



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 12TH DAY OF DECEMBER, 2012 AT 9:30 A.M.

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

Commissioner Leonard arrived at 9:36 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Tracy Reeve, Chief Deputy City Attorney; Roland Iparraguirre, Deputy City Attorney at 2:00 p.m.; Steve Peterson, Sergeant at Arms; and Harry Jackson, Sergeant at Arms at 12:00 p.m.

Items No. 1428, 1429 and 1434 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 11:44 a.m. and reconvened at 11:56 a.m.
The meeting recessed at 2:00 p.m. and reconvened at 2:35 p.m.

COMMUNICATIONS		Disposition:
1410 Request of Mary King to address Council regarding the economics of Paid Sick Leave (Communication)		PLACED ON FILE
1411 Request of Mark Bradley to address Council regarding underground oil storage tanks (Communication)		PLACED ON FILE
TIMES CERTAIN		
1412 TIME CERTAIN: 9:30 AM – Accept the report on the initial equity inventory and direct the Office of Equity and Human Rights and the Office of Management and Finance to develop additional tools to assess bureau performance with regard to specific equity goals and metrics (Resolution introduced by Mayor Adams) 15 minutes requested (Y-4)		36982
1413 TIME CERTAIN: 9:45 AM – Recognize Bill West recipient of the 2012 Steve Lowenstein Trust Award (Presentation introduced by Commissioner Fish) 15 minutes requested		PLACED ON FILE

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<p>*1414 TIME CERTAIN: 10:00 AM – Authorize a contract with Alta Bicycle Share, Inc. for a bikeshare system in the City (Ordinance introduced by Mayor Adams) 30 minutes requested</p> <p>Motion to adopt Fritz amendments: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4)</p> <p>(Y-4)</p>	<p>185800 AS AMENDED</p>
<p>*1415 TIME CERTAIN: 10:30 AM – Implement a street closure pilot program in the Old Town Entertainment District through parts of NW 2nd, 3rd and 4th Avenues between W Burnside and NW Everett on certain days and during certain hours (Ordinance introduced by Mayor Adams) 30 minutes requested</p>	<p>CONTINUED TO DECEMBER 19, 2012 AT 9:30 AM</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Sam Adams</p>	
<p>*1416 Authorize a Memorandum of Agreement with the Corporation for National and Community Service for AmeriCorps Volunteers to continue volunteer service to strengthen and supplement efforts to eliminate poverty and poverty-related human, social and environmental problems (Ordinance)</p> <p>(Y-4)</p>	<p>185782</p>
<p>1417 Authorize a Memorandum of Understanding with the Portland Rose Festival Foundation to assign and outline the City and Foundation roles and responsibilities for the annual Portland Rose Festival (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>Bureau of Planning & Sustainability</p>	
<p>*1418 Amend grant agreements with Community Alliance of Tenants and Center for Intercultural Organizing to provide additional funds for the project Promoting Health through Multi-Family Housing (Ordinance; amend Contract Nos. 32000691 and 32000692)</p> <p>(Y-4)</p>	<p>185783</p>
<p>*1419 Amend contract with the Institute for Conflict Management, Inc. to provide additional funding for facilitation support services for the West Hayden Island Plan and provide for payment (Ordinance; amend Contract No. 30001769)</p> <p>(Y-4)</p>	<p>185784</p>
<p>Bureau of Transportation</p>	
<p>*1420 Extend the date of the privileges for regular disabled person parking permits (Ordinance; amend Code Section 16.20.640)</p> <p>(Y-4)</p>	<p>185785</p>
<p>*1421 Authorize Intergovernmental Agreement with Oregon Department of Transportation for the design and construction of SW Barbur Blvd at SW Luradel St Project (Ordinance)</p> <p>(Y-4)</p>	<p>185786</p>

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Office of Management and Finance		
*1422	Amend contract with Architectural Resources Group, Inc. to increase contract amount by an additional \$20,229 to provide additional architectural and engineering services for the Union Station Facility Improvement project (Ordinance; amend Contract No. 30000091) (Y-4)	185787
1423	Grant a right-of-way use agreement to Cricket Communications, Inc. for three years for mobile telecommunications services and establish terms and conditions (Second Reading Agenda 1243) (Y-4)	185788
1424	Grant a right-of-way use agreement to New Cingular Wireless PCS, LLC for three years for mobile telecommunications services and establish terms and conditions (Second Reading Agenda 1243) (Y-4)	185789
1425	Grant a right-of-way use agreement to T-Mobile West Corporation for five years for mobile telecommunications services and establish terms and conditions (Second Reading Agenda 1244) (Y-4)	185790
1426	Grant a franchise to Lewis and Clark College for a period of ten years for telecommunications services on its campus (Second Reading Agenda 1245) (Y-4)	185791
Portland Development Commission		
1427	Authorize the Portland Development Commission to serve as the City designated lead agency for all locally controlled decisions regarding Immigrant Investor Program EB-5 activities and related investments (Resolution) (Y-4)	36981
Commissioner Randy Leonard Position No. 4		
Water Bureau		
*1428	Apply for permits to allow for installation of a renewable energy project developed by Lucid Energy, Inc. and the Portland Water Bureau (Ordinance) (Y-4)	185809
*1429	Authorize an agreement with Portland General Electric Company for cost sharing of remediation costs on the Portland Hydroelectric Project (Ordinance) (Y-4)	185810
1430	Authorize an Intergovernmental Agreement with Portland Public Schools for Installation of Water Efficiency Devices (Ordinance)	PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM

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<p>1431 Authorize an Intergovernmental Agreement with Portland State University to examine the safety climate and work/family stress-related causes of accidents among Water Bureau employees (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1432 Authorize the Portland Water Bureau Administrator to sign a Net Metering Agreement with Portland General Electric for Powell Butte Reservoir 2 Project solar electric generation system (Second Reading Agenda 1387) (Y-4)</p>	<p>185792</p>
<p style="text-align: center;">Commissioner Nick Fish Position No. 2</p> <p style="text-align: center;">Portland Housing Bureau</p>	
<p>*1433 Authorize application to the Department of Housing and Urban Development for a grant in the amount of \$4,000,000 for the implementation of lead-based paint hazard control activities and administration (Ordinance) (Y-4)</p>	<p>185793</p>
<p>*1434 Authorize a subrecipient contract for Proud Ground totaling up to \$746,600 for homebuyer financial assistance and for the acquisition and rehab of permanently affordable homes for low income participants (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC WORKS</p>
<p>*1435 Approve application under the Multiple-Unit Limited Tax Exemption Program for Boulevard Square located at 6431-6445 NE Martin Luther King Jr. Blvd (Ordinance) (Y-4)</p>	<p>185794</p>
<p>*1436 Approve application under the Multiple-Unit Limited Tax Exemption Program for Pacific Tower located at 333 NW 4th Ave (Ordinance) (Y-4)</p>	<p>185795</p>
<p>*1437 Approve application under the Multiple-Unit Limited Tax Exemption Program for The Wilmore Apartments located at 4327 North Williams Ave (Ordinance) (Y-4)</p>	<p>185796</p>
<p style="text-align: center;">Portland Parks & Recreation</p>	
<p>*1438 Increase contract with James W. Fowler Co. for additional construction service provided on the Phase I riverbank restoration of the South Waterfront Greenway Central District Project (Ordinance; amend Contract No. 30002713) (Y-4)</p>	<p>185797</p>
<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3</p> <p style="text-align: center;">Bureau of Development Services</p>	

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<p>*1439 Adopt certain State of Oregon Specialty Codes and amend corresponding City Code (Ordinance; add Code Section 27.01.035; amend Section 24.10.040 and Chapter 24.90; repeal Chapter 24.95) (Y-4)</p>	<p>185798</p>
Bureau of Environmental Services	
<p>*1440 Authorize contracts with five firms for on-call environmental site investigations and related services in support of capital improvement, operating and brownfield projects (Ordinance) (Y-4)</p>	<p>185799</p>
<p>1441 Authorize an Intergovernmental Agreement with the Port of Portland to provide for cost sharing of joint National Pollutant Discharge Elimination System Municipal Stormwater permit compliance activities (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
REGULAR AGENDA Mayor Sam Adams	
<p>1442 Accept 2012 Human Trafficking Report from the Portland Police Bureau and Mayor's Office (Report) 15 minutes requested Motion to accept the report: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4)</p>	<p>ACCEPTED</p>
Bureau of Planning & Sustainability	
<p>1443 Achieve 100 percent renewable electricity for City operations by directing the Bureau of Internal Business Services and the Bureau of Planning and Sustainability to facilitate a purchase of Renewable Energy Certificates each year on behalf of all City bureaus (Previous Agenda 1392) (Y-4)</p>	<p>36983</p>
Bureau of Transportation	
<p>1444 Authorize Intergovernmental Agreement with Portland Public School District for \$5 million to review, prioritize and implement transportation safety improvements concerning District schools (Ordinance) 15 minutes requested</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1445 Authorize the addition of Eastside Streetcar Close the Loop improvements to the Portland-Milwaukie Light Rail Project as a City betterment, and execute the Design and Construction Funding Agreement with TriMet (Second Reading Agenda 1404) (Y-4)</p>	<p>185801</p>

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<p>1446 Amend contract with Stacy and Witbeck Inc., and authorize agreement with Portland Streetcar Inc., for the construction of the Stephens Turnback element of the Streetcar Close the Loop Project (Second Reading Agenda 1405; amend Contract No. 30000609) (Y-4)</p>	<p>185802</p>
<p>1447 Authorize competitive solicitations for Portland Streetcar Automatic Train Stop Safety Upgrade Equipment purchase and installation contractors for the Portland Streetcar vehicles (Second Reading Agenda 1406) (Y-4)</p>	<p>185803</p>
<p>1448 Authorize revenue bonds for the Close the Loop Project (Second Reading Agenda 1407) (Y-4)</p>	<p>185804</p>
<p>1449 Accept the recommendations of the Northwest District Parking Management Plan Final Draft dated June 2012 and create a Transportation Management Association for the district (Previous Agenda 1408) (Y-3; N-Fish)</p>	<p>36984 AS AMENDED</p>
<p>1450 Create Northwest Parking Meter District and replace associated Area Parking Permit Program (Second Reading Agenda 1409) (Y-3; N-Fish)</p>	<p>185805 AS AMENDED</p>
<p style="text-align: center;">Office of Management and Finance</p> <p>1451 Authorize Bureau of Development Services to move forward with the Permit/Case Management Information System (Procurement Report – RFP No. 113470) 10 minutes requested Motion to accept report: Moved by Commissioner Leonard and seconded by Commissioner Fritz (Y-4)</p>	<p>ACCEPTED</p>
<p>1452 Replace Code for Towing and Pay and Park Facilities with Private Property Impound Towing and add Chapter 7.25 Pay and Park and Non-Pay Private Parking Facilities (Ordinance; replace Code Chapter 7.24 and add Code Chapter 7.25) 30 minutes requested Motion to accept substitute exhibit: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1453 Adopt findings, authorize an exemption to the competitive bidding process to Procurement Services pursuant to ORS 279C and PCC 5.34, authorize contracts and provide payment for construction of the Washington Park Reservoirs Improvements Project (Ordinance) 15 minutes requested for items 1453, 1456-1458</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1454 Authorize revenue bonds for the lighting efficiency program (Previous Agenda 1395)</p>	<p>RESCHEDULED TO DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1455 Invest savings from LED streetlight conversion in system replacement and renewable energy (Previous Agenda 1396)</p>	<p>RESCHEDULED TO DECEMBER 19, 2012 AT 9:30 AM</p>

<p>Commissioner Randy Leonard Position No. 4</p> <p>Water Bureau</p>	
<p>1456 Authorize contract with AECOM for design and construction support services for the Washington Park Reservoirs Improvements Project (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1457 Authorize contract with Cornforth Consultants, Inc. for geotechnical design services for the Washington Park Reservoirs Improvements Project (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1458 Accept modification in compliance approach by adding a change order for the Powell Butte Reservoir No. 2 Phase 2 Project (Report; Contract No. 30002100)</p> <p>Motion to accept report: Moved by Mayor Adams and seconded by Commissioner Leonard.</p> <p>(Y-4)</p>	<p>ACCEPTED</p>
<p>Commissioner Dan Saltzman Position No. 3</p> <p>Bureau of Environmental Services</p>	
<p>1459 Replace the Sewer User Charges Code for consistency of definitions, clarification of terms and addition of enforcement measures (Second Reading 1401; replace Code Chapter 17.36)</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC AFFAIRS</p>
<p>1460 Authorize grant agreement with Friends of Zenger Farm to support the Bureau of Environmental Services mission of providing environmental education and promoting environmental stewardship (Second Reading Agenda 1402)</p> <p>(Y-4)</p>	<p>185806</p>
<p>Mayor Sam Adams</p>	
<p>1461 Approve agreements among the City and one or more of, the Portland Development Commission, Rip City Management LLC dba Portland Arena Management, and Portland Winterhawks, Inc. for the renovation and operation of the Veterans Memorial Coliseum for use by the Portland Winterhawks hockey team and for other events, uses and activities (Previous Agenda 1367)</p>	<p>RESCHEDULED TO DECEMBER 19, 2012 AT 2:00 PM TIME CERTAIN</p>

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<p>1462 Approve an Option Agreement among the Office of Management and Finance, the Portland Development Commission, and Rip City Management LLC dba Portland Arena Management to transfer certain land and property development rights in the Rose Quarter District, and authorize the establishment of a Rose Quarter Event Parking District as specified (Previous Agenda 1368)</p>	<p>RESCHEDULED TO DECEMBER 19, 2012 AT 2:00 PM TIME CERTAIN</p>
<p>*1463 TIME CERTAIN: 2:00 PM – Establish Independent City Budget Office (Ordinance introduced by Commissioner Fritz; amend Code Sections 3.15.010 and 3.15.040; add Chapter 3.16) 1 hour requested</p> <p>Motion to accept Fritz amendments to exhibit A: Moved by Commissioner Fritz and seconded by Commissioner Fish. (Y-4)</p> <p>Motion to accept substitute Public Involvement Statement: Moved by Commissioner Fritz and seconded by Commissioner Fish. (Y-4)</p> <p>Motion to delete reference to grants management: Moved by Commissioner Fritz and seconded by Mayor Adams. (Y-4)</p> <p>Motion to add emergency clause: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-4)</p> <p>(Y-4)</p>	<p>185807 AS AMENDED</p>
<p>*1464 TIME CERTAIN: 3:00 PM – Authorize Memorandum of Agreement with Oregon Public Broadcasting to communicate critical information to the public in the event of an emergency (Ordinance introduced by Mayor Adams) 15 minutes requested</p> <p>(Y-4)</p>	<p>185808</p>

At 3:12 p.m., Council recessed.

