and adults. I believe that all of these patients would benefit from fluoridated water being readily accessible. Fluoridation is a community health procedure that provides all children and adults, regardless of income, education, or ethnicity, prevention from tooth decay. Fluoridation is a preventive measure that not only benefit those with dental insurance, but goes even further for those who do not. I think this is an important implication to consider when analyzing such a decision to add fluoride to our water. We regularly treat children with rampant cases of tooth decay causing painful reaction. Too often we have patients under the age of four years with such severe cavities that their teeth could not be distracted without surgical procedure. These children do not have access to continued dental care, nor they have the knowledge to prevent such a problem from occurring in the first place. More importantly, these children, area that lacks water fluoridation. I personally have given fluoride supplement to my two children as they were growing up. I wish there was access to water with fluoride. As a mother, nonprofit dental manager, I advocate the process of water fluoridation as an effective and efficient way of improving our community dental health. Drinking fluoridated tap water is the best protection against unnecessary pain and suffering caused by tooth decay. This is the opportunity to make the right decision for the people of Portland that have will positively impact the city's health for years to come. Thank you for your time. I appreciate it.

Adams: Thanks for your testimony. Welcome. Thank you for waiting.

*******:** Thank you for having me. Jerry hill, just a concerned citizen.

Adams: Just, you are a concerned citizen.

Gerald Hilts: Thank you, sam. I have three quick points I want to make. The first point has to do with science. Last night at the democratic national convention, former president bill clinton got a bit of a laugh line when he mentioned that his budget is balanced because his party knew how to add. And got another laugh when he suggested that the opponents disregard the science of economics which caused them to double down on trickle down. It was funny but it points to a bigger problem that I think we have, particularly with the party he was mocking at the time. We have this thing in the world right now where we seem to be anti-science. And we see it in the economics that he was referring to. We see it when we talk about -- when certain people's personal faiths are questioned by theories of evolution. We see it when people feel that their economic -- threatened by the science of global warming. And despite overwhelming evidence, or just simple addition in some cases, we have groups of people that find these fringe -- fringe science claims or any sort of tangent that supports that they even latch on to that, ignore anything that doesn't. And I think I can see a lot of that around me and my friend and neighbors here and their emotional response when we had the expert panels up here discussing it earlier. They were rejecting it just -- in sort of almost emotional violence in their faces because it disagreed with them. I think that is based on fear. So, I think -- what I want to do is I want to applaud the council for getting past the fear. Looking at the science. Looking at the real data. Looking at the expert opinion. And not latching on to the fringe opinions and doing what is right for the health of our community. The second point I want to make, and i'm sorry that commissioner Fish is not here to hear this. I wanted to applaud his decision to not kick this down the road, no shirk your responsibility of our elected officials to vote on this. A number of people have suggested that you delay this, popular vote. I don't think every decision has to be based on the whims of the people. I appreciate your role as considered legislators to listen to these things and make decisions and vote on that. And i'm just going to leave it there. Thank you.

Adams: Hi, welcome. Thank you for waiting.

September 6, 2012

Dr. Bob Mendelson: Thank you. Mayor Adams and members of the commission, I'm Dr. Bob Mickleson, I was born and raised in Portland and have practiced pediatrics here for 40 years plus. Father of four, grandfather of eight, all who received supplemental oral fluoride because it was not available in the water. Every child health organization to which I belong strongly supports fluoridation at point seven parts per million for all drinking water. These include the American Academy of Pediatrics for whom I am a national spokesperson, Oregon Pediatric Society, whose board I sit on, and the Children's Health Alliance, Children's Health Foundation of which I am also a board member. Our fluoridation coalition that has been formed represents 77 different organizations that have children's medical and dental health as one of their primary objectives. They are also in full support of fluoridation of our water. I prescribed oral fluoride for all of my patients who lived in non-fluoridated areas. Some of my patients were fortunate to live in fluoridated communities such as Beaverton and Vancouver. They did not require the supplementation. During my 40 plus years in practice, I never saw a single case of fluorosis in children. I'm most concerned about the unfortunate children who did not receive adequate dental care and those who can't afford oral or topical fluoride. As a personal aside, I would like to mention, my current residence is in the West Slope Water District. West Slope has never approached us as members of -- as their constituents to see if we were interested in having fluoride. But because we are a small community, contiguous with a very large community that is fluoridated, Beaverton, I have a feeling that if we did take a vote in West Slope, we would fluoridate our water as well. The other personal aside, I have not had a chance to look it up since the statement was made. There is no medical evidence to the best of my knowledge, or anything that I could find as I looked it up that fluoride has any suppressive effects on -- at point seven parts per million on suppressing thyroid function, which was mentioned earlier today. I urge you -- well, let me say one more thing. It is embarrassing to practice in the largest community in the United States, which is not made arrangements to fluoridate its or our water. I urge you to support fluoridation. And to make Portland in the same majority as the 70% of the rest of the country who have the benefits of fluoride in their water. Thank you.

Adams: Thank you, doctor. I appreciate your testimony. And you look like -- you have the appearance of what everyone I think -- a lot of folks would think a doctor would look like and you talk like a doctor would talk. For a male doctor.

Mendelson: I will take that as a compliment.

Adams: But I have been called a lot of things in this debate on line. And I'm going to call you them and see how you respond. Aren't you just a mouth piece for big fluoride?

Mendelson: I'm a mouth piece for the American Academy of Pediatrics who looks at all things having to do with health issues and who has decided that fluoridation of all public water supplies would be a good idea for the children that we are privileged to take care of.

Adams: And aren't you, though -- aren't those organizations hostile to looking critically at fluoride?

Mendelson: Not a bit. As a matter of fact, our dental colleagues who have cited with us in the ADA, American Dental Association, and all of the local colleagues and dentists that you have heard from, they will be less busy because if children have less cavities or carries as we have said. They're just going to have less work to do. That is a good thing. We're all for it. It is kind of like pediatricians being all for immunizations.

Adams: Thank you, sir. Welcome.

Heidi Jo Grubbs: Heidi Joe Grubbs, I'm here as a Portland resident, proud parent, dental hygienist and member and immediate past president of the Oregon Hygienist Association. I speak in favor of community water fluoridation. I worked in many areas around the Portland area. I seen the difference that community water fluoridation can make. When I work in Salem, with the fluoridated water. 20-year-olds without one filling or a need for it because they grew up and live

September 6, 2012

in a city with water fluoridation. And then there are the extreme contrast of working in the other areas without community water fluoridation. Sandy, wick patients, entire families coming in with multiple and frequently severe dental needs. The kind in which severely affected their overall health and quality of life. Many of these families had no idea that they did not have the preventative measure of fluoride in their water. They were trying to do the right thing in bringing their children to have their teeth cleans, sealants placed and topical fluoride treatments. Often too late to call it prevention. It is my opinion that you not only have the right to implement community water fluoridation but you also have a duty to your citizens. Portland water bureau statement addresses the notion that they are to enhance the public health of the region. Miriam webster dictionary defines public health as the art and science dealing with the protection and improvement of community health by organized community effort and including preventative medicine and sanitary and social science. Thank you for your time and hard work to research the science of this subject. I ask you to do what -- the majority of the community -- it will be greatly appreciated.

Adams: Who is the picture?

Grubbs: That is my son. He was not able to be here today. He is in 7th grade now. I must say, I am very proud of him and I -- when I lived in silverton I was happy that we had fluoridated water. Before then I lived here in the city region, and we did not have fluoride and I was not educated enough to know that he needed that, you know, that prescriptive medication. When we lived there, I was thrilled. It was one of those things that moving back to Portland was a difficult decision and that was part of the reason why.

Adams: Congratulations.

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

Adams: Thank you all very much.

Leonard: I wanted to respond about the question of the implementation date.

Adams: You're welcome to find more comfortable chairs.

Leonard: I didn't, but the water bureau said publicly before I even got an explanation that it would take them five years to implement the fluoridation system. I didn't ask them about that. Later I heard them publicly say it would take three years. And then I did asked to meet with them. I asked for the explanation as to why it would take that long. The explanation I was given that I will relate to each of you, including those listening, is that they said most of the process would include permitting. That the, in fact, the actual construction was a pretty standard process.

1200 square foot addition to property we already own to a building we already own to an injection system that already exists. Construction time would take no more than a year. They will spend time for the permitting process with Multnomah county. I looked at that data and looked at other cities who had done similar kind of work, san antonio, for an example, voters on november 7th, 2000, approved the fluoridation system. They began fluoridating their system in august of 2002. One year and nine months. Las vegas, 1999 legislature, in may of 1999, passed assembly bill 284, requiring the southern nevada water authority to fluoridate their system. They began fluoridating on march 1st, 2000. That took 10 months. I looked at the water bureau construction data. I am not going to quarrel with their engineers in terms of the construction time line of 12 months. I do have some expertise. That is in permitting system, having overseen the bureau of development services for 18 months. Managed many processes like this, including the current construction of the new fire station on the east side of the hawthorne bridge, which, for example, I was originally told couldn't begin construction until 2014. And in fact, at the end of next month, we will start driving pilings for that station. Some of these processes that the water bureau was assuming would take longer than what I know don't can happen simultaneous. So, if this passes, day after it passes, it is my intention to begin the permitting process immediately and

September 6, 2012

have a -- 18 month more than adequate to construct the facility. I expected to be online by January 1st, 2014.

Adams: No, no. This is a council hearing. It is not a free for all. So, mark, that means no. We have folks here that waited their turns. You got your turn. I am not going to allow this -- this isn't a circus. It is a council chamber. Hi, thanks for waiting. Appreciate it. Would you like to begin?

Virginia Feldman: Dr. Virginia Feldman, pediatrician who worked in Portland for mostly poor families. Three decades, I saw all of the dental issues that you saw and heard about. Preventable if we followed through on a Portland vote that did vote for fluoridation of water. So, since we don't have it, I prescribe fluoride tablets for my kids. Study of compliance show at best, patients take pills or follow any of our -- effective public health interventions require no patient work. Teaching parents to lock up aspirin didn't do anything for aspirin poisoning. Only requiring safety caps universally did that. Those preventative dental practices that people urge you to spend more money on, they happen even less frequently in our poor families. They're working two jobs, they get changing or no health insurance. My poor kids I work with are already disadvantaged. It is not fair to make them more disadvantaged with their dental problems. My dental history shows classical fluoride versus no fluoride. I was raised in a ghetto in Chicago. I have two small pit fillings in my teeth. My husband, 20 cavities, implants -- three sessions a month with his dentist. Rarely in medicine can I assure patients with the high benefit to risk ratio that fluoridation has. I read and summarized here, 252 articles and six meta-analysis of fluoride which I left with you. Unlike Dr. Wu who says we don't have time for this, I am a physician who says I must take time to look at the articles myself. I would challenge many of the anti-fluoridation folks here, who had they actually read the articles. I can say with confidence to my parents, does not cause cancer. Subsequent studies that were not mentioned by Dr. Douglas, have shown that the initial study by Thissen was not accurate and properly controlled for. And the NRC report shows there was not any influence on thyroid. I.Q. Studies -- the study by Choi was not a study, a review of a review which claimed to be new. All of that stuff has been known. NLC had 260 plus articles. When you look at 27 or 28 articles, not very impressive. And you can't add bad articles together and get a trend. I think that is the most common mistake that was made here. Studies that show, pro port to show that fluoride affects I.Q. By fluoride are inaccurate. Most of them were done on rats, not humans. Differences within I.Q.s within the test variations. If you have seven points, if your variation in the test is seven points, that means nothing. Half a point is seven points, people who created the test say that seven points is within normal variation. Fluoride levels were four to ten times higher than one part per million we're talking about.

Adams: Your time is up, too. You look exactly like what someone would want in a doctor and sound like one too.

Feldman: A female.

Adams: How do we not know that you filtered your studies? How do we not know that -- are you a -- just a well intentioned but sort of captured by the big, sort of pharmaceutical, big fluoride industry?

Feldman: Good question. What I do when I look at studies, I read the methods first. If I don't grown because the methods are bad, this study is interesting. A study who did control many of the things that you heard about have to be controlled for. Parent I.Q., parent income, not controlled in any of the studies that were mentioned by Dr. Choi. They did not control for lead, arsenic, thyroid deficiency, endemic in China in all of these studies. If you don't control for that, you can't add the studies and say that 27 out of 28 showed x, y, or z. The final really important point is that actually those studies proof that the community water fluoridation is safe. All of their control studies were one part per million and less. You can say, okay. We have proven it. If those studies actually do show something, which I am not sure that they do, that it actually

September 6, 2012

proves that one part per million -- you don't need ten times higher if you look at community water fluoridation level of one part per million or less which is more than the point seven that you are proposing. That those were safe levels with normal iqs in the quote controlled population were what we were proposing. Normal fluoridation.