December 13, 2012

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS 13TH DAY OF DECEMBER, 2012 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Ian Leitheiser, Deputy City Attorney; Greg Goodwin, Sergeant at Arms; and Wayne Dykes, Sergeant at Arms at 2:30 p.m.

The meeting recessed at 2:06 p.m. and reconvened at 2:31 p.m.

The meeting recessed at 2:44 p.m. and reconvened at 3:01 p.m.

	Disposition:
<p>1465 TIME CERTAIN: 2:00 PM – Accept a grant in the amount of \$1,879,464 from the Portland Development Commission, authorize an Intergovernmental Agreement and competitive bidding process for construction of the West Burnside and Pearl District Circulation Improvements Project (Ordinance introduced by Mayor Adams) 30 minutes requested</p> <p>Motion to add directive to state ordinance is conditional on Portland Development Commission authorization of grant: Moved by Mayor Adams and seconded by Commissioner Fish. (Y-4; Leonard absent)</p>	<p>PASSED TO SECOND READING AS AMENDED DECEMBER 19, 2012 AT 9:30 AM</p>
<p>1466 TIME CERTAIN: 2:30 PM – Authorize the submittal of a Boundary Change Request to the State of Oregon to add 29.2 acres to the East Portland Enterprise Zone (Resolution introduced by Mayor Adams) 20 minutes requested for items 1466 and 1467</p> <p>(Y-5)</p>	<p>36985</p>
<p>1467 Authorize the submittal of a Boundary Change Request to the State of Oregon to add 4.5 acres to the East Portland Enterprise Zone (Resolution introduced by Mayor Adams)</p> <p>(Y-5)</p>	<p>36986</p>
<p>*1468 TIME CERTAIN: 3:00 PM – Authorize an Amended and Restated Intergovernmental Agreement with Multnomah County for the Funding of the Sellwood Bridge Project (Ordinance introduced by Mayor Adams; amend Contract No. 33000048) 30 minutes requested</p> <p>(Y-5)</p>	<p>185811</p>

At 3:14 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.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

DECEMBER 12, 2012 9:30 AM

Adams: Good morning, everybody, and welcome to the city council. Today is wednesday, december 12th, 2012. It's 9:30, and the city council is about to come to order. Karla, how are you this morning?

Moore-Love: Good morning, i'm well, thank you.

Adams: Do you have all your holiday shopping taken care of?

Moore-Love: Not quite.

Adams: Well, get on that. And can you please call the roll.

Fritz: Here.

Fish: Here.

Adams: I'm not ready, either, here. [gavel pounded]

Adams: A quorum is present, can you please read the title to item no. 1410.

Item 1410.

Moore-Love: She'll have to reschedule.

Adams: Thank you, 1411.

Item 1411.

Adams: Welcome, please come forward, all you need to do give us your name, the clock in front of you will help you to count down three minutes. And if you are here to speak for yourself, no further introduction is needed. No telephone number. No address. No twitter account. If you are representing another person, or business, or an organization, you just need to disclose that. We're glad you are here.

Mark Bradley: Thank you for inviting me. My name is mark bradley. I am a concerned citizen of Portland. Speaking on behalf of many people in this room who may not have information about their own heating system, the reason that i'm here is because I was biking to work the other day through ladd's addition and saw three oil trucks delivering oil to underground tanks in ladd's addition. I was sad because I knew all these tanks had permits on Portland maps, and showed that they were double or triple their life-span. I feel that the, i'm in a bad news business, I work for dana thompson tanks and soil, and I am regularly helping sad people encountering leaking tanks. This is not just a Portland problem. It's all over our state. And I believe that, because the tanks are unregulated, there is no federal or state rules, and I think that the federal and state people are receiving pressure from a petroleum lobby. At this point, I don't want to, to say i'm against the oil. I love oil heat, I love drilling for oil. I love exploration. I think that it's an amazing product. I think that there are so many places that we could go. I'm against bad storage. So, this is not just a problem for Portland. Lake oswego. Salem. It's all over town. The tanks are made of steel, steel corrodes with water, we live in a rainforest, and the tanks corrode with electricity, we live in a city. Soil conducts electricity. And most of these tanks are leaking, and people are servicing them all the time. My office is in ladd's addition at the bottom of the hill, when I see oil pumped into the ground, it's coming right down the hill under my office. There is health risks involved around town when people have big plumes of contamination being exposed to volatiles. It happens in a lot of places where there is shallow groundwater, we have lots of shallow groundwater around town. I am just a concerned citizen. Not here for any particular cause or reason. Just live in Portland, and I

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work with a lot of sad people all the time. People who lose the equity in their homes and people who are just completely distraught that they did not have good information. I feel like i'm in the bad news business. And I have really good information for people if they get to me early, and that's the main reason that i'm here and also to thank the deq, who is understaffed and underfunded, and I think that they do a great job, and they support a lot of people and give a lot of information. And they kind of soften the blow of some of the really sad people, kind of take them down and help them to work through these real estate transactions. Most of them are caused by real estate transactions.

Adams: You raise really interesting point that I had not really thought about. And if folks wanted to learn more about the status of their underground tanks, they could go to danatanks.com?

Bradley: That's right. Dankatanks.com.

Adams: And it's true you have a two for one special going on right now?

Fritz: This man does his homework.

Bradley: No, two for one but when we show up the first time, it's a loss leader. We lose money doing inspections on people's tanks, and we prefer the tanks don't leak because we do better with tanks that don't leak as far as profit margins. When we have to explore and discover leaks, it takes a lot of time. And those are the people i'm most concerned for. People adding oil to the ground right now that don't know their tank is triple their life-span, and it's happening all over the city. I'm not against oil, just the bad storage of oil.

Adams: Thank you, appreciate it. And we'll forward this on to, to the bureau of environmental services.

Bradley: Appreciate it.

Adams: That takes us to the consent agenda. My understanding is that 1428 and 1429 have been pulled. Is that correct?

Moore-Love: Yes. As well as 1434.

Adams: Can you please read those titles.

(Titles read for 1428, 1429 and 1434).

Fish: Mayor Adams in terms of timing, I am guessing we're going to be in council all day and all night, so this, this will be heard at the earliest around 2:00, probably, or later. Do we know who pulled 1434?

Moore-Love: Your office requested that be pulled, and they just want to refile new one next week, is my understanding.

Fish: Coming back to my office, that's an important clarification. I should have known. Thank you.

Adams: So unless there are objections, which one was yours? 1434? Goes back to commissioner Fish's office. And all right. The other two will be heard at the end of the regular agenda. That gets us to the time certain.

Moore-Love: We need a role on the rest of consent.

Adams: Oh, thank you. Can you please call the vote on the consent agenda.

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

Adams: Aye. [gavel pounded]

Adams: Now we can go to the time certain. Read the title for resolution time certain 9:30, 1412.

Item 1412.

Adams: Thank you. The Portland plan is intended to help make Portland more prosperous, educated, healthy and equitable city. The Portland plan recognizes that advancing equity must be at the core our plans, as a city government, it includes a framework for equity to guide plan implementation, and to improve city operations and business practices that support actions for accountability, close disparate gaps and can increased community engagement and civic activities. So, to know how we're doing, we have to have a baseline. And so today, for council consideration through this resolution, is a focus on the city's workforce. The workforce that we employ. And it

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provides both baseline and a template for measuring further progress moving forward. I really want to condemn, condemn, commend. [laughter]

Adams: Sorry. I'm on a lot of cold medication. Commend Anna Kanwit and Dante James for working on this. The public doesn't know, but up until this point, most of the information that we received as a city council, and that, in our role as bureau, in our role as commissioners, in charge of, and most of the information received by the bureau managers are stacks of paper that report on statistics and hiring statistics, and diversity statistics in the city. And while that information is important to look at, it is very hard to digest on a regular basis. So, we will continue to put out for, so that every section leader and every team leader in the city see the details of how they are doing in terms of the diversity of their teams and their groups and their subdivisions, but, for accountability, this is going to move us forward much further than we have in the past because it is much easier to digest and read so with that i'm pleased to turn it over to director of bureau human resources, anna kanwit.

Anna Kanwit: Thank you, mayor. Commissioners and, anna kanwit, I was not sure where we were going with the condemned part there, but, anyway, as the mayor pointed out, the resolution is product of several undertakings to look at a baseline equity for the city of Portland. This began before the office of human, of equity and human rights was fully implemented and before the director, dante james, was appointed, and much has been done as you know from the reports you received from mr. James since the information in the resolution was compiled. Basically, the resolution is the exhibits contained in the resolution is looking at baseline data. There is the equity inventory that Cecilia heron from omf put together. Which was looking at overall strategies, policies and measures that are currently being used by the bureaus in the area equity. We have the overall diversity breakdown of the city's workforce, and a recommendation for inclusion, of people of color and women and certain city hiring panels. Just real briefly, the exhibit a, the first exhibit shows you a breakdown through three quarters of the fiscal year 11-12 of the applicant data, and during that time we received almost 10,000 applications, 65% of applicants were white. And 18% were people of color. And then there was 17% that were not identified because as you know, it's a voluntary identification. Similarly, 53% of the applications were from male applicants and 32% from female, and 15% did not designate, so that kind of gives you an overall picture of the applications coming into the city. The second exhibit, exhibit b, which contains quite, a number of percentages, but basically, what it does for you, and for the bureau, is it provides the first overview of the city population, taken from the 2010 census, a breakdown of female, male, minorities within the city, and it does the same breakdown for the total city workforce. The remainder of the exhibit, though, is looking at the diversity of city employees in three categories. Top level managers, which is directors, assistant directors, and a managerial level, and below that, mid level managers, which are the supervisors and entry level employees. So, the numbers don't add up, those three categories don't equal all of the employees in the city because not everybody will fall into those categories. But, we made a determination in conjunction with the mayor's office to look at the data that way because it gives us a better idea where to focus on in terms of how we bring people into the city. We know with our entry level work is tending to go away with budget cuts. We need to look at the diversity there, and obviously as we are moving up to increasingly higher level leadership positions, it's also important to look at our leadership there, but again, this is baseline data. Exhibit c is inventory that I talked about that across the city, is looking at the programs that we have in place now. The final exhibit, exhibit d, is the recommendation from the bureau, human resources, in, to implement a modified proposal for including minorities and hiring panels, what I mean by that, is our recommendation is not that every hiring panel include people of color on it. What we are recommending, though, is that we include people of color on hiring panels where we know we need to increase the diversity of that classification area, that part of the city, and also for leadership positions. And our recommendation is that we use subject matter experts. Of course, it does not

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help us a lot if the people on our panels don't understand the work. This is -- we based this recommendation in part on what was done in purchasing in terms of the contracting, and --

Adams: This is an idea we stole from commissioner Leonard.

Kanwit: Oh, ok, yes, we stole it from commissioner Leonard. And in talking to the city's purchasing office, what I found out is, an additional benefit, they had an inclusion of the minorities, and in their various processes is that, is that it provides information out to the community about our process. And so the knowledge is really helpful and provides transparency so there is an understanding of the process, as well so we think that that's an added benefit of that recommendation. So, you know, next steps with this, obviously, is to adopt the resolution. And, and in addition, I would ask that you encourage your bureaus to work closely with the bureau human resources. We are working very hard to provide a lot of tools to the bureaus and to improving their focused outreach. Sometimes, though, that does take a little more time than the bureaus would like to fill the positions but we think it's critical, so support for really using the tools that we have in terms of doing outreach is really important. And we ask your support for that, and finally, to provide support continuing in training and education on the issues bias and discrimination reduction that are done by my bureau and by dante's. The one thing I forgot to point out on the hiring panel, one of the things we're going to start doing for all the hiring of panels is a brief overview/training in biased reduction. So people understand. We all come to hiring interviews with our own biases and prejudices, and I don't mean that in terms of against someone of color or certain gender, but, people, you may be more comfortable with, because of the same culture, someone who comes from new york, I automatically think wow, I like this person, they talk as fast as I do. One has to be aware of those, so that you are making a hiring decision. Not based on the people that you feel the most comfortable with, but obviously, who are the most qualified. So that's part of the recommendation.

Adams: Great. Dr. James.

Dante James: Thank you. And just a couple of points. One, certainly, we appreciate my office and I appreciate the work that h.r. has done in this regard. Omf and miss heron have done in getting what essentially is a snapshot in time of what the various bureaus are doing. Regarding equity, increasing the diversity of their bureaus. And this is more specifically to the workforce. But, we are also working with h.r. to, to look at, not just the end number, but, the center of that process, so increasing the pool of applicants overall, so that the end number can increase. And, as, as anna said, we would encourage you to encourage your directors of the importance of working with h.r., as I have done in my offices training and consulting with various bureaus, and many managers and supervisors, the majority are not aware of the outreach and the target outreach in the specific assistance that h.r. can provide in doing a broader outreach. And/or have a criticism of h.r. in what is a, two or three-year-old criticism of what h.r. does or does not do, and is not aware of the current practices of h.r. and the work that they have done to increase their target outreach and focus on improving those pools of applicants. And so it's just an opportunity to create a broader awareness around the city of the good work that h.r. doing and do on behalf of the bureau. So, I would encourage acceptance of the resolution and, and we are continuing the work with h.r. on metrics. My office is working in some sense with psu to assist us in the development of metrics. And we are continuing to improve the way we look at baseline data, as well as broaden what that data will be.

Adams: One thing that, we've been very successful at and the police bureau is to on your exhibit a, is to keep a real focus on the openings, to underscore parts of both of what you say, so, exhibit a underscores the openings, and in this case, 244 physicians requested and, then to look as you noted, at the applicant pool to what director james was saying, and to really focus on those openings and, and to judge our success or failure based on, you know, what's the diverse of each class of cadets, each class of new recruits that we bring in, and little by little, you start to see the big meter changing because of this. So thank you for your work on this.