Adams: Thank you, doctor. Hi, welcome. Thanks you for waiting.

Eric Brody: Thank you very much. Dr. Eric brodie. I am testifying in support of the fluoridation of the bull run water supply. Proud to be a colleague of dr. Feldman to my left. And I have lived in Portland for over 30 years. And I have just never ceased to be amazed that this forward looking city does not fluoridate its water. Another general statement from a famous pediatric infectious disease expert. It relates to all of the sad stories we hear by individuals. Obviously everybody's heart goes out to people who have suffered. Most physicians that I know want to help people. They don't like to see people suffer. We are fixers. We want to fix things. The plural of anecdote is not truth. Science makes the point. Dr. Feldman made the point. Prior to moving to Portland I was an assistant professor of pediatrics at the university of illinois and worked at cook county hospital. Like dr. Feldman, I served the poorest of the poor.

Interestingly enough though, the cook county population dental health was quite superior to that which I served for 30 odd years here working mostly in southeast Portland. I worked at a number of different keizer offices and saw lots and lots of mostly insured kids. I did a lot of physicals on kids three to five. You have heard all of these stories and seen the pictures of children who ended up with the most incredible dental caries. To reemphasize what dr Nicholson said the more we learn about pediatric general anesthesia the less we like it. I always joke with people stay away from doctors with sharp devices, tools like chisels and hammers and saws if you can. Stay away from people with masks if you can. I support water fluoridation along with many community organizations here today, our governor dr Kitzhaber, and the Multnomah county board of commissioners. I encourage you to vote yes. I think it's really important. Seems to me a simple decision but obviously not everyone agrees. Good public policy is taking measures to protect everyone's health, especially the most vulnerable, low income children. There are extensive studies, dr. Feldman knows way more about them than I do, supporting safety. Safety is just not an issue I don't think. I can't imagine. It's supported by as you've heard extensively every major medical and professional organization. My plea to you, and -- oh, i'm over. Is to please support

Barry Taylor: Good afternoon, mayor sam Adams and council members. I'm dr. Barry taylor, assistant at the o.u. School of dentistry. For six years I worked full-time in a clinic that treated patients of all ages on the Oregon health plan. I enthusiastically support the addition of fluoride to the Portland water system. Much has been said of the benefit to children. What I would like to speak about today is the huge advantage to adults and the elderly. It's conclusive that adults keep their teeth longer, decreasing the need of dental care for the elderly. Many are unable to receive proper dental care due to the expense. The elderly population is increasing. Their gums recede, exposing the roots of their teeth, susceptible to cavities because the area does not have a protective layer of enamel well. It leads to tooth loss. Additionally, many adults experience reduction in the saliva output causing dry mouth, a over 400 medications and 80% of the most commonly prescribed medications list it as a side effect. Without the anti-cavity benefits of saliva these individuals have an even higher susceptible to cavities, a combination of the elderly taking several medications, keeping their teeth longer makes them at risk. Fluoridation reduces cavities in the elderly. The benefit is greatest when the individual is a child but even exposure at later age will reduce the extent. Thank you very much for your time. I will give you copies with sources I used for all the information in here.

Fritz: We have heard that it's topical rather than ingested makes the difference. We have also heard it's floor i'd ingested if you're talking about effects on adults did. Could you talk more about topical versus systemic?

September 6, 2012

Taylor: I think there was one thing an error made earlier. Someone said something about the post eruptive and pre-eruptive which doesn't make sense. Systemic is going into your bloodstream for lack of -- simplifying things here. Systemic effect would be it's affecting the enamel of the teeth as they form before they have erupted into the mouth. Once they have erupted then you're talking about a topical effect, fluoride is directly affecting the outside of the tooth. I'm trying to simplify.

Fritz: It works both ways.

Taylor: Yes.

Fritz: My second question is regarding baby formula. My understanding is the american dental association and cdc have said that we can use fluoridated water but that that does increase the risk of --

Taylor: I heard evidence you can use it for baby formula but I didn't hear anything about that.

Fritz: Fluorosis I saw it on from one of the ada websites.

Taylor: I'm not aware of that.

Fritz: Thank you.

Adams: Thanks for your patience.

Dr. April Love: I'm dr. April love. I'm going to be I would like to also speak on fluoridation for the older population of which I am a member. Had to borrow these glasses and my paper isn't typed.

Adams: And you have the best last name for a doctor.

Love: I know: That's why I got divorced so I could get back to my maiden name. [laughter]

Adams: Tell us about that, doctor:

Love: It's a long time ago. 30 years ago I left fluoridated michigan to be a dental hospital resident at ohsu hospital. I was shocked at the level of tooth decay in the hospital population. What needs to be emphasized and barry was talking about this in our discussions the mouth is connected to the rest of the body. Especially in our medicatedly consummate population dental infection can be the last straw. We saw diabetes go out of control, cardiac disease get much worse, brain infection from abscess tooth, patients who survived radiation for all cancer only to lose her entire lower jaw from a dental infection. So why should we old parts -- folks support fluoridation for our own good? Many the anti-cavity benefit lasts an entire lifetime, especially when we start having gum recession and our roots are exposed. This is the systemic effect. There was a problem because a researcher told the cdc that the effect of fluoride was only topical. Following that same singh showed a study and showed the systemic effects is very dramatic. I want to talk about something when i'm done with this. It used to be adults my age didn't have teeth. Now we do. It's because of fluoride not because we have been eating less sugar. We need to continue to protect our teeth with fluoride to keep them. Older people tend to not have dental insurance. Medicare doesn't have dental benefits and we would get sucking care facilities, fluoridated water may be our only source of decay prevention. Please support it for your parents' sake. I did want to -- oh: My memory. You were talking about - - baby formula. Actually, what needs to be really emphasized is what with put in the water is for a child. That's a child's dose. It was based on exactly fluorosis, what we would key as a decay prevention without getting fluorosis. One part per million was what it started with, and that was for a child under four to get dental benefits without getting fluorosis. We get floor -- that's for a child who drinks a quart of water a day. If you have a child getting two parts per million of fluoride, they would tend to get 20% would get very mild fluorosis.

Adams: So we're going to take a strict six-minute break. When we come back we're going to one minute and the last 20 people that are in the holding room i'm going to ask them to go up to the balcony because they have room here in the chamber and the balcony. Six-minute break. We'll be back. For those of you that have your testimony at three minutes, start whittling it down to one. [six-minute recess 6:10 p.m. – 6:17 p.m.]

September 6, 2012

Adams: We have found that what can be said in three minutes very effectively is absolutely offer the top persuasive in two minutes. At one minute it's very insightful. Beginning with the cons, we're starting with four negatives. Apologize. We have folks with kids and folks that have to get home to kids. How many are those? Let's start with you two over there, then you back there, ma'am, sir, you. I'll take anyone with kids or kids you have to get back to. Yes. For or against. We'll do another panel of that as well if we need to or any other dependents you need to get home to care for. Thanks for your patience. Ma'am, would you like to begin?

Tamara Rubin: Hi. I'm tamara reubin. I am the national -- i'm the national healthy homes hero, that was an award given by the cdc, epa and hud last summer. I'm the healthy child healthy world for 2011, got the national award as well. I'm executive director of the let's face america foundation. I don't care about fluoride at all, really. I'm here because I read several studies that show lead may increase a child's list of hia lit ick exposure by 200 to 400%. Lead poisoning causes permanent brain damage, behavioral disorders, lifelong health challenges, kidney disease, reproductive disorders including erectile dysfunction which I like to mention because it gets people's attention. My children have lead poisoning. They were poisoned in Portland in 2005. With anyone else that would add to that I would be suspect and wish that we would look into the research on lead exposure. The gentleman at the cdc said the studies are old and weren't replicated. I talked to the top pediatric epidemiologist in the world and he says as a community, as a country, we need to first do no harm. That all of the studies show that this issue necessitates more study, especially in the area of possible lead exposure to children which is the direct core lative effect when you look at the zero positive impacts including i.q. Loss there are over 32 studies showing the impact of low level led exposure on i.q., and that --

Adams: I'm sorry, did you say you're here to just talk about lead?

Rubin: I'm saying that fluoride causes lead to be leached from the water system there are several studies that show that fluoride causes a 200 to 400% increase in lead exposure. My concern is we will be lead poisoning our children. I'm making a documentary feature film. Go to my website.

Adams: Thank you. Appreciate your testimony. Hi. Thanks for your patience.

Dawn Lawrence: I'm dawn lawrence. I'm a mother and concerned citizen, voter and taxpayer here in Portland. I am here to bring up the points that dental health is an issue of also diet and nutrition, and I wanted to talk about having healthy food that is in closer proximity to our children. I strongly believe that everyone deserves healthy food however not everyone should be ingesting fluoride. I think even though we may not agree about adding it to the water I think we would probably agree that consuming sodas and candy made with sugar or high fructose corn syrup and processed food are neither good for our children's teeth or our own. Unfortunately. [audio not understandable] community centers here, Portland parks and recreation centers. When you enter the doors of any of our community centers one of the first things that catch our eyes are brightly lit vending machines selling those things to our children, soda, candy machines, ice cream, laden with preservatives. I always bring a healthy snack for my kids and tap water in a reusable water but I have tried to divert them from noticing any machines it didn't take long for my children to figure out what those big machines were and turn every trip there into a plea for candy and ice cream at the same time as they are going for swimming lessons and other healthy activities. In your office, mayor Adams, you have done many things to make Portland a model that other cities have been inspired to follow. I don't think it's going forward on the fluoride issue. I think we're going to entice our children to try unhealthy tooth destroying food and beverages through the vending machines, why not also make healthy foods as convenient? If we can have the vending machines so close let's invite local farmers to sell fresh produce at the recreation and community centers one or more day a week. Let's make it as convenient to get apples, carrots and kale as it is soda and processed foods.

Adams: That's a great idea. Thank you. For those of you that just joined us, there's no hollering, no clapping and as you get more tired you'll be more inclined to do that, so if there's any of that it's

September 6, 2012

no drama we'll just have you removed. We're trying to make it comfortable for everyone to give their point of view and believe me, there's passion on both sides of this issue in the room. Sir.

Gordon Westfall: I'm Gordon Westphal. I'm a concerned citizen of Portland. I was born, raised here, left and came back with two children. I notice a number of people on cable television shows, Randy Leonard, Sam Adams, I have some knowledge and trust with some of you people to come on my show and be there. So I'm not talking out my butt most of the time. Fluoride is classified as a drug through the FDA. You have no right through the Water Act to drug entire population of people for just a few that need the fluoride. You need the fluoride go to the hospital, you can go to the churches, you can get the tablets. 5 million, 2 million a year fluoridation in our water which is a chemical used by the heavy metal industry. We can save money by offering tablets, which we already do, I have heard all day that we offer these and so I think drugging the entire population of people for a few I think is wrong. It's criminal. You know where fluoride comes from? It's from the phosphorous. They used dePortlanded uranium to separate the minerals from the phosphorous and the by-product is called fluoride which should be paid to dispose of chemical waste product but what they have done over time is manipulated the dentistry and all these people and now they use us to dispose of this product at very low dosages. It's a slow accumulative process that depletes and destroys the pineal gland, it destroys the pituitary gland which gives us the connection to the spirit world, something we can't afford to do in such an ungodly society. We have over 300 cities removing their fluoride from their cities today. In the last year. Fairbanks, Alaska, 80,000 people. Texas, New Brunswick, Albuquerque, New Mexico, Florida, New York City, Milwaukee, Wisconsin, Phoenix, Arizona, Santa Fe, New Mexico, Anchorage, Alaska. There's 5 million people here that are removing fluoride from their systems. We have the cleanest water in the country. Maybe in the world. We don't need to be adding this toxic waste product into it. I have to say, Sam, you have been battling a lot in your life. You have a lot of people pushing you around and telling you what to do and how to live your life and what to do with your body. And now I feel that you're becoming the same kind of people that are doing that kind of injustice to you by forcing their own agenda upon you you are now becoming like them and forcing your agenda upon us. You have to do this and do the right thing. All of you have to do the right thing. Lastly --

Adams: Thank you. Time is up. Hey, hey, hey, hey. Hey. We don't use that language here.

Westfall: I didn't -- the last thing I just want to say, who funded all these research programs. Thank you so much. God bless you.

Pat Livingston: I'm Pat Livingston, a family physician and the mother of this wonderful, exuberant two-year-old.

Adams: What is your two-year-old's name?

Livingston: Sierra.

Adams: Hi, Sierra. How are you? [laughter]

Adams: You're a movie star: So professionally I do a lot of. [audio not understandable] thank you.

*****: Mommy: That's mommy.

*****: Mommy's on tv:

*****: That's mommy: That's mommy up there.

Livingston: So clinically I serve a low income population. I do a lot of well child checks, which I love to do. Mostly it's talking how things are going. Almost all of them have something wrong with their teeth. All of them have yellow, black, decaying teeth. I saw a six-year-old who has a full mouth of gold all crowns. It's really heart-wrenching. At that point there's little I can do. I prescribe my fluoride tablets, put on fluoride varnish, recommend daily toothbrushing but it's too late. These kids have rampant dental decay. There's not much that I can do even though I'm a perfectly well intentioned primary care physician because it's too late. It needs to be in their water. This is -- it's distracting. But this is -- I wish there were other areas of medicine that had as much evidence base as fluoridation does. There's very little that I do that's as well evidenced as

September 6, 2012

fluoridation. Every major medical and dental organization recommends it. Really important crux are really excited that Portland is getting on board with what basically every other large city in the entire u.s. Has realized which is that this is an incredibly well evidenced based policy. I'm excited for my patients and my daughter. I hope I will never have to sit with her in a room while she gets a root canal or a crown. I appreciate your decision will make a difference in all of my patients' future and her future.

Adams: Bye sierra. Bye-bye. All right, anybody else with young children or dependents to take care of? Then we'll go back to the list.

Adams: We'll go back to -- I guess we start again with supporters. Thanks for your patience. Please begin.

Johnathan Eden: I'm jonathan eden. I would like to address the claim that for every dollar the city spends we'll get \$38 back. It's my understanding it came from a 2001 study in the journal of public health. I have another study that was published in 2007 from the same journal, and it's an interesting study called the comparison dental treatment utilization and cost by hmo members living in fluoridated and nonfluoridated areas. It takes place in Washington an Oregon, uses 51,000 participants. It lasted over five years. The conclusion of the office specifically for Portland said, I quote, in Portland metro there was no evidence of a beneficial effect of fluoridation on total cost. In fact cost was generally higher among members living in the community fluoridated area than nonfluoridated districts of the metropolitan area. I have a graph here which I have blown up for your convenience, so you can see the chart here. The nonfluoridated area. The dotted line is fluoridated areas. It tracks almost identically. This is true for all of the districts. This was done with 51,000 participants using data from hmos in this area over a five year period in Oregon and Washington. You should be aware of that. I have another study that comes from the very same journal and it says that 25 -- talks about food, fluoride in food. It says that 25% of children at six months of age ingested amounts greater than the tolerable upper intake level of .7 milligrams a day. That study was published in just this year, in 2012, again, journal of public health industry. The same journal that published your study that they are using to justify your financial claims. So I would strongly urge that you read this study.

Adams: Will you leave it with carla?

Eden: If you like. Sure.

Adams: Appreciate it. Your time is up. We got -- I think we still have almost 200 people waiting to testify. That's why I have to move you all along here. Hi.

Claudia Colen: I'm claudia colen, a newer member of the Portland community and a new parent. This hits home for me. I have always lived in communities with fluoridated water and have always taken it for granted. I was shocked when I found that Portland denies its residents fluoridated water for reasons I do not fully understand. I had never had a cavity in my life. I looked in my mouth and said you must not be from around here. You don't have Portland teeth. It surprised me. It was the first time I realized something sad was going on with Portland dental health. I now have my first cavity. I get regular dental care, take care of my teeth and gums. I no longer have access to fluoridated water. As a new mom and one on the ways i'm more concerned about my children's dental health than my own. I work in public health and am married to a physician. Mississippi husband is african-american. Both of us have parents that suffer from ill effects of poor dental health. We're concerned that our children will not have good dental health because of where we live. Thank you for your time.

Adams: Appreciate it.

Terrin Colen: I'm terrin colon, i'm a radiologist at kaiser permanente. I am a parent as you heard and a southeast Portland community member. I strongly support fluoridation of our water supply. As a radiologist I diagnose and follow cancer patients almost on a daily basis. Throughout my career at kaiser, and during my training at harvard medical school and elsewhere I have never seen,

September 6, 2012

heard of or been involved with a single case of cancer or osteosarcoma having been ascribed to water fluoridation. Despite being a harvard trained physician I don't think it's prudent to hold off on one of the top ten public health advances of the 20th century due to a flawed partial study from any one institution. The cdc, u.s. Public health service, national research council have all examined dozens of human studies without concluding a length between fluoridation in water and cancer. As a kaiser physician I strongly believe in prevention more than anything else that we do in medicine is what makes people healthier and saves lives. Fluoridation is a safe, effective treatment and lowers health care costs. If I had even the slightest concern that adding fluoride to our water would put my wife at risk for cancer or lower the iq of my children I would not support it. I want to thank a training public health, city counsel, you, mayor sam Adams, and governor kitzhaber for demonstrating true leadership on this important issue affecting our communities, especially those that are most vulnerable among us.

Adams: Thank you very much, doctor. Thanks for waiting.

David Morrison: I'm david morrison. I think that current drive to fluoridate our waters is nothing short of scandalous and I don't think we really know all the reasons behind it, but someday hopefully that will come out. I have a daughter also that has two autoimmune diseases, one graves disease, which is hyperactive thyroid. Her doctor told her to avoid fluoridated water. What everybody seems to think is or call the ten greatest medical achievements "time" magazine in their april 1, 2010 issue, included fluoride in its list of top ten toxic household chemicals. I don't think they relied on fringe science to come up with that. Also a lot of you are quoting world health organization, cancer society, I did a lot of research on this in recent lawsuit and there is I would like to refer you to a 300 page document called crustan approach by dr. Don maisc h.

Adams: Your time is up.

Morrison: All of those agencies -- was that two minutes?

Adams: Was that two minutes? We cheated you out of a minute. Go ahead.

Morrison: What a surprise. I would like to refer you to a book by nobel prize winning debra davis called the war on cancer which is all about corruption within the american cancer society. Many of these high profile organizations are considered captive agencies which i'm sure you folks know about most every politician knows about that. You're laughing but look at these things i'm telling you about.

Adams: I wasn't laughing at you. I was laughing because karla said she would like to get outta here.

Morrison: I would too. I have been waiting all day for my two minutes. While others are speaking for 20 minutes. So what else? Much of the testimony has to do with the inequities in the american culture. The cost of dental cavities or high rates of cavities within poor communities is about the inequities in our society. It's more about a corrupt system and should not be used as criteria for whether fluoride is safe. I have parents. I don't want parenting from the city council. Fluoride is available and people can get it if they want it. I don't want it. Fluoride will not take the place of good parenting or massive amounts of sugar handed out in schools.

Adams: Thank you, sir. Let's go back to the sign-up sheet. I think we ended on -- what was the last sign up sheet we called off? Opposed?

Leonard: Remember, everybody get ready for short.

Sam Chase: I am sam chase, currently executive director for the coalition of community health clinics. I'm the father of two girls who attend chapman elementary school in northwest Portland. I have worked on social justice issues most of my last 20 years, and in different capacities with Portland city council. While we have much work left to do, this city council has achieved much to improve the lives of Portland residents. In that time Portland has never been presented with an opportunity like this. A chance to dramatically improve the health and quality of life for our most vulnerable children, homeless and other adults on such a tremendous economy of scale. This is an

September 6, 2012

opportunity that we are lucky to see once in a generation for our homeless, our communities of color, our children and their children, for all our Portland residents. Please support water fluoridation. Thank you.

Adams: Thanks, councilor elect. Commissioner.

Dr. Gary Oxman: Mayor Adams, members of council, I'm Dr. Gary Oxman, health officer from Multnomah County. I'm here to speak on behalf of the health department. I'm here to express the health department's strong support for the proposal before you today to implement community water fluoridation here in Portland. The health department supports this as an evidence-based practice for preventing tooth decay and our board of commissioners informed you of their support in a letter dated August 29. I'm going to skip over the bulk of my testimony. You've heard similar comments from other folks. We support fluoride because it works. It's safe. It's effective and it helps address inequities in health status in our community. I do want to spend a few seconds talking about the issue of alternatives to community water fluoridation which several speakers have brought up. I certainly see those suggestions as well intentioned. Some of the ideas I have heard are extension of school floor time during the summer, access to clinical services and other forms of individually focused care. On the surface all this makes sense but let me share an experience at the health department and I have been with the department about 27 years. During that time we have done large scale fluoride tablet distribution through the schools. We have done dental sealants in low income schools. We have a network of clinics that serves about 22,000 dental patients with about 60,000 visits per year. Bottom line we continue to have very poor oral health particularly among the low income residents who the county serves and who our community partners are. We do need to have another strategy. We believe the community water fluoridation is the way to go. Thank you.

Adams: Thank you. Hi. Thanks for waiting.

Katrina Hedberg: Mayor Adams and Portland city council members I'm Dr. Katrina Hedberg, state epidemiologist with Oregon Health Authority.

Adams: What is an epidemiologist for those listening in?

Hedberg: I'm happy that you asked. We look at distribution of disease and risk factors in the populations rather than treating individual patients. The population or all the residents in the community are our patients. So we really look at what is good for the health of everybody in the community. That doesn't mean that we do some individuals may be more affected than others. We're looking at the health of the whole population. So I'm here to offer strong support from the public health division for fluoridation of Portland's drinking water as evidence-based practice to prevent tooth decay. It's a serious health problem and I think one of the reasons that we're so in favor of this as my training is as a public health and preventive medicine physician. Right now with health care reform we're certainly looking at a lot of ways to deliver health care better, prevention, an ounce of prevention is worth a pound of cure. Fluoridation of water is much better than having access to dental care after the fact. I think one of the things quite surprising that has been mentioned, Oregon is 48th among states in percentage of our population with access to fluoridated public water. And this shows in the dental health of the population. I think all the statistics have been mentioned already. One of the things I specifically wanted to address, I have a copy of the smile survey. One of the things this was not selected as a study, again, that's what I do, it was not selected in order to specifically question whether or not kids on fluoridated water had more or less tooth decay than others. When we say Portland metro I think, Mayor Adams, you said this includes apples and oranges. Some are on it, others aren't. The same is true for other parts of the state too. Really address that one of the earlier speakers mentioned the difference between what was happening in Oak Ridge, in Lane County and Florence. That's a much better comparison when looking at the people in the community. I'll leave this report with you and I will be happy to answer any questions about that data.

September 6, 2012

Adams: Thank you. Thanks for waiting.

Dr. Teri Barichello: I'm dr. Teri barichello. Until last year I practiced general dentistry in Oregon city. Now i'm chief office at odo health. I witnessed more than my share of preschool children with bombed out mouths. So many were in pain and all of them in a situation that no child should be. Rarely I witnessed dental fluorosis, which is not a disease but affects the way teeth look. In the vast majority of cases the fluorosis appears unnoticeable faint white lines and does not affect function or health of teeth. In many cases the effects is so subtle that usually only a dental expert would notice during an exam. Enamel fluorosis only occurs when baby teeth are developing under the gums. The vast majority of fluorosis can be prevented by stopping children from swallowing highly concentrated topical fluoride products like toothpaste. Only a pea size amount should be put on the child's toothbrush and always provide supervision. There's no way to compare the pain and suffering children with cavities experience with those that have fluorosis. The first is a full-blown dental list's. The other is more often than not a minor aesthetic issue rather than a big problem. Children with fluorosis are not experiencing pain, discomfort or suffering unlike those with cavities and dental disease. Water fluoridation is a safe and effective public health measure and I encourage you to support it.

Adams: Thank you all very much. Against the measure.

Adams: How would you like to begin?