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Fritz: Question, I appreciate both of your good work, and it's exciting to be moving forward with this, and thank you mayor for your leadership on this issue, mayor, and the numbers do matter. The numbers show that there is a greater disparate for women compared with the city as a whole than there are for minorities, and so I am wondering is there going to be a, a female evaluator program considered to make sure that when we have, that we have gender diversity on the hiring panels?

Kanwit: Absolutely.

Fritz: Thank you.

Adams: Thank you both. Does anyone wish to testify on this matter?

Moore-Love: No one signed up.

Adams: Can you please call the vote on time certain resolution 1412.

Leonard: Thank you, mayor Adams and those that have put this together. Aye.

Fritz: This is important work. If we don't know where we are, we can't map out a place, a way to get to where we need to be. So, I appreciate the good work that's been done over the past two years and looking forward to participating as we move forward. Aye.

Fish: I, too, am pleased to support this work, and I want to echo what the mayor said about recruitments and intentionality. Because really, it's at the front end where you cast the broadest net, and you make sure that the pool is diverse. That we give ourselves best opportunity to get the best, qualified person. And too often the pools have not been diverse. So, we have inherently not been selecting from the most qualified people. And that's changing under this approach, and I am pleased that we're now systematizing it across all the bureaus. Aye.

Adams: Again, thanks to commissioner Leonard, who I stole your idea. And requiring diversity of the oversight selection committee. For rfp's. We'll be doing that for hiring panels to commissioner Fish, who, he and his team helped us polish this to get it where it is today, thank you for that, and to commissioner Fritz, who is leading the effort on equity and i'll be there as citizen sam, to cheer you on. Aye. [gavel pounded]

Adams: Please read the title for presentation item no. 1413.

Item 1413.

Adams: Commissioner Nick Fish.

Fish: Thank you, I have a brief introductory statement and well invite michelle and bill forward. Welcome to our honored guest. Mayor and colleagues, this is the fourth year that I have had the honor of presenting the steve lowenstein trust award. As you know, this award is named for attorney, author, and civil rights' activist steve lowenstein. Steve had a remarkable resume. He was the founding director of Oregon legal services. A peace corps volunteer. An advocate for social justice. And the former chief of staff to mike lindbergh. He wrote that the recipient of the trust award, "shall be that person who demonstrated the greatest contribution to assisting the poor and underprivileged in the city of Portland, Oregon". Past recipients have included maria h. taylor, casey jama, and mark jolin. This year the board has selected Portland resident william west. For his advocacy and years of service to the cognitively and developmentally disabled in our community. Here to tell us more about bill is michelle harper. Michelle, welcome.

Michelle Harper: Good morning. Michelle harper, board chair of the steve lowenstein trust. Good morning mayors and commissioners. It gives me great honor to come before you this morning. This award means a lot to our board because it really exhibits the best of who we are as a city. It really tells a lot about what we're all about. If anyone didn't know anything about Portland, they would know that this is a place that cares about its citizens. So, I thank you for giving me the opportunity to present this award this morning to mr. William west, who is our 2012 recipient. I would like to acknowledge our board members, no one does this work alone. We have an amazing board, and we work really hard to be able to select candidates that we think, to come before you and to exhibit exemplary work that they do. Board members, if you would stand briefly. Art alexander,

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jamaal folsom, ron paul, david thornburg, charles williamson, margie harris. I think -- oh, art alexander, I think I covered everybody.

Fish: Thank you, all.

Harper: Thank you very much. As the commissioner said, steve was an exemplary person, and we were very fortunate to be able to be blessed and to be in his midst. We learned so much from him, and we feel that in doing this work, that we have selected candidates over the years that have exhibited his spirit in the work that they have done. The community person that we have selected this morning, mr. West, he's a person who is quiet warrior. But makes a lot of noise as far as the advocacy for the intellectually and developmentally disabled community. This is an issue that is very, very close to my heart. It was very, I was very fortunate I was working at parks and recreation to look at adaptive recreation. It was a wonderful experience to work with incredible people who opened my eyes to so many of the issues and the challenge of, the challenges of the community. And to be able to, you know, to be able to learn and grow and participate in activities, this is a community where, where some of the challenges may be invisible to us, but they are very real to the people who they are happening to. And we use this opportunity in giving this award to, to not only acknowledge the person for the work, but also, raise the level of visibility of the issue that may need more attention by the council or, or whether it's nationally, locally or globally, but you use that as an opportunity as a platform. Mr. West dedicated 30 years of his life for advocating and assisting Portland and Multnomah county, and -- clackamas county community members who are working through the challenges presented by developmental disabilities. Whether it's finding lodging, counseling, medical assistance, housing, legal services, mr. West has been there for the community. He was chosen to serve. He's assisted hundreds and thousands to navigate the daunting and seemingly impenetrable bureaucracies. His work often made the difference between person of independence or institutionalization. Up to the year 2000, when fairview training center was closed mr. West was an advocate for those housed there. Helped with the growth of the Portland area and created an organization called "people first of Oregon." this was the states leading advocacy group run for and people with developmental disabilities. The rippling effect was felt around the nation, and people embraced the idea that a mental disability does not mean surrendering the right and the responsibility to speak for themselves. Additionally, while fairview was open he worked as an advocate during hearings for residents and difficult and personal circumstances, helping to make sure that their rights and best interests are respected. In recent years Mr. West focused his attention on helping local governments in working with developmentally disabled communities. He helped the public agencies understanding the needs for policies and procedures, coming up with strategies, and particularly, in law enforcement designed to, help employees recognize them to be sensitized and engage people with disabilities. Mr. West deeply is committed it reducing the likelihood that interactions with the community will turn into a needless or dangerous or tragic confrontation. For his years of compassion and dedication, to the safety and welfare and independence of the vulnerable, underserved and too frequently invisible members of our community, the lowenstein trust is very proud to, to acknowledge mr. William west as our recipient for this year. His list of accomplishments with the arc is endless. He sees a problem. Comes up with a solution, even if there is no resources. He just connects with people. He pounds the pavement. Many times the folks that he's helping, they are just below that line of not getting services. They fall through the cracks. And he's been that bridge that they can cross. To having a healthy and a sustainable life. So, I want to just tell you that this man that we present this morning is one of Portland's finest. And as I said before, he exhibits the best of everything that Portland has to offer, and I will just turn it over and give him a few minutes to make comments for himself.
[applause]

Bill West: Thank you very much, I am so honored to be here. This award was totally unexpected, and it's especially an honor to be receiving this award from representatives of our city, the city I

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love so much and have given my heart to, very nervous and a little emotional about all of this, but I really appreciate the kind words of everybody. This has been a challenging job, and I am fortunate to have worked at the same place and the same job for 30 years. Unheard of nowadays, but, you know, I am pretty resolute in what I do, and I have many good supporters. Many of the people are here today that are some of the people that could be, getting this award just like me and, and they are my models and, as are people with intellectual and developmental disabilities, and people with mental illness I work with a number of people that have multiple disabilities. Their courage, their compassion, their empathy, people that have these disabilities, is something that sustains me. And I have had so many people say thank you to me. In the past, that, that, you know, not receiving an award would have been fine, but, the graciousness of the city giving me this award is something that I will cherish all my life, and my families are here, and they have supported me, and I thank them very much for that. And like one goal in life is to make our lives easier for all of us, all the time. Thank you so much. [applause]

Fish: We're going to ask you to take a quick picture with us in a second but I want to observe there is something poignant about acknowledging and recognizing you at the end of this calendar year. Because this has been a year of distinction. This is the year that we launched an office of equity. And thanks to the tireless work of the mayor and commissioner Fritz, this is a year in which we place Charles Jordan's name on one of our great community centers, and thanked him for his lifetime of work in removing barriers. This is a day that, this is a year the park's family cut the ribbon on Harper's playground, a playground for children all abilities, and this is a year we end with what I consider to be the most important award that the Parks Family and the Lowenstein Trust gives out every year, which is the Lowenstein Award. For your lifetime of service. So thank you for being part of year of distinction. And thank you for your incredible service to our community.

West: Thank you very much, and one comment you made in the media the other day about always not, undervaluing people that are considered to be the end deserving poor, I share there is no such thing as people who are undeserving. We need to be working with everybody and helping everybody, and I will also say this has been a challenging time for my agency. Advocacy for people with these disabilities is crucial. We've been struggling, so I am going to give the prize money that I get for this to the Arc of Multnomah and Clackamas. We need to sustain our advocacy efforts, and we call on this community to help us with that process.

Fish: Can we take a quick picture here and give him the check? And can we invite board members up?

Adams: Karla read the title for 1414.

Item 1414.

Adams: If I could have staff come forward while I give some opening remarks. This is the fourth time that the Portland city council has had the opportunity to consider the bike share program. The RFFA grant application approval of the RFP, the approval of the IGA with ODOT, and approval of the contract with Alta, is what's before us for our consideration. In front of you today, is a draft contract with Alta bike share, to fundraise for and operate public bike share system for five years in the city of Portland. The contract includes no city funds, but provides 1.8 million in grant funds to Alta for purchasing and installing bikes, and stations to be matched by roughly \$6 million of private sponsorship funds to launch a 750 bike share system and operate it for five years. The contract provides opportunities for the Bureau of Transportation and Alta, to size the system, location, and sponsorship funding package based on fundraising success. The city resolution that authorized the grant applications also directed P-Bot to seek funding for two important projects, Sullivan's Gulch and Barbara Demonstration projects. I have included a memo from P-Bot that outlines the status of those projects but for the sake of those in attendance, P-Bot has submitted seven grant applications, including four active applications for the Barbur Street, and Sullivan Gulch, and we remain committed to funding those projects for resolution. Today we'll hear from P-Bot staff, Dan Bower,

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and steve hoyt mcbeth, as well as mia burk from alta bike share. Staff also has worked with the coalition of communities of color to develop a standards for the jobs created through this project. And alan hipolito from verde is here to speak on that point, as well. So with that I will turn it over to mr. Hoyt mcbeth, or mr. Bower.

Dan Bower: You said everything I was going to say so that's great. I am dan bower with active transportation, city of Portland. Just before we get started I want to take a moment to have some clarity about the cost of the system. In your ordinance, point no. 8 says the system cost is \$7.8 million. The intent of that is to --

Adams: You close the door?

Bower: I also provided press release that we sent out yesterday that clarifies the cost of this project, so you'll see the 7.8 million in the ordinance, actually, refers to the 1.8 of grant funding plus the 6 million of sponsorship revenue we need to launch the system. It does not account for the revenues that we generate on the system.

Adams: Ok.

Bower: So the cost of the system to launch is \$4.6 million, the cost to operate is 1.9 million year, and we have a five-year number in there because these are federal funds. We have to operate the system for a full 5 years. So, that would be the total cost in front of you there. I think that with that I will hand it over to steve to give a presentation on what we're pursuing here, and we'll go from there.

Steve Hoyt-McBeth: Thank you, dan. I also have a powerpoint. There it goes. I wanted to give a brief -- oh, maybe.

Adams: You can trade places if you want. Need to push the button.

Hoyt-McBeth: Ok. Great. I want to provide a brief description of the bike share --

Adams: You need to push it again.

*******:** Just once.

Adams: Push it again.

Fish: The battery may be dead.

Adams: Ok.

*******:** It's like square dancing.

Hoyt-McBeth: Pardon me. I wanted to give a description of bike share. Our work today since we were in front of council asking for approval of the funds, last summer, and give a, a brief description of the contract under consideration. So bike share is a system of public bikes available for short-term rental at unattended self service locations. It is intended for trips of three miles or less or 30 minutes or less. Bike share is growing very rapidly in the united states, in 2008, there were two cities operating small bike share systems. Four years later we have over 26 systems now, operating, nashville opens tomorrow. And these range in size from very small in spartansburg, south carolina of ten bikes to almost 1700 in the Washington DC region. And what we're seeing from, especially the large systems that are at scale, these are 2012 members, not cumulative but for 2012, when you build a system at scale, bike share really operates as an extension of the public transit system. To provide an affordable, popular, and convenient way to get to work, to get to your work errands. To get to school. To deal with commerce and for entertainment. So, we have about 12 to 15 goals in our bike share rfp, but I want to talk about the main ones. Of course, we want to increase bicycling trips by bringing new people to bicycling and increasing the amount of people biking. And we want to reduce the car trips, especially single occupancy vehicle trips, and to create jobs. So the portland plan is our strategic guide to where we go as a city. And it regards to our climate goals, and greenhouse gas reduction goals, bicycling has been identified as a key tool in reducing our transportation carbon footprint with 25% of the commute trips happening by bike by 2035. So, over the past two decades we have done some really great work. We have built 300 miles of bikeways. And we have the highest commute rate in the country. And yet, right now,

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we're at 6% of, of commute trips by bike. So, we know that we have innovative programs that have helped us to get here, such as safe routes to schools, smart trips, sunday parkways, our neighborhood greenways program but if we want to grab more people and get them into biking, we need to also explore new tools that are working in other places. And the good news is, is looking at the survey data from these large systems, when people join bike share, they bike quite a bit more than they were beforehand, and they also drive less. We've seen a significant reduction in single occupancy vehicle trips, reported by bike share members and surveys in minneapolis and denver, which is very encourage. Of course jobs is very important, we projected Portland bike share will create 20 new jobs. We worked with our contractor, alta bicycle share, and representatives from the coalition of communities of color to make sure this these jobs and the wealth created is shared by a broad cross-section of the community, and we have very aggressive goals in the contract. We limit it to job hiring. We spent considerable effort in insuring that we engaged all of Portland in a discussion about bike share. And how we can maximize the benefit in Portland and reach broad cross-section of the community. We held 40 public meetings with business associations and neighborhood association and is affordable housing providers, and community service organizations, universities and private businesses. We also undertook a, an interactive online tool called a crowd sourcing map, which allowed people to tell us where they would like to see bike share station, and then also, the comments on that tool, and also vote to say which stations they like the best. We had 900 suggestions, given to us through the website of, of bike share stations, and we had over 5,000 votes in terms of support for different stations, and including this one at the Oregon convention center. So, I want to just briefly go over the main tasks of the contract. As the mayor mentioned, there is \$1.8 million of federal transportation dollars in this contract. There is no city money in the contract. So, the first task of alta bicycle share will be to go out and secure financial commitments for the remaining costs related to the project for the launch of the system and the operation of the system. Likely to happen through sponsorships, which has been a model used successfully in other cities. Once they have conducted that, and it has been approved by the city, then we will be reimbursing that task with \$50,000. The second task is developing a draft station map that we will then take out to the community and vet, through a series of public meetings, and of course, the securing the permissions from the owners and the permits, they will also have a \$50,000 reimbursement. A marketing plan to reach a lot of the Portlanders and hit a lot of the different submarkets out there to making the system successful. And then the fun stuff happens, actually, putting the purchase order in for the system, and buying the bikes, and stations, inspecting the bikes, and installing them and doing the hiring, and, of course, launch, the system and operating it for five years. In conclusion I wanted to speak a bit more about the social equity provisions that were so important to the contracts. And in building these, building the contract, we really lean on both the coalition of communities of color, and the high road standards developed as part of the clean energy works of Oregon program, the pioneering work why undertaken under the leadership of mayor Adams which set out some, some principles, referred to as the high roads' standard as in the idiom of taking the high road, which speak to how to ensure that the jobs that are created with the public money actually flow back into the community and are, are -- provide wealth for a cross-section of the community. So, we intend to, after the execution of the contract, form high roads committee that will be comprised of members from the coalition of communities of color, and from job training organizations, and other advocacy organizations along with the city and our contractor. We have laid out some specific goals in terms of 50% of job hours, and going to people from underserved communities including 30% from communities of color, and low income residents, and veterans, and immigrants, and refugees, and disabled individuals and formerly incarcerated people. We also have, as part of that, as part of a, a, to make sure that we meet the goals, all this is outlined in attachment c, we will identify a soul or two training providers with expertise in hiring and training with people from underserved communities to ensure that we are reaching folks. We are

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setting a minimum standard of the wage at 150% of the minimum wage, and after 90 days, full benefit and health insurance for full-time employees. And lastly, alta has agreed to discount up to 500 memberships annually at \$35 a year. We intend to work to get that number lower through pursuing grant opportunities and partnerships with different organizations, and we are one of the nice things about not being the first out of the gate on bike assure we have got to learn a lot from other cities on what works and what does not on trying to ensure that these, the bike share is available and accessible and used by all members of our community. That is all that I have. And I wanted to turn it over to mia birk with alta bicycle share.