Michael Connolly: Certainly. I'm michael connolly, father of two teenage girls, beautiful teeth. They were born and raised here. I'm not sure if it's because we were very diligent about their toothbrushing when they were young, but we really were diligent about that for genetic things. I have serious issues with fluoridation. I'm worried about health effects on people with allergies, liver and kidney ailments. By all accounts topical application is more effective. I'm also concerned about the environmental impact because how much of the water actually is going to come in contact with our teeth? A lot of it just goes through our water systems. So it comes out to force medication. I don't think it's the right way to achieve social justice. I think we do need to maybe spend money on some dental clinics for low income people. I'm sort of low income myself. I really have a lot of compassion for children. Believe me. I care about kids. I don't want them do suffer. It's intimidating to be up here after all these experts and doctors in favor of the approach, but I have heard a lot of -- seen a lot of stuff against fluoridation by people that I believe equally qualified. So I believe the biggest obstacle to dental health is access to dentistry and i'm sure people have horrible problems with their teeth before we started brushing, it's a question of people's habits. As far as the i.q. Thing, if you want evidence that i.q. Is lowered by fluoridation, turn on your tv. Half the stuff on the internet is also probably evidence that iq is actually lowered. I don't know if they told you in the back room, commissioner, but I don't think it's going to cure or baldness either. [laughter]

Adams: You got me there.

Adams: Thank you for your testimony. Thanks for waiting. Hi.

Dr. Jay Harris Levy: I'm dr. Jay levy, a general dentist, practicing for 30 years in new york city and here in Portland as well. I have undergraduate degree in mechanical engineering and a post doctoral at ohsu. Today's discussion is really about looking at magic bullets. Thinking that fluoride is a magic bullet to solve one of society's major problems. Dental caries is the most prevalent disease of the human race caused by diet and nutrition. Period. Our aboriginal ancestors did not have tooth decay or did at very low rates, carries rates. As soon as -- [audio not understandable] started getting tooth decay. It's about paradigms this conversation we're having today. The paradigm that in the 1950's some fairly weak science decided that fluoride is very good for reducing tooth decay. At the same time that toothbrushing and dental visits came into fashion. The truth is this discussion we should be having is about diet and nutrition and how we can implement changes in our society. How we can counter the advertising of refined foods, the frequency of eating foods, eating refined foods even mayor Adams previously didn't have time for lunch and was snacking on

September 6, 2012

some food earlier, some chips of some sort. We need to eat whole foods, three meals a day -- we have to have clean water to drink, not fluoridated water. We need fasting periods in our diet, and aboriginal people didn't have tooth brushes, they didn't have dentists, they didn't floss. The fact is there are foods in our diet that are dangerous. We need to floss and brush and we need education. A fraction of the money can be spent on an advertising campaign to talk about foods and whole foods and eating frequency. All of my patients receive a conversation on this.

Adams: Thanks. No chips up here, doctor.

Levy: Whatever. Sorry.

Adams: Thanks for trying to call me out.

Levy: We have an obesity and car reese epidemic.

Adams: When you say cave men did not get cavities.

Levy: In an entire time lime you could see one or two.

Adams: You and I are going to have a wikipedia showdown.

Levy: I'll give you my card. I can't do this in two minutes. There's so much to discuss.

Adams: I know. But I have to move on.

Levy: I understand.

Leonard: George Washington? Did he eat processed foods?

Levy: He probably did. He had a poor diet. English had poor diets. If you rook at the mauri in new zealand -- americans are overweight and very unhealthy. They had sugar. Remember the boston tea party? They had sugar in their tea.

Adams: All right. Thank you, doctor. I appreciate you being here and your perseverance. Hi.

Teresa Roberts: Thank, dr. Adams, for showing your ignorance just now, mr. Leonard not knowing that we had sugar back then. I am aware of what he just testified about. I am aware that we didn't have teeth problems until we added refinds food to our diet either. I have a question for you. Were you aware that you can spread cavity the by kissing? Some very basic educational stuff that's not happening here. Of course we don't have --

Adams: Are you suggesting we no longer kiss?

Roberts: I'm suggesting we be picky about who we kiss. If you're picky in high school and grade school -- who you eat after, then yes. I think a little bit of education like that, watch who you eat after, make sure they have good teeth. I think you could make it cool to have good teeth. I didn't want to get sidetracked with this. I only have one more minute. I want to say that I am not a scientist or doctor, but you are the city council and you were elected by the people the same people who voted down fluoride three times. You have no right to go over our heads after we voted it down three times. We voted for you. Can we go over your heads and get rid of you now? No. You cannot go over our heads after the same people who voted for you voted against fluoride. You're supposed to represent us, not big business. I have worked in four-star restaurants with the big pharma and the people selling their drugs and their fluorides put on the dog and pony shows for doctors to come in and hear. They sell them on these products and we have an idea in our head and we go find the research that backs up what we already think. That's what humans do. That's what you're doing because you are representing business. Business wants to sell -- yes, doctors and dentists are in bed with big pharma.

Adams: Your time is up. I have a question. If we were to put ammonia on the ballot, what do you think the voters would do? Would they vote for ammonia in our drinking water?

Roberts: I don't think they would --

Adams: I don't think they would. I don't think you would support it.

Roberts: I am telling you -- what I am saying is you have no right to represent --

Adams: We heard you. I'm just asking you a question.

September 6, 2012

Roberts: I would also like to say as one of the poor, we do not appreciate you pushing through your fast tracked agendas on our backs pretending you're doing something for us, especially the water department which I know -- [speaking simultaneously]

Adams: I gave you more time. You haven't answered my question.

Roberts: You keep interrupting me.

Adams: I-gave you a lot more time. I appreciate your innovative position. I wrote down no more kissing in junior high school. [laughter]

Michelle Neuman: Good afternoon. Evening I guess by now. I'm michelle neuman, and i'm how do I say that word?

Adams: Epidemiologist. [speaking simultaneously]

Neuman: Thank you, mayor. From 1984 through 2011 I worked as an environmental and occupational epidemiologist with the Oregon public health division. I already forgot what I was going to ad lib. My brain cooks on so many different burners. It's hard to keep up with it sometimes. I was acutely aware of the dental crisis in Portland. Dental care affects children and all socioeconomic strata. Even though families with means have greater access to medical and dental care and may be able to afford -- supplements for their children it can be a problem getting children to consistently take the treatment. My children were little we would find fluoride tablets they had taken out of their mouths because they did not like the taste. Despite that they did not consistently get the intended fluoride and we were among the fortunate families who could afford to make that effort. As a public health scientist, it is disappointing to see how some people are distorting and misinterpreting scientific studies published. For example, the studies looking at the potential impact of fluoride on iq were done in other countries where levels of exposure were many times higher than in the drinking water here in the united states. Small differences in i.q. Levels could not be casually attributed to fluoride alone. The argument is not applicable to Portland. I am strongly in favor of the proposal to fluoridate Portland's drinking water. Taking action to add fluoride to the drinking water provides for the common good of the people in our community especially for our children. This is an example of our elected officials taking action to improve the health and well-being of all constituents across the spectrum of the city. It is good leadership. Mayor Adams, I would like to thank you.

Adams: Appreciate t. We'll now hear from four in support of the proposal. I have to run for a few minutes over to the convention center, and i'll be right back. In the meantime i'll be watching the testimony while i'm gone butly be back. Commissioner Saltzman, president of the council, is in charge.

Fritz: The mayor is being overly modest. He's getting an award over at the convention center.

Saltzman: Dr. Garfinkle? You have two minutes. [shouting]

Richard Garfinkle: Greetings, mayor dan. City council members. I'm richard garfinkle. A practicing orthodontist of 39 years in the Portland southwest town center. That is a main street plug. I was married to a Portlander in 1966 and thus began two love affairs. At that time I was a sophomore at ucss school of dentistry. I graduated with honors in 1969, second generation dentist in 1969. In 1970 I began practicing in Portland. What became immediately apparent to me and amazed me was the large degree of accuracy that I could tell the person grew up in the Portland metro area compared with the san francisco bay area. Just by looking at their teeth. You have now heard several other people mention that today again. The difference in the number of decayed, missing and filled teeth still amazes me all these years later. The only reason fluoridated water. As stated before, the cdc ranked the fluoridation of public water supplies one of the ten most significant public health advances of the 20th century. We are in the 21st century now. It's time we get caught up. Water fluoridation is good public policy. It's good common sense. It saves dollars. It saves emergency room visits. It saves teeth, and it saves lives. If you wonder about the impact fluoridation on you personally, take out a hand mirror like we use at the dental office and when you

September 6, 2012

get home or at your next visit to the office, you look at this mirror and you see if your water was not fluoridated when you were a kid, you have 25 to 40% more cavities than you would have if you were my neighbor growing up. In my ongoing 40 years in dentistry my mission has been to help people be more healthy. I'm asking your help with my mission. It takes a whole village to raise a child and I have three grandchildren who hopefully soon will be drinking fluoridated water from their tap. By the way i'm impressed by your individual research into this matter and the knowledge you have gained. I would like to thank you for taking -- I would like to take this time to thank you who are supporting this good, sound public policy, not hiding behind political expediency that has governed our discussions for so many years.

Saltzman: Sir, your time is up. Give us your name. You have two minutes.

Holly Spruance: Good evening, mayor and commissioners. Thank you for having us. I'm holly spruance. I'm the director of programs and operations at the trust. You've heard from inga earlier. Over 30 years the trust provided benefits for Oregon -- we could have dissolved our board made of educators decided to give back september 2008 the [audio not understandable] unique partnership between ods, the trust and the dental foundation of Oregon. Really unique think about it is. [audio not understandable] students can receive more comprehensive care, most serious cases could be provided. Students not only receive cleaning they also restorative care such as fillings, minor repairs of broken teeth. [audio not understandable] graduate from high school and go to a job interview. If you haven't had a chance to read the story from the tooth taxi I invite you to do that. They will warm your heart t. Should also make us all pause and ask what more can be done if the tooth taxi can not begin to reach all the needs. Adding fluoride will help prevent tooth decay in the beginning, enabling programs to reach others that need help. As Oregon schools embark on reaching new achievements in education, barely dental health is a must have. Children miss school when in dental pain. Every day missed is a missed opportunity and makes it harder for those benchmarks to be made. I brought two educators with me that are not going to get a chance to testify this. Have their personal stories and they have also seen personally the children in pain even at lunchtime eating like this because they are in pain. These educators reach out and try to get help for the students but fluoride is a safe, effective and affordable way to help. Thank you so much.

Kylie Menagh-Johnson: I'm kylie johnson. I'm with the everyone deserves healthy teeth coalition and a public ed casor. I have worked on a number of issues including getting smoke-free bars, smoke-free playgrounds and as well as getting soda and junk food out of schools. Many of the partners on this coalition have dedicated tremendous amounts of energy and volunteer time and dedication and working with their partners to bring the community together to bring this issue to you today. I want to give them kudos. Two of our members had their bags stolen today and that's what this tussle was over here because the person who had stolen the bag was reading one of the testimonies that had been in that backpack. I want to talk to you today about four things I have noticed during this hearing. Access, additives, accuracy, and accountability. Access. To your point earlier today about healthy kids and the health plan, my husband and I have both been contractors the past few years in this difficult economy and we make to much to qualify for assistance and to ensure for our children it would have cost us \$1200 a month which we could not afford. We went without health insurance. My pediatrician is here and we went without seeing him. We went without fluoride supplements for my 22 month old who is now luckily taking them. Additives. There pure, regulated by epa. There isaac reyes needed here. Raising the possibilities of all sorts of health issues that are not documented is not the same as science. We have 65 years of experience and over 3,000 research articles showing us fluoride works and is safe. Accountability. That's what government is for. Elected officials and the government responsible for our public health and here today we have a demonstration of that accountability in taking care of the teeth of our children and all of us. Thank you.

Saltzman: Thank you. You have two minutes.

September 6, 2012

Dr. John Snyder: Good afternoon, and thank you. I'm dr. John Snyder. I'm dental director of dental associates. I lead a group practice of nearly 130 dentists in 17 offices throughout the Portland metropolitan area. What we have learned most of all is that we cannot solve the world health crisis in our community by simply drilling or filling our teeth faster. We have to focus on prevention. Fluoridation provides the most equitable means to provide the approach you've heard of the benefits of. It is truly the most evidence based approach to care that we have in medicine and dentistry with over 3,000 articles, 65 years of experience. We have a true opportunity in this community to make an impact on the disease that our community is facing. There's a really great quote that I think applies to what we have heard and learned today. That was by John Kennedy. He said the greatest enemy of truth is very often not the lie. Deliberate, contrived, dishonest, but the myth, persistent, persuasive, unrealistic. Please do not allow the myth around water fluoridation and community fluoridation to prevent this. Your leadership and support of fluoridation is greatly appreciated by the professional community that serves this community. Thank you for your time.

Saltzman: Thank you very much. Show of hands. How many people don't want to testify. Okay. There's nobody else -- everybody's here? Okay. Let's call the next four.

Saltzman: Give us your name and you have two minutes.

Lorne Hudson: That quote is interesting because anti-fluoridation person quoted it. It goes both ways. I'm going to read from a comprehensive guide to the hazardous properties of chemical substances, second edition, 1999. Human toxicity on fluoride are very limited. Also a quote from the fluoridation controversy from the national health federation. The belief that fluoride as a tooth decay remedy persists despite the fact that original promoter admitted -- 1955 under oath said his data purported to prove the fluoridation hypothesis was not valid. I have skipped here. Also, dean and McClure, another fluoride promoter, also indicated that they do not want to fluoridate water where there would be mild dental fluorosis. From the book the aging factor by Dr. John -- [audio not understandable] all 25,000 studies. He says while numerous attempts have been made to show that the amount of fluoride used to fluoridate public water supplies reduces tooth decay, under laboratory conditions, still in the U.S. Center for Disease Control admit that no laboratory study has ever shown the amount of fluoride added to drinking water is effective in reducing tooth decay. Furthermore they admit there are no epidemiological studies on humans showing that fluoridation reduces tooth decay that would lead to minimum requirements of scientific objectivity. Also have information that the costs relative cost of fluoridated and nonfluoridated costs are about the same. And also the dental income is the same. One more thing and always always you're over time. One more thing. This is -- EPA approaches to -- this is from the Chemical Engineers News Magazine, which is American Chemical [audio not understandable] clinical effects of fluoride on the skeleton from its usual approach to the environmental agents they note that fluoride is unique in this process.

Saltzman: Thank you.

Daniel Giglakos: I'm Daniel. I'm a resident the Laurelhurst neighborhood. I'm asking city council members to vote against fluoridation next week. The potential side effects of being exposed to sodium fluoride in the water supply over a long period of time outweigh in my mind any possible benefit fluoridation can have. If the city council has a major concern about children's tooth decay rates I would support different methods of combatting tooth decay such as improving oral hygiene education in public schools and distributing discount vouchers to children and low income families so they can visit a dentist more often. I know that members of the city council are trying to effect positive change for the community but they are going about it in the wrong way. Fluoridating the water supply is an outdated, risk write practice just like the use of asbestos insulation, leaded gasoline and mercury amalgams in decades past. If you vote for fluoridation next week you'll be standing on the wrong side of history. The small benefit offered by fluoridation is far outweighed by the very troubling potential side effects and we really should not even be considering wasting our tax dollars on fluoridating our water today. I would also like to add that I have spent almost my entire

September 6, 2012

life in two cities that don't fluoridate their water, which would be Portland and new hyde park, new york, in nassau county. I have only had two very small cavities. Thank you.

Saltzman: Thank you very much. Sir, give us your name.

Mike Smith: I'm mike smith. I run a news outlet called occupy Portland news.com. I can't believe i'm having to do this but this is my body. I'm a proud property owner. This is my property. The people that help me determine my medical decisions are only myself and a doctor. So dr. Leonard, I do not give you informed consent to put a drug in my water that is going to permanently alter my body chemistry, change my bones and teeth. Okay. Barnyard animals are force medicated. Not human beings. It's a fundamental human right for me not to be altered. You should not be doing this. Okay? This is not george orwell's animal farm. You guys aren't the pigs that are in charge. See, this is my body. There is nothing more important to me than my body and what goes in it. My body, my choice. Period. You should not be doing this. It's not the purview of government to interfere with what goes on inside other people's bodies. Quite frankly, this whole proceeding has given me insight into the neo-liberal mind set. You people seem to be operating from the mental position that people of color and poor people are so stupid and indigent that they cannot find a toothbrush I Portland dentist gave young children they had just treated a candy treat, usually a lollipop. A dozen years ago jefferson high school's athletic department received the profits from the school's pop machine. That profit was well over \$10,000 annually. That's a lot of pop, a lot of money. That's a lot of pop consumed by our students. Amman -- one of your issues ought to be why abernathy grade school, an affluent neighborhood, gets an additional \$20,000 a year to supplement their food programs so they can have fresh fruits, pesticide free, for their children. As a high school sophomore I went with a senior from grant high school, he didn't have a cavity in his mouth. From the testimony here today, I would assume that all these people has were born and raised in fluoride treated water have the same thing. Not a cavity in their mouths. I doubt that that's true. Three, science and rights. The city council is selling out science and selling out the people here today. It's a sad case of the people being denied their rights to choose whether or not to be medicated. Earlier a gentleman mentioned this was the first chance the city of Portland had to do this wonderful thing. Well, I will say that 2002 it was even better. We had a state initiative, measure 23, health care for all, every single person in the state of Oregon health care rights. There was not insurance company that would make a penny out of it. The medical association, the dental association, the nursing association opposed it. I'm real glad to see they are concerned today about the poor people.

Saltzman: Thank you very much.

Smith: This is ten ounces of sugar in a 12 ounce can. That's their favorite beverage. You heard all the testimony.

Saltzman: That is something. Call the next four.

Saltzman: okay, we got four. We'll start with you. Give us your name. You have two minutes.

Jessica Rodriguez-Montegna: Thank you, mayor and commissioners. I'm jessica rodriguez-montegna. I'm representing the Oregon latino center for action and the families that often cannot be at these hearings. Families like the one I grew up in. My family and I grew up below the poverty level and without health or dental insurance. Although we were poor we never knew it. We have good health and good teeth. I realize now the reason why I had healthy teeth was because I was born and raised in texas, a fluoridated state. The times in my life when I have experienced the worst dental dough kay has been while living in nicaragua, and here in Portland. I have worked with the latino community for ten years in two states and four countries. Let mess tell you we are a community that cares about our health, that cares about our teeth. I have heard opponents -- can you hear me?

Saltzman: It went off. You're right. Press the button in front of you. There you go.

September 6, 2012

Montegna: Okay. I have heard opponents say that our community simply needs to brush their teeth more. To have healthier teeth. We do brush our teeth but science tells us that fluoridated water results in healthier teeth. I believe in that science because i'm living proof that it's true. At least when I lived in texas it was true.

Saltzman: You have two minutes.

Annette Rotrock: I work as lead dental assistant at children's dental clinic, nonprofit for children in Portland public schools. All our dentists, hygienists and assistants are volunteers who love and give their best effort to treat kids with passion and tender loving care on their day off. If you saw the kids I do who could have so much less trauma in their lives if fluoride was a part of our plan. Portland was voted most pet friendly city in the united states yet we're the largest city in the nation that does not have fluoridated public water system. With we more caring of our pets than the children in our community? Let's promote a higher level of care and concern. Trust me, if you saw the kids that I do every day in this clinic you would be supporting with a passion. Excuse me. We would not be having this meeting in Portland. Trust me if you saw the kids that I see every day, that I do, who have serious issues because of no fluoride we would not be having this meeting because in Portland we care about our kids. Our sweet amanda had root canals on two permanent teeth by the age of 10. I have had to assist on the extraction of permanent molars of children by the age of 12 years old. These are teeth that come into their mouths at six years old. I urge you to support fluoridation in Portland's water.

Saltzman: Thank you.

Jennifer Snook: I'm jennifer snook, a graduate student at wsu, in the public affairs program health policy concentration. I once worked as a dental assistant in new jersey and saw children in restraints having abscessed teeth pulled. They were traumatized. I was traumatized and I have worked in health care ever since. My son grew up with fluoridated water. He's healthy, smart with good teeth. He's not a pregnant woman but when he either bread he consumes folic acid because it was added in the 1990s to help pregnant women prevent spina bifida. He's not part of the target population but it doesn't hurt him and fortification is an accepted public health tactic. This is no different. My master's thesis focuses not on the overwhelming science supporting fluoridation but the politics surrounding it. Today's hearing is a typical dynamic played out in countless communities. A parade of health care proves always advocate while vocal opposition promotes fear of conspiracy, toxins and civil rights violations. The internet offers further misinformation. Do not falter. If Portland won't focus on vulnerable children, if the voters are not ready to walk the talk of social justice, I applaud you as their elected leaders to commit to owed indicating the public, supporting the cdc, and ending Portland's shameful reign as the country's largest remaining unfluoridated city. Thank you.

Saltzman: Thank you.

Mel Raider: I'm mel raider. I'm an environmentalist, a parent, co-executive director of up street public health. Upstream public health is a lobbying entity. I believe fluoridation promotes health justice for the city of Portland n. Portland the city I love we should aspire to make decisions that empower our communities and that uphold science over unfounded fears. Streams organizational mission is to improve the health of Oregonians. Our moral compass is focused on giving everyone the opportunity to live healthy lives. I have a two-year-old daughter. Every day I think about her future and what it will be like if she grows older and has her own dreams and aspirations. For the city of Portland, the future of my own daughter, I strongly encourage you to do the right thing and fluoridate the water. I want to thank each of you who have made statements in support of this proven health practice. Among goals stated on the city of Portland's website includes to ensure a safe and peaceful community, to promote economic vitality and opportunity, to deliver efficient, effective and accountable municipal services and fluoridation does all of these things. It is a policy that both promotes justice for our communities in need and is a sound economic investment for our

September 6, 2012

future. My vision of Portland is a city that is compassionate and enlightened, that cares for those most in need, that makes smart investments for our future that listens to science over irrational fears. I think all of you know this is absolutely the right thing to do for our city. The time for fluoridation is now so that Portland can be the city that it aspires to be.

Saltzman: Thank you. Next four on the opponent list.

Saltzman: Sir, if you could give us your name. You have two minutes.

Marshall Huston: I'm Marshall Huston, a locality resident. This is the first time I have ever sat before city council. A long time ago I delivered drawings to then Marigold Schmidt. What I'm concerned about today is I'm really concerned that would I rush it through like we did. Would I bypass processes, not notify everyone or allow everyone to vote. I think there's something very odd about that whole process. The other thing is I'm really concerned about the potential for this. The pro side is very limited in terms of the benefits on the pro side. It seems to grow at a very linear rate, but the con sides seem to grow dramatically. As I looked into it it seemed to be growing every year, that there are issues with different parts of the body, medical issues and so forth. Some people here today a lot of them are specialists in their area. I had an issue with my mother for example passed away recently, medical issues and I learned there are issues with dealing with specialists. We have a world that is very, very specialized. If you listen to the specialists you can get into a lot of trouble because you're not given the big picture. Other specialists can contradict that. I'm worried here we have specialists that deal with pediatrics and dentistry and some certain organizations like Kaiser that are not giving us the larger picture of how this could come out. I'm also concerned that we have a city very progressive, an image of environmental consciousness and then jumps back to science from the 1950's. That's not moving forward. That's a step backwards in time to a science around when variables in place today were not around then. We have water we don't have fluoridated. Maybe we didn't have other compounds in the water like chlorine and ammonia. We're not looking at the larger picture. I think we're looking at some very, very serious situations here being rushed at a rapid rate. I'm even of the belief that it's possible that this is not about fluoridation. So it might be about something else like perhaps someone who might want to get work after they leave the office or whatever. I'm very concerned about that. Especially with lame duck people.

Adams: Give us your name. He's going to be chasing his 14-year-old grandson.

Regina laRocca: I'm Regina Rocca. I have been here a long time fighting fluoridation every couple of years. The point is that modern medicine and physics is moving into a field of energetic medicine validated homeopathy, Chinese medicine, no studies done on this energetic level. There's nanoparticles in our vitamins and supplements now and fluoride has an effect on that level. There's been no studies done on that level. It affects our endocrine system on that level. Another point is that if vote Kearsy put something out three times, I don't understand how the council can push this through without public opinion and support. Another point that I wanted to make about the language being used to promote this campaign. The opposition to an argument and the people that are challenging the status quo, the status quo in Portland that been clean water. People want to fluoridate that water are the opposition. By labeling people trying to keep things how they were the opposition it makes a negative spin on it and the validity. The opposition is people bringing this issue to the table. The opposition being people's pro fluoride should be the ones that need to spend the money and time away from their work and families to gather signatures to put this on the ballot, not people that want to keep things how they were to begin with. I find a strong bias in Oregonians, in the Willamette and Mayor Sam Adams himself in the way he's addressing and communicating to people on different sides of this issue. It's like blatant to me insulting and nondemocratic.

Adams: Thank you.