Fritz: Just to clarify somebody who is not a member can't just walk up to the booth and rent a bike?

Hoyt-McBeth: Yes, they may purchase day pass at the kiosk, yes.

Adams: Welcome back, congratulations.

Mia Birk: Thank you. Do I have a push a button?

Adams: No, you are good.

Birk: Thank you, mayor Adams, and commissioners, and today we accept the responsibility for developing, fundraising, and launching and operating Portland's bicycle transit system. It's going to be long lasting system. We will be intertwined for many years to come. Now, I have to admit that four years ago, I think that that's the last time that I was here when Portland adopted the master plan for 2030. I was kind of skeptical about bike share at that point. We did not have -- systems in north america to look at and I felt then that developing a world class bike lane network and investing in the encouragement programs that the city was doing, were a higher priority for Portland than bike share, and since my mind has been changed, and as steve mentioned, bike share is the solution that's going to get us to the goals, the ambitious goals set out in the Portland plan, and I say this based on really deep experience that we have gained by launching and operating the nation's largest bike share systems in d.c. and boston in particular. And by our technology partner, public bike sharing, inc., also bixy, in montreal and toronto and london, and minneapolis. And in the experience of hundreds of cities, in europe and china and mexico, australia, and beyond, and it's clear, that dunn wright bike share is a game changer. And a lot of cities have done bike share at a small scale sort of touristy oriented. A few stations here and there and those are nice and good but not at the scale that allows bike sharing to fulfill its potential. And done right, with the right planning, scale, fund raising, equipment, and operators and operations and overnight, we can create here in Portland a long lasting win-win healthy, sustainable transportation solution. This is, this has been our experience. And just word about alta bike share, it grew out of our sister firm, alta planning and design, which is headquartered here, and it started in 1999, out of my kitchen on southeast clinton street. And now, we have 23 offices across north america, with more than 100 staff. Our headquarters are here on southeast grand. We bought and refurbished a beautiful building. Specifically, because of the streetcars, so, we're really, you know, we're part of the fabric of Portland's business community, and bike related business community but just the business community, period. And we're here, we're headquartered here, and we're going to stay here, so, we're really excited to have this contract here. It's nice not to be dealing with the east coast all the time. And we are engaged in communities all over north america so one of the things that you get is not just local experience, and connections but the experience of the network of bike share systems across north america. Fun stuff, so that's all good. I want to have a reality check moment. This contract going to be a challenge, and as mayor Adams, as you pointed out, the responsibility for the bulk of the fundraising, and operations is on us, is on the contractor, and the other cities, the cities pay us to operate the system and they took the responsibility of raising the money, and we're really, we're the operator. New york is the one exception where we're, we're responsible for fundraising there, and we did successfully fund raise there, and we have sponsors at \$50 million. So, we're excited about it here, we're confident that we can get Portland great system. But, it is big responsibility on us, and that's going to be a challenge. Portland is not the same as new york city

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and does not have the deep pocket companies and the media value that new york has with the density of population and activities, and so, I see it as a challenge. I like challenges. And I am excited about it, but i'm also cautious and, and I don't want to overpromise what and when we can deliver. Instead I want to work really hard and with all of you to make this a success. We have found in the cities that are successful in raising funding and sponsorships for bike share, we need a high level city support. We need mayoral level or commissioner level involvement day-to-day, so as your leaving and we're welcoming a new mayor, and new commissioner, we will be coming back really to ask for that kind help in seeking and securing the right sponsors that make sense for Portland. And, that's what i'm hoping. We're excited about the opportunity to provide local jobs. And working with the communities of the, the coalition of communities of color, and to provide working, working wage jobs and you know, I welcome that, it's part of the fabric of what we do already, and most of the tips stipulation that is were requested were things that we were doing, so no problem. Today, we're excited to hand in hand, launch the fundraising and the development effort for this program. Thank you.

Fish: Mayor, may I ask a question of her?

Adams: If I could ask the first one. So, if you can talk about the experience in new york city, and the issue, well, you work on getting your own software as opposed to relying on a subcontractor, and then sandy, hurricane sandy came along, and destroyed a lot of your equipment, but I understand, things are moving forward.

Birk: Yeah. And we, the equipment is all provided, the equipment and software is provided by, bixy public bike sharing, inc. out of montreal, and they decided to shift to in-house software, which makes a lot of sense to have it fully integrated system, so that, but, of course, it did not go perfectly or smoothly, and so it was going to be delayed a bit. And because of those, the seasonality in new york, the mayor in new york wanted to wait and make sure that the software was working, and we're doing a lot of testing, and at that point, hurricane sandy came and destroyed it. So it was six feet of muddy, polluted saltwater, crusted in about a 15-minute period. And destroyed all of the equipment. So, everything is being retooled. The sponsor and the financiers are still in, and all the contracts were renegotiated, and it's moving forward with a smaller launch, that will happen in the spring, and like to be late april or may. Software testing is ongoing, and all the partners are committed to moving it forward, so, it is what happens when you do great planning, and life intervenes.

Adams: Thank you. Commissioner Fish.

Fish: Thank you. Mia welcome back. I understand the smithsonian has asked for your kitchen. A couple of questions. Now that we have experience with bike share in the cities across the country, what are couple of the common challenges that cities face, separate and apart from what we normally see in procurement processes and, you know, new computer systems and things like that, but, what have been couple of the, maybe unexpected challenges that other cities have faced for this to become successful?

Birk: Oh, thank you, that's a great question. I think that one of them is one that allen and the coalition have continued to point out, which is how to really broaden the base of users, and allow entry for those that don't have credit cards because the system is based on having security, so that the bike, you know, if the bike is lifted, there is a way to compensate. And so, obviously, that has been, you know, the easiest thing to do to tie it to a credit card, and for those who do not have access to credit, that is -- we have not figured that out yet. There is a lot of programs being tested, but that's something that I am looking forward to Portland really working on, and finding a way that it's a broad base of users, so that's one, and another, I would say, is, is -- I would say on the positive side we have had very little problem with theft, and we have had very little problem with vandalism and very few safety problems. So, that's the good news, there have not been, you know, there is really almost no history of crashes whatsoever, and the, benefits in terms of usage and mobility and

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getting people out moving is, is super positive. So that's on the positive side. The system also is nimble. It can be moved around and serve events and those kinds of things, so that's, that's on the positive side. And I think that the challenge is, you know, the funding is going to be a challenge. And the federal grants, some of the cities are using larger federal grants, some of them are securing the sponsors differently and some of them put city funding into it, so that's a different way that Portland is approaching it. And I think that's going to be -- I think ultimately, it will be a good thing for Portland to spend the time to invest the community and in figuring out how to fund and operate the system. It's still relatively new in most of the cities, so, I would say that we have to think through longevity. I think of this as starting a new tri-met but let's learn from what's happening with tri-met and try to look at the future and ensure that this will be with us. For generations to come, and nobody has done that yet, so, we're in the early stages on thinking that through.

Fish: One last question -- you know, you think about people, for example, who visit us downtown. If someone wants to get a cab, I think that we're all hard wired to try to find the nearest hotel. And hopefully there is a cab line, if, if you want a bus, we have an app, we can put it on the phone. It shows us where the bus is in the next, next scheduled bus. Do you have a sense from other cities, of where, what the best locations are for sighting these? Do we have -- do some work better than others and generally, what are, what are preferred locations for sighting bike share stands?

Birk: First, I want to tell you that there is a cool app so you will be able to look at an app and see how many bikes are at each station, so there is all kinds of cool technology stuff that will be part this. And Steve, actually did, a lot of work already looking at sighting. So, basically, places where there is lots of humans and activity and, you know, because this really, this system is dependent upon a lot of usage, and Steve you did work on that.

Adams: And if I could, just one thing that we benefit from over the years is, it's described now and planned now as you did, as an extension of transit. And that's something that we benefit from the lesson learned of other communities with, which started out not necessarily viewing it as such.

Birk: Yep.

Hoyt-McBeth: Thank you Mayor. I would make two points, one is that for the visitors, and tourists who use the system, hotels, like very large destinations, Pioneer Square, are tourist destinations will be spots that they will be going anyway, and we'll have, have bike share at them. I want to -- when we first started looking into bike share everybody thought that the system would be built on tourism and from other cities, we're learning that it is a small piece of the overall rider profile, although it's important in terms of revenue because tourists tend to use the system differently. But, so, for the tourists, the destinations are very important, and then when we are looking at the rest of the stations, it looks like where you have a high capacity transit system. So, where do we put max stations? We put them where there's a lot of destinations, and a lot of jobs, a lot of people living, and we, we are using the same criteria when we're looking at bike share stations so there is a lot of people coming and going.

Birk: Portland state.

*******:** Can we have Allen, speak for a few minutes.

Adams: Mr. Hipolito welcome back.

Allen Hipolito: Thank you. This chair is really comfortable. I am glad that I got it back. Mayor Adams and Commissioner, thank you for the opportunity to testify. I am Allen Hipolito I work for Verde and I'm here on behalf of the coalition of communities of color. As Ray Espina would say it is a blessing to be here with you today. The coalition addresses the social economic disparities, institutional racism and inequity of services experienced by our families, children and communities. And the coalition organizes our communities for collective action resulting in social change to obtain self determination, wellness, justice, and prosperity. I would like to speak to their coalition's involvement in bike share. Our work together with the city and this council on bike share, and

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other sustainability initiatives, and to the path forward. The coalition has been involved in bike share since 2011. When a small group of ccc members, native american youth and family center, and irco, hacienda cdc, Portland community reinvestment initiatives, and urban league, and upward espano, and verde better known as the community for equity. Began to look at Portland's bike economy. We got involved because we believe that Portland's bike economy offers real opportunities for lower income people and people of color. Per an alta study we learned that 2008, this economy was worth roughly \$90 million. And was generating between 800 and 1100 jobs. Roughly a quarter of Portlanders are people of color. If we had a proportionate share of the 90 million. This 22 plus million would exceed the combined budgets of most of the members of the coalition and the communities of color. If we had a proportionate share of the bike economies, 800 to 1100 jobs, these 200 plus jobs would be the most successful industry-specific, green job programs for our communities in the city. So, we got involved. We started with the city's application for regional flexible funds from metro, testifying at tpac and jpac and then we wrote a letter to the metro council, and I feel a great personal responsibility for our failure to come to an equity agreement before the flex funds were approved. Because it would have sent a powerful message to existing bike share stakeholders. In our letter to the metro council, we stated that we are solution driven. We're ready to work with Portland bike share stakeholders to improve the proposal's equity commitments and the chances for equity success, and that together we can develop specific detailed goals on workforce diversity, contractor diversity and station placement. And we can develop specific detailed mechanisms to achieve those goals. So, I am glad to say that the city accepted our invitation. I am glad to say this steve and dan bower and dan laden, celeste king worked hard to provide us with the opportunity to help shape the city's bike share rfp. To serve on the rfp's review committee, I believe we were the only non governmental representative on the review committee. To design the written follow-up questions to applicants. To participate in the applicant interviews, and to shape the high road standards that are part of the contract before you today. Couple of elements about the standards that I would like to emphasize is that there will be a high road committee comprising the city and alta and coalition members, as well as other stakeholders. That will further refine and implement and enforce the standards. This, again, is also from the clean energy works model. And we'll also be tapping into the infrastructure we previously created with wsi and the green careers training project using a number of community based organizations to outreach into their communities to identify the workers. So to be sure we have a lot of work ahead, and my hope is that this contract means that we have accepted this invitation to work together, we can do this work, we have done a lot of work together. For the coalition, the city and the sustainability community. We have taken double bottom line initiatives that protect the environment and make money. And we turned them into triple bottom line initiatives. Initiatives with environmental performance, financial performance, and equity performance. And initiatives like the energy works with its commitments to workforce and contract diversity, wage and benefit standards and inclusive and accountable decision-making. Grey to green where we added equity criteria to the eco-roof program with 1% for green and now hacienda cdc, is going to have an eco-roof, habitat for humanity, at gateway will have an eco-roof, 1% for green funding is helping to pay for the redevelopment of northeast 72nd avenue so we can build access to cully park. Eco-districts for coalition members hacienda, naya and verde have created living cully where we're attracting national funding for our efforts to reinterpret sustainability as an anti-poverty strategy. And we can do this with bike share, as mia said our biggest challenge is station placer placement, how do we make these investments outside the city with low income people in neighborhoods, how do we bend the program to their needs, and this is the task ahead in the path forward. And so, with bike share like these other initiatives that I mentioned, here's the situation. Together we found a way to serve equity goals in a project that was really conceived to do other things. From grey to green to clean energy works to the intertwined, these sustainability initiatives and their business plans, their

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outreach plans, marketing studies. They seem to always launch or start up by serving some other community besides low income people and people of color. That's their business model. Right. Their target audience, the low hanging fruit, it has its own marketing category. The lifestyles of health and sustainability or loha. Think about it, between myself, susan anderson, rob bennett, mia and derrick smith we probably knew most of the first 30 homeowners that signed up for clean energy works portland. It's an insular community, and bike share has been conceived the same -- way. The business model we encountered proposed to serve other communities first. And serve low income people of color second. We worked hard to change that. And the folks at this table are our current and future partners in that change. And so the last thing that I will say is that it does not have to be this way. For this in the next council, we can commit ourselves to begin designing sustainability initiatives that launch or start up by serving low income people and people of color first. That these communities are the target audience. Let's make it plain, alta will tell you the Portland, Oregon sustainability institute will tell you, that a sustainable future, a low carbon future, clean air and water, a toxic-free future will require changes that impact the places we live, the work we do, the things we learned in school, and the means to travel within the city, the foods we eat and where they come from and the place we go to recreate and commune with nature. In environmental justice terms we call that the places we live, work and play. And the way that we get from one to another, so surely, bike share and other sustainability initiatives sure to come can address low income and people of color communities longstanding needs for housing, economic opportunity, and education, transportation, and healthy neighborhoods. And it has to be this way. We have to serve these communities. We have to prioritize that service and we have to work together. To make it happen. Again, 25% of Portlanders are people of color. Half of the students in school are people of color. We cannot have a long lasting bike share program, a successful climate action plan, we cannot green the east side without them. No policy, no business, no government, no movement can stake its future on serving a declining market. A declining customer base and the declining constituency. You just have to ask mitt romney.