*******:** I'm Annette.

Adams: I apologize.

September 6, 2012

Annette: Thank you. I am here speaking on behalf of I guess myself and my little dog. I have an eight pound dog who doesn't need fluoride. I also have a wonderful garden, my vegetables have requested I come and speak for them. They do not want to be laden with fluoride as well I would actually really, really strongly encourage you to adopt the precautionary principle before you go forth medicating the public. Fluoride has been shown to have, you know, some positive effects topically. Topical, applied directly to the tooth. We have been talking about this all day about people coming from different areas where their water is fluoridated, then we provide pills in the schools. There drinking it in the water. But now we're proposing to dump more of this sub assistant to our water? We all know we're what we eat. The base of dental health starts with our nutrition. Okay? I really like what the former -- one of the citizens said about having access to fresh vegetables and clean, unadult rated water to be our number one driving force to create good dental and mental and physical health here in our state. So i'm a strong advocator for no contaminants in our water no. Contaminants at all. We have pristine bull run water. We should feel blessed. We should get down on our knees and kiss the very ground it bubbles from and not the ama, the dental association who want to put mercury amalgams in our mouth and tell us that's safe.

Adams: Ma'am, your time is up.

Annette: Okay. I do not give consent for drugging of the water. I'm all about helping children. I think we could spend that \$5 million to actually provide in the chair care. Salts salts thank you.

Adams: Sir, give us your name.

Sven Nostrand: I'm a new resident of Portland, Oregon. The clean water was a big reason why I chose to move to Portland along with many other reasons. I think that Portland is the last major city that doesn't have fluoridation is one of the things that makes the city special. One of the things that I really appreciate about the city and the people that live here and the council that we have had. I think if you guys bypass the people with making this decision without having a public vote, that is very disrespectful for all of us and has will completely lose my respect for the city council. You are here to represent us. We're the ones that you're here to serve. What else I wanted to say is that for me this is really an issue of freedom. It seems like it's gotten to is fluoride toxic or not toxic. It's like well regardless of what side you're going to fall on, i'm a free person. We're free. That's what this country was built on is individual freedom, the ability to live a self-determined life. Fluoridating public water supplies, especially when fluoride is so readily available, that's not freedom. If the only way we could get freedom was to put it in the water, you know, maybe there would be some basis there, but it's not. Fluoride is readily available, it's cheap. You can get it for free from public programs. To make the water that all of us are dependent on fluoridated is a violation of our freedom. That's the way I feel about it. Benjamin franklin said a man who would give a little liberty to gain a little security will deserve neither and lose both. I think that's applicable here. It's security for our teeth but we're losing our liberty to have clean water. I also wanted to bring up the food because the food that we're eating is contributing to our dental.

Adams: I need you to wrap up.

Nostrnad: When the first people went to africa and took pictures of the native people they had pristine, beautiful teeth. Once western foods moved in, their teeth looked just as bad as the slides. We might consider doing something to change the diet, change the --

Saltzman: Thank you. Appreciate it.

Adams: Thank you for your perseverance and patience.

Sally Jo Little: Mayor, commissioners, i'm sally jo little. I'm a dental hygienist with a masters in public health. I worked for the center for health research kaiser permanente as a research scientist for 17 years and amoco author of the study about fluoride and the effect of fluoride in water supply in the Portland metro marion county and clark county areas. It was cited by an opponent to fluoride about 45 minutes ago. He has the big charts he wanted to show you. I'm here to say i'm the co-

September 6, 2012

author, that was misreference of the study. I would be glad to talk about that at a later time. I left a copy with your clerk. Primarily the study looked at members of the hmo that had dental care coverage and compared how much -- looked at people who lived in fluoridated and nonfluoridated areas and compared their utilization of dental care and the cost. What it found was by and large the people that lived in fluoridated areas required less dental care and required less cost for that dental care. So I just wanted to put that out there, that as a co-author of the study I wanted to defend it because it's often used by the opponents to fluoridation. That's pretty much it. **Fritz:** thank you.

Nancy Becker: Thank you very much for allowing me to speak. I'm nancy becker. I live in irvington. I have lived in Portland for 37 years. I apologize for the little ruckus before but my bag was stolen and we recovered it and everything is fine. I have my written testimony. I'm trying to calm down.

Adams: It's rare that we have a theft like that.

Becker: I'm glad to hear that. I'm a registered dietician at Oregon public health institute where I work on nutrition policy. Previously I taught nutrition science at psu, where fluoride was included in my chemistry 250 class. The reason I work on nutrition policy and not just on counseling folks to eat right is it can be really hard for a person or family to make good nutrition decisions in the current food environment. Everywhere we go there are sugary drinks and sugary foods, heavily marketed and directed mostly to innocent kids who can't differentiate between truth and hype. I have come to the conclusion nutrition education and efforts to try to change habits within the context of our present food system are infect wall at best. Policies that make the healthy choice, the default choice such as statewide nutrition does for snack foods and beverages in schools, which we have here in Oregon, and in Portland parks and recreation centers, which in your wisdom you enacted, make an enormous contribution to the health of individuals. It's in this context that I support fluoridation. As a nutritionist I know that fluoride is a natural element, a beneficial nutrient that is important to the integrity of bones and teeth. I have taught it, researched the pros and cons and have come to the conclusion that systemic water fluoridation is an efficient, safe and effective method to convey major dental health benefits to all age groups. The academy of nutrition and dietetics just released a new position statement emphatically supporting new -- systemic fluoridation to promote oral health and over all health throughout life. As a dietician, public health advocate, a mother and citizen I urge you to vote yes on fluoridation of Portland's water. Thank you very much.

Adams: Thanks for your patience.

Dr. Weston Hesinger Jr.: I'm dr. Westin harrington, jr. For 27 years I practiced in salem with a part-time practice in lincoln city. Over the years moving between my two practices I observed children the the same socioeconomic background the only difference between the citizens of these two cities was salem has fluoride in the water, lincoln city does not. From 2008 two 2010 I was dentist on the dental foundation of the global dental clinic for tooth taxi. We provided care for school age children all over Oregon including Portland. I have also done 19 trips to mexico, honduras and romania. Within two miles of this building I can find rampant tooth decay as severe as anywhere I have traveled in Oregon or the world. The children most impacted by rampant tooth decay come from low income names are more worried about paying the bills, where the next meal is coming from, struggling with to take supplements. Community water fluoridation is the best way to get fluoride to these children. Dental health is intimately linked to over all health. It contributes to heart disease, diabetes, it affects children's ability to grow, to be healthy and to do well in school. Children experiencing dental pain from tooth decay are unable to folk news school or even on their homework. Dental care is the leading cause of absenteeism in children. There's no reason to accept dental decay. Prevention through education, regular exams and fluoride is the most cost effective way to end the suffering and health problems. It's the cornerstone of community oral health programs. Thank you.

September 6, 2012

Adams: Thanks, doctor.

Adams: Welcome.

Chuck Haynie: I'm chuck haynie, retired surgeon and ex city council person in hood river. In the operating room next to mine I saw four to seven kids get operations for root canals, crowns. These are all preschool kids. Turns out our water fluoridation avoids two-thirds of these operations and saves half the medicaid bills for dentistry for these kids. Fluoride opponents told us it would be unethical to proceed unless we did some research. So we studied headstart kits and the operate of operations comparing nonfluoridated -- fluoridated to nonfluoridated, dallas and hood river. We found the benefit was larger than in the louisiana study. Up to 15 grand a case that's a lot of money for governor kitzhaber's new medicaid plan to help buy more health care for poor kids. Of course it also benefits middle class adults and senior citizens as you have heard have fewer cavities. Hood river lost fluoridation water frankly to baloney. It would ruin the beer, the whiskey. I think I counted a total of 60 diseases that were claimed related to fluoridation. Our dentists were picketed with dr. Death signs. Here's a list of organizations favoring. I'm voting with the american pediatricians and public health scientists and for the sake of those kids in that operating room next to me I hope you do too.

Adams: Thank you, doctor. Appreciate it. Next?

Adams: Let's get a check here. How many more do we have? More or less? Raise your hand if you're here to testify. Could you make your way downstairs so that there's I think there's enough chairs here now. That will make it easier.

Moore-Love: I show about 90, roughly.

Adams: All right. We're moving to one minute.

*******:** There aren't that many.

Adams: We're still moving to one minute. It's getting late and I want folks to have some time.

Adams: Karla, to keep things moving if you don't take your chair immediately we're moving on. Welcome. Thank you for your perseverance and your patience. Appreciate it.

Susie Skinner: I'm susie skinner. Born in Portland, moved to alaska. Our family got ill, diarrhea, vomiting, my mom, my brother and myself. My dad was out in the bush on the dew line. My mom was a registered nurse and the doctor she worked foretold her we were experiencing fluoridation poisoning. To start taking bottled water from the hospital basement because they had a well there. We did start doing that and we did start getting better. I experienced fluorosis. I have actual fluorosis that people say doesn't happen. It was diagnosed after we came back to Oregon by the Oregon ohsu dental school. I have three caps on my teeth now because of that pitting and modeling from the fluoride poisoning. Even to this day my dentist, he can't whiten my teeth because the caps are a certain color and the fluorosis was painful.

Adams: Ma'am, where did you move in Oregon?

Skinner: We moved to vancouver but we came over -- they brought he over for the caps. I'll be 66 next month and these caps are still going. I think that's pretty good work.

Adams: Indeed. Thank you for your testimony. I'm sorry to hurry everyone along.

Bob Nagle: I'm bob nagle. I was born and raised in Portland. I went to school about ten blocks from there and was raised until the age of 12 with no cavities. Only when I went to camp collins for two weeks and ate candy bars that I got my first cavity. I want to state that diet has more to do in my experience than anything else. We had regular trips. We walked to the corner dentist. I also have a few -- you've heard all this stuff. I have all this prepared and I don't want to repeat it. There are studies from africa where dr. Westin price went down there and saw the people perfect, 80, 90% had perfect teeth. There was no sugar. So what I would like to do, seemed like this deal was railroaded through real fast, a lot of intent. I would like to step back and study it from the other side. Here are a couple books. Threes excellent books, one called fluoride deception written by a bbc author. Here's one called the aging factor by john -- he was director of the chemical abstract

September 6, 2012

service which vetted all the scientific papers for a while. He accidentally ran into stuff on fluoride poisoning and then had to leave his job.

Adams: We'll thank you for that. I need to move along.

Adams: Okay. I would encourage you all to skip the preamble and go right to your point.

Nagle: My daughter, my ex-wife gave her those little fluoride pills when she was little and she has dental fluorosis. I guess if we're done we're done. That was one minute, huh?

Adams: It goes by fast. Thanks for your patience.

Roxanna Lahr: I'm roxanne lahr, the mother of two children. I have been proud to live in a city that has the best water supply in the country if not the world. I'm against adult rating it with an industrial waste by product. I thought who would benefit from water fluoridation. Only thing I can come up with is those industries who want to find a way to dispose of their waste. They would love for taxpayers to pay for it. I understand from other testimony and studies that fluoride application might benefit teeth, but the jury is still out on the detrimental effects of ingesting fluoride over time. As a mother i'm responsible to keep my children healthy and if fluoride is added to the water supply and I think it's detrimental to their health how am I supposed to protect them in if it's in the water supply how am I supposed to protect them? Everyone will be forced to ingest it. Since the elderly, pets, wildlife, no one knows the long term health effects of fluoride consumption on living things. There's been no study that talks about long term health effects of ingesting fluoride.

Adams: Thank you.

Lahr: I will fight against this proposal.

Adams: Thank you. Appreciate it. Thanks for waiting.

Adams: Welcome back.

*****: Thanks.

Jocelyn Badali: This smile belongs to jocelyn badali. I want to talk about how there already is fluoride in things that people already ingest. There's 73% of the country that fluoridates its water. Those 73%, the products that come from those areas have fluoride in them. People are ingesting it already. They are already over their max of recommended dose. I love healthy teeth too. I don't want to smile but the real issue is everyone deserves democracy. I am an -- have an organic garden. I love it. Adding inorganic chemical compounds to your organic garden, it ceases to be organic. Spraying water at a store on to produce that is organic, that has fluoride in it, that is like putting pesticides on it. That is what pesticides are. Fluoride. So I do not consent to it. I just want to also say that 73% of us --

Adams: You're out of time.

Badali: One point is 98% of europe doesn't do it. A lot of the reasons why the countries say they don't do it, simply state that it's toxic.