Adams: Well said, thank you. Let's take testimony, and then -- oh, let's move your amendment first.

Fritz: And thank you all for your work on this and --

Adams: How many people do we have?

Fritz: Very glad to hear about your work and to see it, incorporated in the contract directive is excellent. I have some amendments which I worked on, and I appreciate the p-bot and the mayor's office and also working on these with me. Essentially, looking at alternative funding and plans to incorporate bicycle helmet rental at the kiosks and to clarify some of the public meeting requirements, also, to ask the consultants and the bureau to come back within six months a report on how we're doing on things. So the amendments to the contract, coordinate having, coordination with the --

Adams: So let's move them?

Fritz: I'm just saying what they are so I can move them.

Adams: I think we know, go ahead.

Fritz: I passed them out to the city attorney, the auditor and the council. And coordinating with p-bot staff and neighborhood coalition for other meetings. Looking at research and exploration of technological solutions for helmets. And also, establishment of the safety rules and training methods.

Adams: So moved.

Fritz: Thank you. Seconded.

Adams: Council discussion?

Fish: Mayor you've had a chance to look at these amendments and they are acceptable?

Adams: Absolutely.

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Fish: And as to the report. This would be a report to council members and the council could decide whether to have a hearing or not?

Adams: Correct. Karla please call the vote on the motion to amend.

Leonard: Aye.

Fritz: My intent was to have a report back to council, but we can discuss that later, aye.

Fish: Aye.

Adams: Either way we're ready to go either way. Aye. [gavel pounded]

Adams: Let's take testimony, one person signed up. Welcome.

*******:** Good morning.

Adams: Glad you are here, give us your first and last name, and you will have three minutes.

Demi Espinoza: I am demi espinoza. Thank you for this opportunity to speak on behalf of the council. I am testifying on behalf of the coalition of communities of color. And I wanted to thank the presentation by alta bike share and alan, as well. Like alan mentioned the coalition of communities of color is an alliance of culturally specific organizations. We're working hard to assess and influence an environmental policy through making our community and economic development committee a reality. We have identified sustainability as a goal. Which includes sustainability funding and investments in communities of color. Portland's bike economy is not made significant funding and investment in communities of color. Portland's bike share equity commitments can begin changing this lack of investment. My organization works to serve and is recognized advocate for communities of color. And developing this relationship with alta bike share fits in line with our goals for sustainability. In our community we have a clear need for jobs and business opportunities, as well as for transportation options. The city leadership is critical, to establishing and sustaining this relationship. While emphasizing to bike shareholders that the city considers these equity commitments fundamental, and the program will not be successful if these commitments are not aggressively pursued and achieved. Beyond bike share we look forward to working with the city, and the bike community to greatly increase our community's participation in the bike community. In the bike economy because sustainability is one of our main line goals for the coalition of communities of color, and we hope to work with alta bike share and the city to make this relationship a reality and successful. Thank you.

Adams: Thank you and for taking the time to come and testify. We appreciate it. All right, unless there is additional council discussion, Karla, call the vote on item 1414.

Leonard: Congratulations. Congratulation, mayor Adams, pleased to support this, aye.

Fritz: I didn't support this when it was on the list for funding. However, I have looked into the details of the contract, and my principle has been moving forward to look at contracts to see if they make sense, and this contract makes a lot of sense, and I appreciate the hard work that's gone into it, particularly by the coalition of communities of color. It's a first that I have seen with this level of detail on the equity portion, so thanks to Katja dillman, and dan in p-bot and alta as well as tom Bizeau and my staff. To be clear my amendment does say that there will be counsel review and approval and after six to nine months, so I do look forward to hearing more about it, I think that that will be a good way to publicize the new system. Aye.

Fish: There is some members of the press who are doing year end pieces and, about the service of our colleagues, and we're all getting interviewed about --

Adams: I already heard the headline for mine.

Fish: What are the significant accomplishments, and I think for mayor Adams you would have to put bikes in the mix. And i'm just going through my list of bike share, bike master plan, sunday parkways, among other things. Bike infrastructure. All these have been controversial, all of them have had significant amounts of pushback. And I think all of them in some respect have had some misunderstandings about how they fit into the larger vision for the city the presentation pointed out, which is our, our Portland plan, the climate action plan and where bikes fit. But the other slide that

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struck me, cities across the country are already doing this. And are experimenting and implementing bike share. Mayor Adams, once told me that in terms of his hierarchy of things, bike share was almost near the top of things that he cared about. And so we're here because has prioritized this over time, and someone could write a book about all the twists and turns on this one, including the original debate, when it happened at metro about the split on the funds. Which I think was decided by a single vote. We are here, congratulations to alta, for getting the contract. Thank you to alan for reminding us about where equity fits into all that we do. And I am incredibly excited about this opportunity, and I am guessing that as long as, until parks is no longer in my portfolio, we'll be having robust conversations about sighting, so congratulations to all, aye.

Adams: Well, I want to thank the great team the p-bot for their work on this, and part of the great work was me telling them, over the past eight years, we're going to wait. We are waiting because I wanted to see what happened in other cities and we had plenty of work to do in the hopper on some basic stuff, basic safety stuff on bikes. I appreciate your patience because I think we are the beneficiaries of lessons learned from all those other cities, I want to thank the folks in my office and, and Katja dillman and before her kathyn ciarlo who worked on this, and casey ogden, and appreciate it, and I am supportive of bikes where they promote health, promote affordable and safe travel, and because they reduce congestion for auto trips, where bikes might not be, the best choice and because it helps us meet our green house gas emission goals. Added to that other cities are experiencing where the stations are, the businesses around them are experiencing better businesses.

We have that opportunity here, microeconomic development, this particular plan, i'm very excited by because it is different than, than the other plans and the other cities in terms of the social justice component. The clean energy works did, allen is on that board with me as well and others did prioritize getting the job done. In terms of energy conservation, but doing it the way that helped folks that have been excluded from the development of new industries, helping those folks be front and center in terms of the beneficiaries. I'm glad that we have done that here. Pleased to vote aye. [gavel pounded] So approved.

Adams: Can you please read the title for 1415.

Item 1415.

Adams: How many have been do to this area, 3rd and couch? Let's say, come on up. Between 11:00 and 3:00 a.m. All right. I have. Not a regular date night for me, but, I have been there to observe this, and it was during vera katz's tenure as mayor that this, these, this area was anointed as the entertainment district. It was done so to try to encourage loud, noisy businesses to locate in these blocks, and not strung out all over the central city. These were chosen not because they lack any housing or home impacts at all. But that they had some of the least impacts on housing and folks spending the night, hotels and places where people live. So, there is some housing in the blocks. But, years ago, this was the focus of where we wanted the noisy entertainment district. Also, it was on a grid, and it was something that the police bureau felt that they could -- it afforded the best place to keep people safe. So, the police bureau's entertainment district unit, deals with the success of the city policy over the years to have the loud and noisy businesses focus their location on here and deals with tens of thousands of visitors in these few blocks downtown every weekend throughout the year. The success of the entertainment district policy of the city, though, has also created some a dangerous situations that we're seeking to address with this pilot project. For example, the crowds are now so great, that cars and limos and taxis get trapped in the crowds. That cars that are parked provide sort of hiding places for everything from urination to fights to drug dealing. Our business partners have been great about doing surveillance cameras, outside of their establishments and inside of their establishments that helps us with following up on crime which helps prevent crime. But when you have vans and cars parked in the street, those surveillance cameras be ineffective when you have limos and taxis and cars trapped in the street, that can be ineffective, so the entertainment district unit, went out and looked at best practices in other cities.

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And in fact, didn't just study them online, didn't just study them with the books. But they went out and actually did site visits to how the other entertainment districts worked, so, what's in front of us is the result of being concerned about a problem. And an examination of what we need to hear with a lot of input through public process, locally, and with input from best practices. So, the idea here is to provide place for people to drop off, whether that's limos or taxis, and to have no parked cars on the street and to prevent through traffic on some streets so that the police can do their job and do it effectively with a lot of obstacles removed, literally. With that I'll turn it over to our great central precinct commander day.

Bob Day: Thank you, mayor. Commissioners. Well said, I will echo those comments. I appreciate your support. This is an idea that the police bureau brought forward and, actually, I am encouraged by the fact that it was brought forward by the men and women down there and working on regularly friday and saturday nights, as the mayor mentioned we have had a detailed assigned down there for a number of years. Varies between four to six officers and a sergeant. This is a commitment we made back under mayor katz's tenure, so that we could adequately provide public safety. As the mayor mentioned it has grown, and I think even beyond certainly our expectations. It's a vibrant community down there, and I have asked howard to join us, he's the chair of the, the public safety livability group down in old town, chinatown, and he has a long history down there to, to speak to, as well. As we have gone on and managed in this way, in our traditional fashion of staffing it with officers and a sergeant throughout the weekends, and then on certain holidays that may not fall on a weekend, such as fat tuesday or st. Patrick's day, days that draw a lot of people to the bars downtown. We began to look at, is this the best way to manage this? In terms of creating public safety, and in terms of creating an environment where the community feels safe. Wants to be, to participate, and also, we see this, and I really believe in my role in the central precinct, I have come to understand that we have a place at the table in supporting the city, and its growth, not just in the area of public safety, but, really, in the area of economic development and business, and I think that we do that by partnering with the folks very well down there. In this district. We have a very close working relationship with the bars, and with the owners, and with the businesses. Both at night and during the daytime. Including with the chinatown community. So, this scenario has a long history investment by the police bureau. We bring this forward because we think it will create a safer atmosphere, and we think that it will be good for business and for community, and what I like about it is it's a proposal. It's a trial. I'm certainly not married to this idea. But if we don't take risks once in a while, we don't know if we will be successful. We have had over 17 neighborhood meetings with various groups down there, since the 1st of september. Multiple different, from union gospel, where we did a walk around on saturday night at 11:30 with the staff from the union. Naito properties, etc. We have nearly gone door-to-door with the communities down there, and we have met with street roots, and we have spoken with, you know, long-time folks down there, such as ourselves and others, to get their feedback and their interests. I will say that most of the concerns that were mentioned are concerns that are already happening. They are concerns going forward that this will be an increase in the noise or an increase in the garbage or in problems. And we certainly, that's not our intent, and if that is the, if that is the case at the end of the 90 days or during the process, we feel like this is not manageable, we can walk away from it. Because through support of p-bot we control the ingress and egress, and if we need to we'll go back to the way that business has been done for several years. But, our hope is that at the end of the first 90-day period through our stakeholders and through our own information, gathering, you know, be able to come back and report that there's been a positive change, a reduction in noise, a reduction in disturbances and in calls for service, and hopefully, an increase for the area businesses and they will be pleased. We have met with taxi companies, the limo companies, and you know, tried to identify the pedi cabs, as many as we can that serviced that area and participate down there, to make them aware of it. And have received good support from them. So, that's where they're at. I supplied a document with

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information in it, I will not go over that, but if you have questions now or later, feel free to have your staff email me or call me.

Adams: Before we get to this fine gentleman, one thing that I don't think that I found frustrating is when we have had violent crime down there, and, our violence down there, and that is one of the hot spots for violence, is I can remember a couple of cases over the years where we had video surveillance. But it was blocked by cars.

Day: Right.

Adams: So, it really was unusable, whatever happened, happened to happen behind some, some obstacle. Visual obstacle.

Day: And the elimination of the vehicles as you mentioned, mayor, two fold. One it gives us greater visibility, and that's, that's favorable, it will reduce the vandalism we see, vandalism to cars down there, as you mentioned, even the public urination or the fact that it could mask criminal behavior, and the elimination of the traffic is very significant. In our estimation the majority of vehicles traveling down 3rd avenue, which is the biggest thoroughfare that would be blocked between everett and burnside, the far majority are people coming to attend one of the local bars concentrated there at the area of 3rd and couch, or, quote/unquote cruisers coming through just to see what's going on. And so, you know, the multitude of near misses, which is difficult to capture, and largely, on behalf of the hard work of the officers, down there, to prevent them, is really astounding. We see regularly where there are nearly collisions or maybe it's not recorded as a collision, what started out as a person, you know, slamming their hand on the hood of car because they are intoxicated and the driver, is almost intoxicated, and we step in, and we may code that as a disturbance. Versus a near pedestrian collision. But, we believe that this is an area of high risk, and so the elimination of the vehicles to create the pedestrian zone is critical.

Fritz: Talking of code types, thank you for that. The top four, if you could just tell me what they are, suv, stp? What does that stand for?

Day: On what page?

Fritz: On page 19.

Adams: Acronyms.

Fritz: Yes.

Day: Yes. So, on page 19, so that's a subject stop. Subject stop is largely something that's self initiated by the police. And so, I would categorize that broadly as those are people that we've encountered, and remember, this is in an 11, 12-month period, these dates are, and so, whenever we contact somebody, we're out on the radio saying, we're talking to somebody at the corner of 3rd and couch. And it doesn't mean that there is enforcement action taken. A variety of reasons why we could have been talking to them, as simple as they approached us and we did not know what they wanted and we say that there is a subject stop here, and they asked us for direction, and we say ok, we're done. We move on. The next one is traffic stops, 137 traffic stops. In just that area alone. We work closely with the traffic division on friday and saturday nights. And if you look down a bit farther, you will notice way down towards the bottom, dui 1, the traffic stop 137. When I noticed in capturing this, is sometimes we ironically don't give ourselves enough credit. I know that there is more dui arrests that occurred, but they start out as a traffic stop. Officers, because of the concentration on foot, will, you know, stop car that's not driving appropriately, determine the driver is drunk and arrest them or have them arrested for dui, and that will be categorized as a traffic stop so I need to go back if you want more clear information, so we can make this distinction. I apologize for that. Distp is a disturbance in progress. So there is 92 of those, those are largely 9-1-1 generated calls. So in the course of that little over a year 92 disturbances in progress, that's what the p means, further down, it says disturbance 11, those are disturbances that we come upon that are over, versus the 9-1-1 call may be, they had a disturbance and we get there, but, these are actual events occurring when we arrived. Security struggling with somebody in the street or whatever the

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case may be, and the final one, flag, once again, is a broad category, there is 49, that just is a term that we use, flag down, and that's interchangeable with subject stops. It's not uncommon for security or citizen to say there is a person over here in the doorway. We're concerned about or somebody over there looks disoriented. You go and check on them. They will flag us down, so we'll just code it, we've been flagged down at this intersection to check on x, y and z.

Fritz: Thank you. Do we know how many medical calls occurred?

Day: If you notice down there, towards the bottom. There is only two that are recorded, and what I have asked our services to do was to take a look at that because we don't capture medical's response, so, I have asked them to identify are these, you know, only the two times that we've called for medical, or how many times the medical has been summoned by others, and it would not be uncommon for us to go to a disturbance or an assault call or medical has been called, but we don't capture that. It's separate. So, I will get that information to you. I know that was there.

Fritz: And do we know if there have been any crashes between pedestrians and cars?

Day: Well, there are mentioned down here, a couple of accidents and you will see ach, hit and run, or accident unknown with injury, etc., there is a few listed. I don't have the -- once again, those questions came up yesterday. So we're looking at them, here's a non injury accident. I will say, as mentioned earlier, that the near misses are what are difficult to capture. And on a nightly basis there are just so many, and that's what's really concerning to us in motivating us, because we feel like it's an accident waiting to happen.

Fritz: Thank you. I just have a couple more questions. Does the police bureau enforce the taxi regulations?

Day: Yes, we do. We have been over the -- specifically over the last couple of years, and we document the illegal taxicabs, and we submit that documentation to the revenue bureau for follow-up on their end.

Fritz: And do you have a, an estimate of the amount you currently, that the cost involved of the policing this area? Versus the cost that would be involved under the proposal?

Day: Well, the cost will be the same from a law enforcement standpoint because we're already doing this. I already assigned a number of officers and a sergeant to this area. And p-bot has agreed to support us in the initial onset with the traffic control. If there is an ongoing cost for the police bureau, long-term, it may require the additional officer to be assigned down there to help with traffic control at some point.

Fritz: Thank you, one more question. The noise control aspect. How do you envision the police getting people to be quiet?

Day: One of the things we recognized in this process is that we have not been doing our due diligence with the noise control ordinances. So we have met with the noise control group here, with the city, we're training all our officers, assigned down there, and them have the, the meters to be able to identify whether it's too loud or not, and then we have had good response in working with the bars and so forth to have them turn things down but we'll have a formal measurement to do and then we'll record that information in written form and submit that.

Fritz: And that's for amplified music. But the loud voices. If there are going to be people congregating in the street, even though they will not be drinking. How do you envision getting them to be quiet?

Day: That is a concern that we have. I recognize that. Any time that we're going to create a pedestrian thoroughfare area, we're sensitive to that. We don't want it add to the noise and confusion that's occurring. And, you know, certainly, our presence alone, we can, we have a well trained group of officers down there that are constantly engaging folks, and I found historically, simply a conversation goes a long way. You have a group that's gathering, a large group, go off and have a conversation, and we're limited in terms of the enforcement. That's something that we would have to evaluate at the end of the day. I envision going forward and engaging in conversation, and

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saying hey, there are people who live around here, can we keep it down and move along. And we would have room to move them along to.

Adams: The other thing folks tend to, especially inebriated folks act better when they see a police officer. So, part of clearing the streets is about visual obstacles is making the police more visible.

Day: Correct.

Adams: And right now, one car blocking the view of one police officer, a, you are not observing whatever is blocking the officer's view, and the folks on the other side of the vehicle can't see you or the officer. So, the reason why this is not adding -- this is trying to make better use of the resources that we have down there already. And we think that there will be a minimum less honking of cars. And if they know that a police officer is nearby, it's just been our qualitative experience, and when they can see them, they will be less boisterous.

Day: But the reduction in noise will come from the cars, and the vehicular traffic. And in terms if there is an increase of noise because of the people, and the sense of freedom, then we will have to manage that and see how it goes in terms of this.

Fish: I have a couple questions. How many parking spots would be displayed by this?

Day: I believe it's about 63. It's gracious for him to come in, 68?

*******:** Approximately 68.

Day: 68, sir.

Fish: If someone is parked there at the time this is in place, they would be towed?

Day: Correct, beginning at 10:00 p.m. to 3:00 a.m. In this document that I provided, we have a heavy education campaign we intend to initiate, you know, both through the businesses down there and on our own office and etc.

Adams: If I could, we will be towing people, to the nearest, closest lot so not down all the way at no charge. We're not towing them across town.

Fish: On page 8 it says you will be, you have agreed to make reasonable accommodations for access to disabled persons and necessary services. So we have a lot of older, disabled people in that neighborhood. Can you give us an example of what's reasonable accommodation for someone that, that is used to being picked up in front of their building by, by a van?

Day: And that is what we mean by reasonable. You know, fortunately, the hours of 10:00 p.m. to 3:00 a.m., several of the people who identified are typically not coming and going. We don't see a high number of disabled vans or buses or, you know, equipment that would be used, but if it's identified at these entrance points, we would make sure and escort them in. The idea is to be sensitive to the community that lives there and make sure that they can get in, so when I say that, we can get them to the front door.

Fish: And one other question, you know, there is a lot of bars in this area, we encourage people after a night of revelry not to get in their cars but a cab or a bus. It might, for some initially, cause them some confusion about where to go to get a cab. Unless they call for a cab, you know. At whatever restaurant or bar their at. Are you thinking of maybe setting up a cab stand somewhere in this area so that there is a dedicated place?

Day: Yes. There will be on Davis street so all cabs and limo and is party buses will come down and return onto 3rd and traffic control will be there and park on Davis. If you turn to page 16, we have created a small card that all the bars and restaurants will have, as well as the officers to hand out to people explaining to them where the pickup and drop-off is, and we met with the cab companies explaining this. And the nice thing about this car is on the back, has the six, the six license companies so they know who to call if they want to be picked up somewhere outside of the district.

Fish: When you implement this pilot, will you have officers actually at intersections serving as traffic control people initially to deal with the traffic and helping to change people's behavior?

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Day: Initially, we are going to have to staff this in such a way, yes, that we can have those intersections properly marked or identified, that this is not just a street closure, but there is also a law enforcement presence and expectation that you are here. through our officers and reserve program we plan on doing that.

Fish: Do you know where the displacement will go in and what in the long term hope it settles down.

Day: 2nd and 4th are still viable option. For the blocking of 3rd, that's something that if we see large traffic jams, or traffic problems, once again, as part of the evaluation process, come back and visit but, our experience has been yes we are closing a street but the vehicular traffic is minimal in those hours on those weekends in that core.

Adams: Page 11, and then I want to give our esteemed group a chance to speak. Page 11 is, I found that useful because it shows how pedicabs are allowed in on 3rd and how the taxi and limo zones, you know, get to the heart of the district, so that people will see them, they will be much more orderly. They will know where to go. And just like you would go to the airport. People will learn that quickly, and we want people to use those and not drive inebriated. The other thing that p-bot working on after the trial, we want to see how the trial goes is really marketing the old town garage for people to -- because it's underused. So we take off 63 spots here, and meanwhile, literally, a block off of this, yes, bordering this, we have got big underutilized parking structure that the city owns.

Fish: Thank you.

Adams: Welcome back.

Howard Weiner: I am howard weiner for the record, and I chair the public safety livability committee, in old town. And I own cal skate skateboards, and been in the neighborhood for 28 years so that's the experience I bring. I want to thank the police department for bringing forth this proposal. And also, mike from the office of neighborhood involvement crime prevention specialist. They have done a tremendous job outreach, and we held three major meetings and multiple small meetings on this, all the restaurants were invited, the bar owners were invited, residents were invited, and businesses owners. And we had some, some great discussions. A little heated, not everyone was for this proposal, particularly at the beginning. Restaurant owners were concerned their patrons couldn't get to them and get out. It was tweaked so now we moved from 9:00 p.m. to 11:00, or 10:00 p.m. On that. Residents are starting to find their voice. And mayor, you alluded to, under mayor katz we promoted that neighborhood. I was one of those for the entertainment district. Well, gosh, success. Tens of thousands of folks, or 5,000, 8,000, i'm in bed at that time but that's how many come down there. And the question becomes the conflict. Day life, night life. A lot of the folks who live in that neighborhood don't have a voice. They live in central city concern sro's. They are in recovery. Some of them. And some of them are poor folks. They have not had a voice in this. You also have over the last 15 years, new development. Specific talent, 5th court and 5th avenue apartments, so there is a different dynamic today than when we promoted this. My hope and desire, obviously, I am supportive of this 90-day trial. But my hope and desire is that we take this opportunity to have that discussion, as to how we manage that conflict. How do we mitigate the negatives for the residents. How do we support the bars and the restaurants? Which have really been a blessing for old town chinatown along with u of o, mercy corps. Old town chinatown is coming to life but with that, we need to manage that, and my hope and desire is that this council will be able to come back to it in 90 days after having the meetings. I intend to dedicate our january, february, and maybe march meeting to that. And also, work with the police as we've been doing. And seeing if any changes need to be made. But, whether we close the streets or not, and I know commissioner Fritz, you and I have e-mailed back and forth, and the concern is turning into a mardi gras, well, we go back to the way it was. Even if we go back the issues remain, so I looked at this as a perfect opportunity to have that discussion. So, I thank you very much. And I will answer

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any questions but before I leave since this is the last time I will be able to talk to the two of you, I want to take a moment. Go ahead no questions?

Fritz: I am concerned about voting for this as an emergency ordinance and doing it right now. It was envisioned to come earlier and you took the time to talk with folks, but there was supposed to be a two-week notification period, and we're right into the holidays, starting now. So, what's your sense, starting now, as an emergency versus taking 30 days to set it up, do the evaluation, and set up the criteria, and do it january, february, march?

Weiner: Well, my preference, and let me explain that, it would be to have an emergency ordinance because we know that new years is one of the, new years, fat tuesday, mardi gras, we have even larger crowds, but with that said, if it takes getting it done right, if there is something missing, still, so be it. But, but, I guess I have spoken. That's my preference.

Day: I would support that. Maybe overly ambitious on my part. I wanted to capture this two-week break period, one, there would be an opportunity for us to, to kind of prepare for couple of weekends. And launch into new years, which is one of the bigger holidays. And the at the same time, intentional about starting this program now, which is quieter time of year. The 90-day period if we start in january, for example, after a 30-day hearing, which still encompasses some of those holidays that I identified, as well as spring break, and then I really believe we would have to make a commitment or a decision no later than memorial day what we're going to do. Because, clearly, the summer months, after memorial day when we see the increase. So, i'm accepting of that.

Adams: My worries of accepting that, and I appreciate it, is that the extensive outreach you have done. And we have had a lot of drunken violence on new years, and this does, if we do the emergency, give, fulfill from what, unless I misread it, the two-week notification for new years. And it also allows you to polish the baseline data along the lines that commissioner Fritz requested. We have a lot of guns in the city right now. And I don't want to mess around with going through new years with a city like all american cities, so swamped with illegal guns. So, that's my concern. And why I support the emergency clause, and it's a 90-day trial period. Thank you both very much. Who else signed up?

Weiner: I have one comment. I want to thank both of you, sam, and randy. I know you are both leaving this council. I will miss you. Both of you. A lot of folks don't realize the dedication all of you on this council and how many hours you put in. You have dedicated, both of you dedicated yourselves to the city for many years, and in different roles, and I just wish you well in your next adventures, and you can always come on down and we'll go skating together.

Adams: Thank you very much, we're going to take testimony now. You are ok. We'll get you, I promise.

Adams: Did you sign up?

*****: Yes.

Adams: Come up. We'll take one more. Did we get everybody? Would you like to go first?

*****: Sure. I mean, first --

Fritz: Your name.

Jack Lavell: Jack Lavell, this is what happened on august 18th. This picture. This is after when I'm in the hospital not before the impact its night time. I'm not against the zone. What I'm against is reading, private security and police will keep eyes on. This is what happened to me. I was on 3rd and couch on the public sidewalk. I see someone I know just to say hi really quick to go blabber. Point being end result I get pushed down by pd on the sidewalk, busted open. And this was taken at the hospital. So, so i'm not against no parking, but, the private security, telling the p.d. The wrong stuff and the p.d. goes off them and I get my head busted open for them when i'm on the public sidewalk on 3rd and couch. They blast up on the megaphones saying I'm a creeper making all this stuff up. And that's why i'm not for it. I'm not for getting stuck in the zone for the traffic yeah because at that time, Friday and saturday 11:00 p.m., starts at 2:30:00 a.m., 3:00 a.m., I can't go

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back. So i'm not against that, but, the p.d., you know, security works with p.d., and they go off p.d., off the security says, and it's like, and the p.d., they work with the private security, and the same with p.d. Because they don't know what the security says. So, and the last thing, this is the ultimate constitution. The declaration of independence. The long-term abuse, [inaudible] is their right and duty for future security. Like I said, I get accused of theft, and I get my head busted open.