Adams: Thank you. Appreciate it.

*****: Thank you.

Adams: Sounds like a lot of people have signed up maybe thinking they need to sign up to be here. How many are here to testify? All right. 27. Let's start on this side of the room and go around. We'll just make our way around the room. It will be reasonably random. Would you like to begin? Thanks for your perseverance and patience.

Brenna Lewis: Good evening. I'm brenda lewis.

Lauren Harris: I'm lauren harris.

Theresa Graif: I'm theresa graif.

*****: We're all members of the residency training program at Oregon health and science university pediatric residents. We're all medical doctors. There's 48 in total as part of the group. It trains a lot of state pediatricians. We see the impact of dental cavities in our patients on a daily basis. We care for children with learning and behavioral problems due to dental pain. [audio not understandable] in our practice we see many barriers to patients getting adequate fluoride. Many

September 6, 2012

patients either do not have insurance or have insurance that does not cover the cost beyond the early years. Logistical barriers little exist. Remember to take the medication daily to lessen their children's risk of cavities.

*****: Putting fluoride in our children's water would guarantee all our children would receive proper dental care. We look forward to working in a community where we know our children have access to optimal medical and dental care. Please make the decision to fluoridate our city's water. Help our colleagues and ourselves achieve this goal. Thank you very much.

*****: Thank you, doctors. Welcome.

Myde Boles: I'm myde boles. Mayor Adams, members of the council, i'm a parent, a public health research scientist. I understand firsthand the importance of water fluoridation. I have researched the issue and i'm confident that it's safe and effective way to better the health of my own child and the health of everyone especially children in the Portland area. Unfortunately there's a lot of misinformation on fluoride present on certain websites. Some of which distort the studies and take the information out of context. For example the harvard i.q. Study we've heard about today was picked up recently by an anti-fluoridation website that inaccurately represented the study as being relevant to water fluoridation in fact we know the studies reviewed in that study looked atwater fluoridation that was extremely high levels in china. We know that that's not what we are talking about with regard to water fluoridation in Portland. So water fluoridation is an excellent way to decrease dental disease and I strongly support the science that supports water fluoridation.

Adams: Thank you very much.

Adams: This is why we have a list usually. It's easier. Someone behind the pole. That would be great. Thank you. Sir. Thank you for your patience.

Patrick Anbro: Thank you for your endurance. I'm patrick, project manager for the department of energy and also a u.s. Navy veteran. I would like to point out opposing views are not necessarily fringe elements. Water is the foundation of human survival only second to oxygen. Three days without water and you die. So my point is you never compromise your water supply. There are other methods of fluoride distribution that don't compromise myself determination. Government should not be making my health choices for me. Fluoride is a medication. By adding this to our water supply you're prescribing universally a medicine that majority of the population does not require and possibly does not want. Poisoning the well with fluoride my food, my shower, my clothe, dishes, lawn, my pets. I don't think my dog needs this. This is insidious and without boundaries. A lot of people get sick during cold and flu season. We spread flu to others through contact with school, work, using water supply, thought process, maybe we should distribute the flu vaccine by crop dusting the city. This is an important issue.

Adams: Your time is up. Thank you. Thanks for waiting.

Elenna Howls: I'm elenna howls. I'm a Portland resident. This is the first time I have ever con to a city council meeting. This issue is important to me. As a citizen I should have the right to decide what goes into my body. It upsets me that the city council, which I generally agree with would bypass my right. That's my issue and i'm going to save you 22 seconds.

Adams: Thank you.

Kristin ten Broeck: My name is Kristin ten broeck, I'm going to try to conjure my east coast nature and jam through this. I've been a Portland resident for four years. I want to speak on behalf of people who are susceptible to negative effects of flouoride. Elderly people with immune deficiencies, infants, particularly infants who are not breast fed. Fluoridated water contains 100 times the amount of fluoride present in breast milk. People with cardiovascular disease, diabetes, calcium, magnesium, vitamin d deficiencies. My second concern is that fluoride is the most reactive on the periodic table. It will add to asbestos, glass, concrete and other substances, taking that into consideration and also the fact that municipal water is becoming more and more contaminated with things like antidepressants and aspirin, I wonder if the resources are available to

September 6, 2012

gauge the potential reactive chemistry unique to our area when we do something like fluoridate the water. It's very, very reactive.

Adams: Your time is up. Your last thought?

Ten Broeck: Also I have these studies that everybody is talking about, the choice study, and I feel it's been grossly misquoted by people who purport to have scientific backgrounds. I would advise you to call Anna Joy and talk to her about it.

Adams: Appreciate it. Hi. Thanks for your patience.

Melissa Henderson: My name is Melissa Henderson, representing the Native American Youth Center. I wanted to speak because communities of color weren't represented, that we were letting white people make our decisions. We're not. We're here. I'm the healthcare youth advocate. My job is to help people in the Native community in Portland identify health resources and then access them, so navigate the medical system. Last month, I was working with a homeless teen mother who had a 3-year-old who needed to see a dentist. The teen was complaining that her son was really hard to handle. They weren't bonding, just fighting all the time, but the reason was obvious. It was his dental. His teeth were completely rotten. She couldn't afford to get to the tribal dental clinic in Salem, which is where a lot of our Native community goes. While she had healthy kids, she didn't know how to use it. I had to make the appointment for her, help her go through that process. But I just feel like it's really important to know that not everyone can get to school.

Adams: Your time's up. Thank you very much. Appreciate your testimony. We'll start with the gentleman in the back and then the gentleman in the back again and anyone in the front rows. Ma'am, with the colorful necklace on. Cameron would be great. I think we've got a full panel.

Adams: Would you like to begin, sir?

Tom Holt: Mayor Adams, members of the city commission, my name is Tom Holt. I'm with Regence BlueCross BlueShield of Oregon. I'm here in support of this measure. Seeing the opportunity to really improve health in the community overall, we couldn't possibly say no. That is really the only question. On a personal note, I grew up just outside the reach of the city water system that was the first to fluoridate, and I have the fillings to show for it. I had an experiment with growing up seeing my grade school classmates who were inside the system not make the visits to the dentist that I had to. So we urge you to adopt this, to implement it at the earliest possible date.

Matthew Bristow: My name is Matthew Bristow, and I'm concerned with the undemocratic way that things have gone about in the proposal to fluoridate Portland's water. One day for something that people feel so strongly about. It feels like people were strategically alienated. A large portion of people left. They sat through hours of solely pro info. Then what we saw was using of extreme examples and pictures of so-called bombed-out mouths, even using the highest success persons of, like, 25 or 40%, that wouldn't solve that. This is a forced drug. By drug, purity not assured as a drug, approved and regulated as a drug so lower standard. Water is unique. We can't opt out. So informed consent of the governed. Please work to not hinder the democratic process.

Cameron Whitten: How are you? There's probably, like, 10 minutes in here. As you can tell, I'm wearing the emblems of both the opposing and supporting. I understand how this process is, and I believe that fluoridation is an effective tool to help poor families, especially minorities, fight tooth decay at low cost. I also have reservations as an environmentalist, vegan, and health critic that fluoridation and fluoride is an industrial waste product, and it's not used at all in Europe, and they have better healthcare, but they also have better medical ethics. I talk about the Portland plan, \$3 million to have a public equitable process, and I also mention the fact that the "Oregonian" just posted an article about the mayors of some cities not being included. I appreciate Amanda Fritz sitting here listening to us this entire time. You have my full support, and I really hope we do have a public process and follow the tradition we've been doing here for the past 20 years as we talk about

September 6, 2012

fluoride. I hope we get more than just six hours. It's been a great time, but I really want to see people talk together, to each other instead of three minutes.

Dorothy Gage: My name is dorothy gage. I am here today in opposition to fluoridation, but my major concern is the process. This proposal here in the press calculatedly leaked after months of strategizing by an unidentified coalition. Ultimately the source of the frantic frenzy to ramrod fluoridation will be revealed. In the meantime, those who stand to pay the bill only speculate. Let democracy work. And I think there's something Fishy here. [laughter] a plethora of selective agencies were selected to step forward about fluoridating the local water supply. The comprehensive healthcare, an educational process for all, would be fundamental and very productive. There is no quick fix. Members of the city council who are instrumental in succumbing to this debauchery will be rewarded in history. I recently purchased a new washer, and there was a button on the machine, and it says "pause." at some point, the truth should prevail. Let the people take charge.

Adams: Have you been here all day?

Gage: Oh, yes. Since noon.

Adams: We're now moving this way. Sir, sir, ma'am. Come on up. Anybody else on this side? I'll get to you. Just checking. Want to make sure. Ma'am in the back in the black shirt. Mr. Parker. Gentleman behind the pole.

*****: Is this for?

Adams: We're doing potpourri, lightning round.

*****: Did someone leave their bag?

Adams: I invited too many people up. Harry, take a seat in the front row. We'll get you next time. Thank you for your perseverance.

Tamison Taylor: Congratulations on your award. For me personally, it's about my bones. I'm under treatment for severe osteoporosis. I'm tamz, n taylor. Quite simply, a florid does -- would make my bones heavier, but it would hollow out my bones, making them weaker and more brittle. The documentation is not junk science. It's the mayo clinic, "new england journal of medicine". You might say that my bones and your bones are less important than kids and their teeth, but florid interacting not only badly with calcium. It's with lead, and that's the mechanism behind the harvard study that's been talked about. It's an unapproved drug. It interacts badly with iodine in terms of its impact on thyroid. Frankly, when I first heard about this issue, I thought, well, i'll just filter the stuff out, but there's no reasonable technology to do that short of distillation. So you're forcing us to drink it by putting it in the water supply, et cetera. Now, I hear from all the testimony today that in very small doses it can help kids' teeth. But with this fast-track process, i'm concerned about the safety and the process.

Adams: Thank you very much. Welcome. Thanks for being patient.

Emily Firman: Thank you. I'm emily firman of the Washington dental service foundation, and i've come here, hopefully being a good neighbor, to speak of the benefits of community water fluoridation and particularly for our region in Washington. The foundation is a charitable arm of the largest dental benefit company in Washington state, and our mission is to prevent oral disease and support overall health. 64% of Washington is fluoridated. That includes seattle, everett, tacoma, bellevue, and yakima among the other major cities. Tens of millions of americans have been drinking fluoridated water regularly for over 40 years and seattle for over 50 years. The foundation supports community water fluoridation because it is the best and most cost-effective way to provide florid dental benefits to everyone in a community including children, adults, seniors and those without access to dental care who simply drink the water and receive fluoridation's benefits. Basically thank you for letting me be here.

Nancy Newell: I'm nancy newell, and i've been here quite a few times, but my biggest concern today is that commissioner Leonard is ignoring the problem of sugar in diet and also ignoring that

September 6, 2012

we only provide -- we're 33rd in the united states in feeding our children. This is the single largest cause of decay in teeth as well as several problems that they mentioned from teeth causing heart disease, et cetera. Starving kids is right at the top of the list. So one of the things that you mentioned while you were head of the water bureau is during the reservoir problem where there was urination in the water, you said you would drink coke. So that was advertised to the entire community of Portland in the "oregonian" that you supported the drinking of a soda that is equivalent to eating 20 marshmallows in one 77. So i'm just wondering, as you retire, are you going to recommend that to your 14-year-old grandson? And how in the world can we trust judgment from someone that is so cavalier and flippant about such a serious issue to promote a -- product that is causing a lot of problems in our community.

Dr. Bill Osmunson: I'm dr. Bill osmunson. I've been a dentist for years. Looking personally at the research was like a knee in the gut. My first slide, as you can see there, is dental fluorosis, how it's increasing, sometimes used in research to compare different groups of people. In the united states, we have too much fluoride that we're ingesting. The epa in a dose response analysis also showed that those above the black line are getting too much fluoride. In order to not make it look so bad, they eliminated the infants, those drinking the most water, and they eliminated any margin of safety. Now, the fda is responsible, has jurisdiction over substances used to prevent disease. It says on your toothpaste label drug facts. The fda has rejected fluoride supplements for ingestion, bus they say it's not effective or safe. It's your job as manufacturers -- the final manufacturer of the substance -- to get fda adopt value. Now, here's an example of dental fluorosis. I had a patient, stephanie, who I diagnosed. What are we going to do about those people that are getting too much fluoride already? How are you going to caution them not to get more florid. One of the problems with bones is that there's more bone fracture in fluoridated areas. We see more tooth fracture in fluoridated areas. Tooth crowns are very lucrative, and we see more of that in fluoridated areas. If you look at this graphic, it's very important. Before fluoridation started, decay dropped in about half. Why? No one has a clue what that was. None of perspective randomized control studies. When we compare countries of the world, we find that they also have reduced decay the same amounts. This has continued on. I won't go over this, but basically the studies between Oregon and Washington are a wash. There's no real difference. This is the one that's different than what you've seen before. This is ranking the states in the united states based on the percentage of those fluoridated. We have 50 states here. Then we plot the mental retardation, as all government studies, all government surveys, and we find that there's a roughly tripling of mental retardation in the united states with fluoridation. That is roughly half a standard deviation. Roughly seven i.q. Points. That means we have much higher high school drop-outs --

Adams: Sir, your time it up.