Adams: Did you file a complaint?

Lavell: No, the p.d. was there. And it was like a public thing, they block the sidewalk. And people trying to come up, security gets them out, and they will take pictures. They tell them to go away. And they are going to get arrested and all of that. It's like, i'm portrayed as a person.

Adams: You have the right to file a complaint.

Lavell: I was there.

Adams: I know you are upset and I want to try to offer you some assistance. That might address your sense of being mistreated. So, clay neil, raise your hand, if you could turn around, works in my office.

Lavell: I came to the office, up to your office.

Adams: And he help you file a complaint. So that this is looked into.

Lavell: See, i'm not looking to go back there because we're in a different location.

Adams: You want to make us aware of it.

Lavell: And I walk along the sidewalk, and I get dirty looks, and that was like two months ago when I got code 86. And they did not take them. Because of one person, because of one person, one girl, that night, you know, and all the people through here, buff one person, say here. And all of this stuff, after walking along the sidewalk which leads up to this.

Adams: Your time is up. I appreciate it. I encourage you to file a complaint. I do appreciate you bringing it to our attention.

Lavell: There is data before that.

Adams: Thank you for your testimony. Welcome.

Ryan Hashagen: I am ryan hashagen, I own Portland pedi cabs, our business is located at 345 northwest everett and has been there for the last five years. And I just found out about this meeting.

Very quickly, I raced down here on my bike. And we've been there for five years and seen our business grow, and the neighborhood grow substantially. Especially along 3rd avenue. And while business has grown, traffic is, is, has grown to a standstill, and the pedestrian traffic on the sidewalks is very congested. The traffic from the sidewalk spilled over into the streets, and from my viewpoint, on everett street looking at the corner of 3rd from my shop, the traffic I see on 3rd is people looking for parking or people trying to cruise and impress potential mates while they are cruising down 3rd. While there is private for hire transportation like ourselves, and I am a member of the private for high transportation board, so i'm very, you know, very much appreciate those interests. We are all at a standstill, stuck in gridlock traffic there. And I feel like it creates a frustrating situation for the motorists, so you have vehicles revving their engines, using their vehicles in a threatening way, when you have people trying to cross on the main intersections of couch and davis. I want to say thank you to the Portland police department, for considering such an innovative and forward thinking policy like has been implemented in austin and then vancouver b.c., and I also want to say thank you for them implementing their couch and davis street closures, which were implemented a year and a half ago and have been implicated very successfully and have really created a safer environment on those streets. I think that keeping 4th avenue open for private for hire is great because that's a crucial access for the city, broadway, steel bridge, and etc., whereas 3rd avenue is really only utilized, people coming off the steel bridge up everett, to go down that street and be seen, so, I wanted to say thank you and I would encourage you adopt this as quickly as policy for the safety of all Portlanders and all people visiting that business district.

Adams: Thank you. If people wanted to hire one of your pedi cabs?

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Hashagen: Portlandpedals.com.

Adams: Welcome back.

Carol McCreary: I will carol mcreary, a resident homeowner of old town lofts. On the board of the neighborhood association, and on liver account committee, and my owner's association, and also, part of the, part of the restroom activist, and all these four, we have discussed this. I like the rest of you have great thanks for the team from the Portland police bureau, for howard's work and livability. And especially to mike boyer of oni. But what happened, the flushed out proposal, and I see that the ordinance now has been specified some of our concerns, on cost. Dealing with the four officers because we had, we had had an earlier version with that. But, we only saw the proposal in the last livability committee on the last wednesday of november. And we're able to discuss it in our neighborhood association board meeting, and I suspect that you have received a letter from our board chair? Of the old town, chinatown neighborhood association? I would like to, to reiterate those concerns and my own concerns. Our concerns, basically, are the huge number of disabled people that need access to their buildings. And who live in the buildings without central air-conditioning, whose windows are open, throughout the night. In the summer. And the cost considerations for the long period of setup required. And the, the notification. And cleanups, we know, we noticed that there is a lack of provision for any supplementary toilets, which are normally, you have at street events, and most of all, we worry about displacement, so, I would like to reiterate the concerns of the board, i'm not reading from the lettered, but from the minutes, which were taken down, we would like that any experiment taken to a county impacted the entertainment district on residents, with or without street closure, one way or another. We could not be involved until the specifications were down, so we came in a little bit late in the game as buildings on the faces of these. Second, the cost not be passed onto the larger community, but shared with bar owners. We pay into the bid as homeowners. We want to avoid higher fees, and secondly, that you ensure the information, the evaluation processes are transparent and inclusive of all stakeholders, both in the area and beyond which as we are very concerned about displacement to the periphery.

Adams: Thanks very much. Sir.

Steve Entwisle: Hi I'm steve entwisle. I live in Portland, Oregon, downtown, and I live at the fairfield hotel. It's in between 11th and 12th on southwest stark. And my room is the one with the half dead bamboo plant up in the window, ok. Anyway --

Fish: That's you.

Adams: We've been meaning to talk to you about that.

Entwisle: Anyway, let me ask you a question, how many screaming banshees does it take to wake you up? We talked about large groups of people, and now, it can take a handful of people, especially if they are geared to making sure that you don't get a good night sleep and that you wake up. We have been basically disrespected by our neighbors in that area. For quite some time. In fact, I am unprepared and a little deranged myself today to be honest with you. But, the people that live in the building there, have suffered, ok. Greatly over the years. And trying to get -- we have a lack of, of enforcement, noise enforcement. Ok. There is not enough boots on the ground. And the bars know that. And they get away with it. And by the time you call the police, it's too late. It's too much of a, it's too big of an issue for the police to actually handle that. You got a lot on their plate right now. One problem is that the nuisance bureau had ten members. A few years ago before, and now it's down to one. And his name is paul, he has a \$15,000 microphone that, that he goes three blocks away and says well, and then he determines how much noise that we, we, we, are played to put up with. Ok. So, it's up to them to determine what, what keeps us awake and what, you know, we wake up, you know, 20, 30 times a night, and we cannot get a good night sleep there. I've been homeless, I have lived from the hills. I finally got housing after couple of years, ok. Final got housing but, that's no guarantee that you are going to get sleep. That's no guarantee at all. And when you can't get any, anybody to enforce the noise nuisance rules, ok, what does one do? If I go

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down there, in the street and I try to say hey, guys, be quiet. And then I get, you know, a bunch of antagonizing responses. Who is the bad guy then? And isn't that a self fulfilling prophecy of violence in the city that they are creating their own violent cycle because they are not enforcing the noise ordinances, the rules. And in fact, one more second here, I have gone down to pacific patrol, and they have done a good job. I have got to tip my hat to those guys. They do good job even though they can not write tickets. I talked to the vice president, the issue is the zoning problem. And he goes, oh, yeah, I talked to adam, down there, and he says yeah, we have known that for years. Years that we've known that's zoning problem, so that's the issue right there. The problem is, is where do you put them, and you let the horse out of the barn, so how do you get the horseback in the barn? You don't.

Adams: I appreciate your testimony, you did a good job. You can stay right there.

Fish: I have been thinking about the fairfield recently because for reasons not clear to me, the county has taken the position that it is no longer eligible for a tax abatement. And that is because over the last few years, the management of the building shifted to gardipee, which actually is a provider that manages a lot of affordable housing in our community. And for reasons I don't understand, the county, particularly after we completed big look and performed the tax abatement programs, I don't understand why we're in litigation over this building. I am pleased you are here. You remind us that the people who live from the fairfield, whether they have a section 8 voucher or come through a provider or low income people, formerly homeless. And it is an incredibly important resource in our community, and it is just outrageous that we're in a dispute with the county over whether it is appropriately tax abated, but guardian management the on-site agent. And so I would encourage you to bring them into the conversation. They can engage the neighborhood association and other entities, and you should not have to, by yourself, make the complaints. You do have management company that can be a resource. We don't have to talk about it any more but I can follow up with you. And I think that will help your cause.

Entwisle: Donald estep died from complications of medicine and sleep deprivation. About three days after the pride parade. Here in Portland. I filed a wrongful death suit with the city of risk management. And I talked to mark. And he's one of the guys. So, anyway.

Adams: Thank you for your testimony. We have got to go.

Adams: Thank you very much. Anybody else signed up?

Moore-Love: That's all who signed up.

Adams: Council discussion.

Fritz: Mayor, I am thinking of last thursday and how closing the streets there has not resolved all the challenges. And wondering, also, about the costs ongoing of this program. Do you have an assessment of how much it will cost transportation?

Adams: So we closed the streets at first thursday, on it, however many years of operation. Because we were experiencing the same problems there, that we are here so you had buses trapped in the middle of alberta, you had cars trapped, you had parked cars trying to get in and out. And you had all of those obstacles serving as cover for, if some problematic behavior, like open drinking. Open container drinking. So instead, with closing the streets in alberta, we saved a lot of money because we were able to provide people with the detours. Of where they could still get from point a to b. But, a detour that did not take them down alberta, which was sort of a false hope anyway because just the crowds were so great. So, this is not, this is not a street fair that we will have vendors are not allowed in this area. And that's big difference. Because then you are putting back into place the kinds of visual obstacles that created the problem in the first place. I want to underscore this starts at 10:00 p.m. It doesn't end at 10:00 p.m. These are folks out late, and you know, so that is a key distinction that's easy to overlook. So, the housing, that does require access to this area, and there is some housing, we're going to be right now, if you are trying to get a, a car, let's say, transporting someone that is disabled, a car in and out of there, it's, it's, after 10:00 p.m., it is really, really, really

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hard. So this will allow the police to open up, for example, on that initiative, to open up the street to help the car get to the doors. We know where the doors are for both establishments and entrances for the housing units. And police let folks get in, and let cars get in and out. Whereas now if you have a car stuck, and if you have not been there to see how gridlocked this is, as our friends from the pedi cab said, I understand why this might seem like, this particular tool might not make sense, but there is not through put right now.

Fish: May I make a comment. To me the question is, it goes into effect immediately or whether it goes into second reading and is adopt because I have had my concerns answered, and I have not received any communications from people objecting to this, and we have had a hearing now, and I am now persuaded that as a pilot, this is worthy of an experiment, and we should try it, if it doesn't work, we discontinue it. What I think we'll be debating right now is whether it goes into effect immediately and allows us to deal with new year's eve, which i'm guess is a particular concern for the community. Or whether we go to a second reading. I want to be clear based on what I heard today I intend to support it.

Fritz: Thank you for that. I think that there are -- there is another option, which is that this pilot could move to the january through march scenario and consider an emergency ordinance or resolution next week to address the holiday period for this year. There are some -- I do have concerns about the ongoing impacts and the costs, and again, going back to last thursday we asked the local businesses to help pay for the cost of last thursday since they benefit. And I share the concerns of oldtown chinatown, the neighborhood association that this burden seems to be entirely on city-wide taxpayers rather than on those with, who would benefit from it. Secondly, that the proposed committee is city staff, and doesn't designate that there would be community input, but there has been really good community input so far, with mike boyer's input and with the office of neighborhood involvement. I'm concerned about that. And finally, a minor detail in the ordinance, section on the last page of it. Section f says abutting property owner may petition council to modify a change or revoke this authorization if there is a change in ownership of the abutting property. I wonder what that references.

Adams: It's a lawyer thing. So a couple of thoughts --

Leonard: Do you mind if I make an observation. I listened to debates often involving my colleagues I weigh in when I think it's important, but I trust each of you, to bring products here that have received due process. And involvement, and when I hear the commander of the central precinct and the mayor the city of Portland say that they have had numerous meetings over periods of months, flush these issues out, and it is their preference because of their concern for gun violence to have this implemented by new year's eve, I am inclined to give them the benefit of the doubt. There will be other matters I vote on that i'm giving others of you benefits of the doubt. So, it will be my recommendation that we, if you like, this we vote for it if you don't, vote no, take the emergency clause off but I think at this late date to try to doctor with the language, ends up defeating the purpose for which the mayor brought this forward, and I would urge to debate now do you want the emergency clause or not, i'm persuaded by the mayor and commissioner Fish this should go forward.

Fritz: I appreciate your comment, and I believe that there are particularly if were looking at this as a pilot project, you don't start a pilot project without getting the baseline data and deciding the criteria, and the ordinance says that will be done. That if you implement it right away you don't have a baseline in which to assess that. So in order for it to be a thoughtful process we need to establish what is it, and as I suggested we could do a second ordinance next week, to do a, a --

Adams: I tell you what, I think that there is adequate baseline data. And I think that we can, in a week we can make it more polished. I also think in a week, if we can make, address your concerns about the oversight committee, and, but I would like the legislative intent of waiting a week, that it

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would be an emergency ordinance next week, and that we would pass it, and that the notifications, we would give our folks the notifications, be allowed to start the notifications now.

Fritz: And I will work with you over the course of this week on the amendments. That's a gracious compromise.

Adams: So we'll approve this -- look at this again next week as an emergency. The legislative intent from this council is that you go ahead and start the notification process. And that our intent is to move forward, and we'll make some improvements to the ordinance before we come back in final form. So, done. [gavel pounded]

Fish: We now have another two hours of regular agenda. Could we take a three or five-minute break?

Adams: A ten-minute break.

Fish: Thank you.

At 11:44 a.m., Council recessed.

At 11:56 a.m., Council reconvened.

Adams: City council will come to order [gavel pounding]. Karla please read the title for item 1442.
Item 1442.