Osmunson: I know.

Adams: i've given you a minute and -- i've given you three minutes.

Osmunson: But this is very important. We're looking.

Adams: And towards the end of the day here.

Adams: Per person roughly -- and your final thoughts?

Osmunson: Three generations according to animal studies. Three generations.

Adams: Thank you. I've got other people waiting. Thank you, doctor. Appreciate it. Next through here. It's my job to get us out of here. No clapping even though it's late. Gentleman in back. Yes, sir. That would be great. Mr. Parker. Ma'am. That would be great. Mr. Parker.

Terry Parker: My name is terry parker. I'm a fourth generation Portlander that's been here since before 1:00. The purity of Portland's water needs to remain perfectly clear. Line invasive species, what we have here is invasive government. There has been a complete failure to have a two-sided transparent conversation within this process. Today's hearing has been for the most part orchestrated theater by those favoring florid being shoved down the throats of Portlanders. With all

September 6, 2012

the hype about getting the bpa out of sippy cups, mandating the ingestion of toxic pungent chemical through something as basic as a human need for clean drinking water is simply going backwards. If the behind closed door groups pushing florid repurposed all the money they are spending on tv ads, they could likely supply toothpaste and toothbrushes many times over for every needy kid in Portland. You are elected as servants of the people not to be confused with self-appointed dictators to the people as is happening with today's bypass of the public. This process needs an injection of equity.

Daniel Ornelas: Good evening, mayor and city council commissioners. My name is daniel ornelas, the manager for the dental clinics of virginia garcia memorial health center. We mainly serve low-income, Oregon health plan covered, unserved children at adults. I experience on a regular basis the hurdles our patients' families go through when their children are too young and suffering from rampant caries to the point of needing to be referred to a specialist, including getting lost trying to find a specialist's office, being able to communicate with a specialist's office when making the appointment, missing their appointments due to them not understanding scheduling instructions, having to wait days or even weeks for an available appointment and facing other barriers such as lack of child care and transportation. From my professional standpoint and also on a personal note, I believe it's a shame that we're not doing more to prevent this from happening. We have something that is safe, proven effective, and cost-effective that could at least decrease the current cavity problems that we see. Our community and future generations would benefit from the protection of access to fluoridated water, and we're counting on you making the right choice? Providing it. Thank you for the opportunity.

Adams: Thanks for waiting.

Craig Mosbaek: My name is craig mosbaek, and i'm a Portland resident. I've been lucky to live in the city for 30 years but, for my teeth, i'm lucky that I spent my first 18 years in another state that has fluoridated water. I didn't really think about my dental health, and I had no cavities until I came to Portland. Unfortunately my daughter was snot so lucky. Maybe because I had good teeth, I wasn't paying attention to her dental health as she was growing up. When she was four years old, she had cavities in half of her teeth and needed a baby root canal. She was lucky in that we had dental insurance, but I remember the day that she was in a dental office getting all her decayed teeth worked on. There are thousands of other children like her, and they're suffering needlessly because Portland does not have fluoridated water. My family supports Portland fluoridating the water, and we appreciate you taking this effort on now. Healthy teeth for Oregonians is long overdue.

******* (did not state name):** I am a proud Oregon transplant. I've been here for seven years. I am devastated by this here. You are determined as our representatives to research, negotiate, and inform the population on our behalf. Not to treat us as children and to make contested decisions for us, which is why this issue has been brought up to a public vote why. The only logical reason that I can see this issue would be decided by your esteemed selves is that you believe your constituents are not educated enough or informed enough to decide, both of which would indicate a failure on your part nedcation. You assume that cited research is the most valid. I would think that the 120-plus nonfluoridated countries would probably disagree with you. Or there's a hidden reason to begin a multimillion dollars city work within 30 days of a council vote, which only indicates corruption. So my question is this. Do you believe that we're stupid or are you corrupt? Neither of which I think are correct. I'm sorry. Could I make one more point?

Adams: No.

*******:** I'm jamie brennan.

Adams: Next four.

John Michael Christian: My name is john michael christian. I just want to start with god bless you. To any of the council members, including you, mayor sam Adams, have friends or family relations that work with the florid industry? Anybody who lobbies for the fluoride industry.

September 6, 2012

Adams: No.

Christian: Are all the meetings that you've had with the florid industry documented and their lobbyists?

Adams: Sir, do you have something you want to say? It's late.

Christian: Are you answering that question? Is that a yes or a no?

Adams: Do you have something to say? Say it.

Christian: I just said it. Your formmer campaign manager, mr. Weiner or whiner -- it's a rumor, and i'm giving you a chance to clear it up -- is involved with the floride industry. Is there any truth to that?

Adams: You're using up your minute.

Christian: Are you not going to answer?

Adams: You've got nine seconds.

Christian: So I would also like to say that man's intrusion chemically and scientifically into nature is what caused this mess in the first place. To continue on that road with fluoride and other chemicals is counterintuitive and lacks common sense.

Adams: Ma'am, thanks for waiting.

Elaine McCumber: Elaine mccumber. I am a citizen and taxpayer. I have all my teeth with the exception of --

Adams: It's ok.

McCumber: That's all right. Never mind.

Adams: Congratulations.

McCumber: My wisdom teeth. But I have a personal vindication against fluoridation, because I am allergic to it. For many years, I did not realize that I was allergic until I went to seattle and someone informed me that there was fluoridation in the water. I was constantly getting sore throats when I arrived in the city, not to mention the fact going into any swimming pools. So bathing in fluoridated water makes me ache all over. I think it's an invasion of our privacy that they can have fluoridation put in. It is called mass medication, and I very much resent it, and I will do everything to fight against it.

Adams: Thanks for your testimony.

Eric Klein: My name is eric klein. In my previous life, I was a reporter, and I attended a whole bunch of berkeley city council meetings. So from my outsider perspective, what Portland has done is just skipped a huge step in the public process where all of this would have happened in a much more organized and rational way in a series of meetings where much more low blood sugared topic would not have gone off. I can't believe we're at this point now where this dentist has to be cut off from his powerpoint presentation when three and a half decades ago we had all those other dentists who were able to give a dozen -- give their presentations. I'm flustered. I'm not a good public speaker.

Adams: You're doing great.

Klein: Thank you. It would have been nice to see this amount of energy as a coalition to stop sugar. It would have been really nifty to this lobby, that is clearly very strong, doing battle with the sugar lobby and really made a big change, and you would have had the alternative health community siding with this community. And now instead we're --

Adams: Thank you for your testimony. Sir, thanks for waiting.

Reginald McCray: Mr. Sam Adams, your honor, my name is reginald mccray. I reside in camas, Washington. My mother has been an anti-florid activist since the early '60s. She was served twice as the first city council woman.

Adams: Thank you for your mom's public service.

McCray: Fortunately camas has floride in the water. What I would like to relate to you, sir, is that based on all the testimony today, floride is a basic ingredient in both prozac and serin nerve gas.

September 6, 2012

It's a by-product of the chemical aluminum industry. Since world war ii, it's been pushed upon the american public by the military industrial complex of the united states, and it's not necessary to be inducing that chemical, that poison, into people's drinking water.

Adams: Thank you for your testimony and your patience. All right. Anyone else over here? Mom in the back, gentleman with the hat, gentleman over here raising his hand. That's it from what I can see. One more? All right. Sir, hiding behind the clock. You weren't napping, were you? Better not be napping. Come on up. There's another chair up here. Ma'am, would you like to begin?

Mary Daley: Sure. Thank you. My name is mary daley. I'm the program manager of the tooth taxi. You heard about it early today. We travel the state of Oregon providing free dental care for school children k through 12. Some of the worst did he kay we've encountered has been in Portland and surrounding communities. Take, for example, this young girl who had not been to a dentist in years. She had holes in her teeth and black teeth deep with decay. These are her front teeth. Her father lost all of his teeth at 28 years of age. She's on that same path. Fluoridated water would have been especially helpful to stem this tide of decay. Tooth decay is the most childhood disease, often causing pain and infection, affecting school attendance, success, nutrition, and self-esteem. 32% of the families that we see on the tooth taxi have an annual income of less than \$10,000. 10% of the students we see at their first visit to the dentist, these aren't preschoolers but seven to 18-year-olds. I will wrap up this by saying I strongly support fluoridating Portland's water system, and I think the benefit would be tremendous to this population as well as everyone.

Adams: Thanks for your perseverance, sir.

******* (did not give name):** No trouble at all. It's a negligible cost for use, florid in toothpaste.

Drinking fluoridated water won't be enough on its own to protect your teeth. If you do use fluoridated toothpaste, you're getting plenty of florid on your teeth without ever needing to drink any fluoridated water. You can find fluoride in almost any toothpaste on the market. If you don't want to use florid but it's added to the public water supply, what choice do you have? The acid does not disinfect water. It does not neutralize ph. It is added to water supply solely for the perceived dental benefits and nothing more. Cavities are not caused by nonfluoridated water. This is no replacement for proper oral hygiene and regular check-ups at the dentist app lobbyists and proponents beg the question why would anyone want to oppose a solution that is backed by every major health authority and is the only solution that automatically benefits everyone regardless of race or class. I would vigorously challenge the notion that water fluoridation is the only possible cost-effective status.

Chris Becker: I just wanted to say, I guess, that i'm really appalled that everything seems like a bad james bond movie. We've got nuclear waste falling from the sky in our oceans, people threatening to put poison in our water, and it seems logical enough to assume that, if most of europe has studied this and has concluded that it's toxic to them and they took it out that we should be able to trust their scientists as well and join forces with them to educate ourselves better, because the problem is with our education system. The information has been tainted. So anything that could be used in cockroach poison or serin gas or used by the nazis to keep the jews docile probably shouldn't be used on us unless we want some kind of fascist living situation. Yeah. I just hope that you look deep inside yourselves and think about the people that are here talking to you and make the effort to let them have their day to vote on this. Thank you.

Fritz: Your name, please?

*******:** No.

Fritz: Ok. Thank you.

Adams: Thanks for your patience.

Joshua Moffett: I'm a general dentist in Portland about eight years, dr. Joshua moffett. I deal with fear on a daily basis. What I would say is that I don't force people to get their teeth fixed. If they're too afraid to have treatment done, then I let it go, and I know those patients are going to lose

September 6, 2012

their teeth and end up at a dentist. But as far as the kids are concerned and the very elderly, i've worked on patients as old as 100. I should not be doing extractions on people that are young. It's important enough to say. Thank you.

Adams: Thank you all very much.

Moore-Love: One more person signed up.

Adams: Anyone else want to testify? This is our last panel. Yes. Please come up. Ok.

Kari Ilonummi: It's been a long day. I can tell that. I'm congressional candidate of the second district of Washington state, kari ilonummi. I had no idea that was happening but a very lively event. I'm from north of seattle, the second district.

Adams: Are you spending lots of money while you're here?

Ilonummi: Yes, I have. [laughter] ultimately this was well worth it, being a statesman. I've heard some really powerful arguments. I'm sure many of the people that are for fluoridating water probably have a prudent endeavor in the back of their minds, but I will say this that anything that's forced upon the american people, if it's how many gallons of water you flush or what kind of light bulb you have or this or that, that's going a little too far when they're on the toilet, in their bedroom. I would be against the fluoridation of what would be the Portland water, even though i'm not a resident here, ultimately under the circumstances because I believe it's being forced upon the people, and there are clearly obviously indicators that people could go out of their way to receive that florid if they choose to for their children. Thank you.

Adams: That brings our hearing to a close. The public record remains open, and people can e-mail the council at --

Moore-Love: To my address, karla.moore-love@Portlandoregon.gov.

Adams: We really appreciate all your time and effort.

At 8:35 p.m., the meeting adjourned.