Adams: Folks that are going to be presenting could you please come up. This is some of the most important work that this city council has done. The city council will go down in history as one of the most productive four years of any Portland city council, by taking on some tough issues, longstanding problems but also, being willing to seize on potential opportunities, and to realize them. A long-standing problem in the city of Portland, has been the awful sex trafficking problem that has plagued us. And an awful, all around. But, especially, as it relates to the trafficking of minors for sexual exploitation. Victims of the crimes are often afraid to come forward. Victims come from all walks of life. And often vulnerable youths that are runaways and homeless youth. According to the u.s. Department of justice, 450,000 youth run away from home each year, and the national run away hotline states that one in three teens who do run away are likely to be lured into sexual exploitation within 24 hours of being on the street. This is a very serious issue. We put together what I think this city council has supported, funded, putting together a partnership that has realized some -- an amazing positive holistic approach to this problem. Between 2011 and 2012, there has been a 250% increase in cases, involving federal charges related to sex trafficking. And I want to commend the u.s. Attorney's office, who has partnered with Portland police, to take a very aggressive approach to combating this crime. When making comparisons between total statistics from 2005 to 2008, compared to 2009 and 2012, human trafficking cases that have been referred locally to the district attorney's office by law enforcement have increased 174%. My thanks to the great departing mike shrunk and his team and the district attorney's office. Human trafficking cases issued by the d.a.'s office increased 221% and the total amount of prison sentences handed down for human trafficking cases. Prison sentences, the total amount is up by 349%. The reason that i'm going through this, is that part of the battle that we have raised in confronting and providing options for folks to leave conditions they find themselves in for sexual exploitation is we have battled denial. Denial that has showed up on the local daily newspaper. Denial amongst other folks in the community that this is a real problem that has as wonderful a city as we are this is also taking place in our neighborhoods with our kids. I'm pleased to turn over to an individual person that I'm been very impressed with his tenacity, his smarts and his absolute passion for helping victims of human trafficking, sgt of portland police bureau human trafficking unit, mike Geiger.

Sgt. Mike Geiger: Thank you mayor, city council and for those kind words. I appreciate you bringing up those statistics. I was going to point to them just briefly. When I first saw them I had a sense for some time that the work that was being conducted by all of our partners was nothing short

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of remarkable. But even this caught me a little off guard I didn't realize how dramatic some of the positive things that had been taking place. I began thinking about this and I thought while these numbers are incredible to think about, what occurred to me is there's something much deeper going on. And what I mean by that, we see the percentages, but what exactly do they mean? How did we end up with a 349% increase in prison sentences over just the last couple of years? Particularly when children don't self-report or even in most cases self-identify as victims of sex trafficking. If we don't know who they are then how can we help them. So what I wanted to focus on was the partnerships that have been developed through the support of the mayor and city council, the city of Portland, the Portland police bureau, our chief's office and the list goes on and on. The sexual assault resource center provides direct advocacy, very specialized advocacy for these kids. I see erin is here, and erin will be able to talk more about her office. I can't tell you how much we've come to rely on them for their expertise, compassion and thoughtful way of dealing with these young people. Life works northwest, they provide mental health counseling to these kids and are incredibly dedicated to helping these children. And a number of other social services from janus youth and the list goes on and on, from caring people who are dedicated to helping these children. Others that I want to talk about is the Multnomah county district attorney's office. J.r. ukafusa Is not here today, he wanted to be here so I extend his greetings and apologies that he couldn't be here. However he's currently in trial today, and he's prosecuting yet another one of our cases. And we expect to see great results from that as well. I also wanted to publicly acknowledge and thank amanda marshall and scott kerin who is here, they will talk more about their involvement, but we could not have seen this kind of success without these partners. What it means to me is if we cannot or if we have trouble identifying who these kids are, how do we get to where we are today, what I would submit to you is that it is the collaborative approach, the relational way in which we view working together that has brought about this success. What we've been able to do is reduce the amount of time between identification and disclosure. And what I mean by that, is identifying who the child victim is receiving relevant and detailed disclosures from that child that have allowed to us compile the kind of case necessary to bring about these astonishing prison sentences. We wouldn't have been able to do that if we didn't have a coherent combined unified message being relayed to these children. So the way I would describe our partnerships is simply this -- it's a working partnership that is mutually supportive, interconnected, and focused on the ultimate welfare and restoration of the child. It's a consistent message the child hears and is showing success in building trust between the child and the organizations dedicated to helping them. It is because of the partnerships that we're seeing success, none of us on our own could have done this by ourselves. It has to be us working together as a team with the objective being the child. As long as we never lose sight of that, I believe we'll see more and more success, and ultimately the restoration of more children. Thank you.

Adams: Thank you. Now i'd like to scott kerin, who is the assistant u.s. Attorney and head of the child sex trafficking and gang unit. You've been amazing, and on the gang prosecutions as well, more people are going -- more convicted felons are going to federal prison and doing federal time, which means they're not in jail locally, and they're in for a lot longer sentences without parole. And that's because of your personal commitment. Could you put the mike closer to your -- there you go.

Scott Kerin: Mr. Mayor, thank you. Commissioners, thank you. I appreciate the offer and the opportunity to come and address all of you on this. And I have to say from my perspective and the Department of justice, Portland has been a leader nationally on this issue, and for all that you should feel good about that. I had a chance to read the human trafficking report, and there's both a lot of things in there I think that a lot of people can be proud of, including all of you, because there are things to talk about in there that are great. It's also sort of I guess unfortunately a sobering reminder of the problem that's out there and the problems that we still have to deal with. So I wanted to talk a little bit before, if you have any questions for me, briefly what I think the positives are before I

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talk about the others. And mike's talked about it. It's the partnership. In my experience as a federal prosecutor now for 10 years, this is the best relationship I have ever seen in the area of sex trafficking. The partnerships with the Portland police bureau, government agencies, as well as nonprofit groups, whether it's janus youth, life works northwest, department of human services, everyone has focused on trying to combat this problem, they've all worked well together, they all bring different experiences to it, and I think the results speak for themselves in the numbers. The Portland police bureau has been a leader in this issue, in this topic in how to deal with it. And they should feel good about that. They've partnered up with the fbi, with other local law enforcement, to combat these, and they've devoted resources to it. The other thing I want to mention is the report and the numbers. From my office, as you can see in the report, when the report was written there were 12 cases we indicted federally. Today the 13th case gets indicted federally, and these are all 13 cases of sex trafficking. Primarily focused on young women and children. And that is sort of the sobering part of this. The numbers speak for themselves, I believe. As you can see, there's been a dramatic increase both in local prosecution as well as federal prosecutions on this. Unfortunately, when you look at the numbers and you think of 13 cases being indicted federally involving young women and children, I know we haven't solved the problem, and in reading through this, this time of year, at the end of the year is always a time for reflection. We're all geared that way for it. We see how we did this past year, we think about our priorities and plans for next year. And in reading this, we certainly have done that internally. Unfortunately, while we talk about our successes over the past year and we think about the holiday spirit, there is unfortunately an insidious and dark place that exists even here in Portland. And there is unfortunately a 13 or a 14-year-old or a 15-year-old girl out there who is being forced by a pimp somewhere to advertise and sell her body for sex so that some sex trafficker or pimp can profit over her being repeatedly raped. When you hear about these numbers, young women being forced to make a thousand dollars a day, and you put that in raw numbers and human terms, it's astronomical. So obviously we all have a lot of things to do, but I do want to pause and explicitly state, on behalf of the u.s. Attorney's office to the commissioners, to the Portland police bureau, mayor Adams, particularly to you, both as mayor and your role as the police commissioner, I know this has been an issue that you focused a lot on, and you've provided resources where the priorities are. And I have to say, the Portland police bureau has done amazing things in combating sex trafficking. From the sex trafficking unit mike is in charge of, to the east precinct prostitution coordinating team, they are uniformly an amazing group of officers and detectives that are dedicated to combating and trying to eliminate sex trafficking. So on behalf of the u.s. Attorney's office, thank you.

Adams: Thank you very much. Appreciate it. Now we're going to hear from the executive director of the sexual assault resource center, known as sarc. A key, key part of our efforts because what erin ellis and her team provide are credible, positive, interventions. As much as we think we could relate to someone of all walks of life, there are some that will trust others more than us, and that's one of the many great things you've done here. So thank you. Erin ellis, executive director of sarc.

Erin Ellis: Thank you, mr. Adams. Mayor Adams. And fello council members. I can't thank you enough for having us here today. It's always a joy to come before you and talk more and more about the successes we've been having. There are days when this is exhausting. And I can't think about our successes, I can only think about what our barriers are and what makes this work so hard. And then when we start having too much time thinking about how frustrating this is, there is this moment of clarity as to why we are so successful. It doesn't have to just be my organization, it doesn't have to be just the shelter with janus or the u.s. Attorney's office or law enforcement, or life works. When we're not able to connect with the youth, all I have to do is call harry's mother and see if that youth can come spend some time over there, and connect with someone on a different level. When i've got a kid who's really ready to completely blow out of all services, we can pretty much

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figure out what's going on, and it means calling sergeant geiger. I think i've got a kid who's ready to start talking about some stuff. And that's why we're seeing the behavior that we're seeing. We've got questions about what a prosecution, a trial is going to look like at the state level. We can call your office, and get greater clarification. So we call it this no closed door process. It's the hub. So this child can come in, go out, I think the thing I am most proud about of sarc is that we are the only nonmandated reporter, not everybody is aware of that. Everyone else by law is mandated. And I think that's the gift that we can give these children. A moment of knowing I can be very safe with you, you are expecting nothing of me. There is no cost in which I share my story with you, and you watch the stress and anxiety come off of them. And you begin to built rapport, and engage, and share, and the story comes out. And when they have that trust with you, is when they are able to put together a safety plan and from there put together a plan to begin engaging with all of the players that are mandated reporters. But it's done in trust and it's not done in pushing. This is the time of the holidays, this is the time when these girls and boys are wanting to go back to the life because in their mind this is their family. It's not the way in which we define a family, but it's what they know as family. So sarc and many, many, many, many community members have put together what's called operation santa. Donations have been coming in from all over, and there's a big holiday party in our office on friday. So the children get to come, get their holiday gifts, decorate the tree, light the candles on the menorah, receive their gifts and a food box, and for those that can't participate we'll be going to their homes and delivering those items for them. So sarc's time with the kids is expansive. It's that crisis intervention, it's ongoing conversations on the phone. It's a full assessment of everything in their life that they may be needing access to. Putting together a plan, identifying who is it that can help them implement that plan and on we go. Where that constant responsible -- we're that constant, responsible, meaningful adult in their life. And then on another note, we don't just do that crisis intervention, but we've worked very hard to develop a prevention program. We have a nine-week prevention curriculum for what we call acute sexual assault. That one-time sexual assault. We've now developed a nine-week curriculum for middle aged school children, specifically around human trafficking. So it's in the schools, it's at mount tabor middle school and lane middle school, which are feeder schools into madison high school, and madison high school we know to be one of the schools That has the highest rates of incidents around human trafficking, and in the fall we'll have a violence prevention specialist who will continue to implement two more years of prevention curriculum, helping identify these youth and get them back into a case management. So we've got a completely closed system around education and awareness for this population. Thank you so much and happy holidays.

Adams: Thanks. And thanks for all your work. I believe it or not before dennis and his team worked with us and the county, and all of our partners, there were no secure treatment beds for juvenile victims of sexual exploitation. And so you built on your success in treatment beds and other areas to put in place with the council's investment exactly that, and we really appreciate it. How's it going?

Dennis Morrow: Well, i'm here today to tell you I feel very proud of what we've accomplished and to thank you for the funding and support. Because it's both, it's funding but it's also the moral support that I think all these folks have talked about that it takes to really deal with this issue in our community. I guess I could thank you was you're right, before you came and visited our shelter, there was not a single, not even a residential bed, not even a single safe shelter bed in the entire state. And after that, I can tell you since those beds have opened We've had over 100 girls through the shelter. I can tell you those hundred girls represent -- and some boys as well, that they represent over 140 or 50 episodes, because many of these kids come back multiple times and we've now changed our standard for how we measure succession. Instead of counting how many times someone runs away, we count how many times they come back. We're seeing the kids most safely engaged in treatment who will move to prosecution, will work with sarc. By having the city and

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county money together, we've been able to give them one uniform door. If you want 10 minutes of safety off the street, you've got it. If you want 10 years of safety off the street, we can get you through age 17 and we'll find something after that. But there's no limit to how many times or how long you can spend there on either side. So I think I want to say thank you on behalf of 100 kids who had no place to go before this shelter was open. On behalf of their parents who are throughout somewhere, many cases deeply cared and couldn't intervene. And when we talk about the girls that we're seeing, that will run for any of these folks we're talking about up here, the numbers are remarkably uniform. Half of them are under age 15. Half of them are under 15. 12-14 is the average age of recruitment in this town today, 11 is the youngest that we've had in our shelter. But we've had two 11-year-olds. And two-thirds will be unfortunately girls of color. In terms of equity, it's a huge issue that we have to look at in terms of the community. All disproportionate representation. It's working because the kids are coming back. It's working now because we have combined the short-term shelter which the city funds with the long-term county -- over the first time we've got four youths, one boy and three girls who have been in the shelter for over four months. That had never happened. It doesn't sound like much, but it's a lot. And this week we're having our first graduate, successful transition into a foster home. All four of the kids who have been with us are in school, which I didn't realize until I took another official on a tour. But they're all engaged in an educational activity somewhere. I came back last week, I got invited to a national conference on the issue of shelter and residential services for sexually trafficked children in this country. Got flown back to Washington, dc, I was on a panel with six other people, five of them running programs. And I told -- I was sharing with Erin, I felt like a gopher who had finally come out of his hole. Because we have been digging in our own hole for so long, we didn't know what was happening anywhere else and frankly we thought our hole was pretty cruddy. But when we got up there and looked we found there's a lot of people around the country digging in holes and nobody has a magic answer. We're all trying to evolve -- resolve this solution. I found out the shelter we have here in Portland, there's probably -- there's fewer than 50 in the whole country. Probably closer to 40. I can tell you none of them have the funding support that we have, and one of the major reasons this conference was held in the Rayburn office building in the committee room of the congress was so the federal government would start providing resources, because all of the other programs are either living on borrowed funds from donors, or three day-to-day funds they get from the state and they can't make it work. I can tell you of the five agencies represented on my panel, all operating programs like this, two of them, their programs were closed by the time they got to testify at the panel. So they had been asked to come in several months ago to be a part of this. Most had already been shut down because of funding or difficulty or difficulty in working with the youth. So what we found out is there's very few of us out there, nobody has it figured out. There are some areas we got great information for people that are farther downstream than us, but what we also found out was nobody has the support that we have from joint governments. To make this work. Nobody has the type of collaboration that we are talking about here. What I heard for an entire day was complaints about working with police, working with prosecutors, and working with state child welfare. Because we have a number of states where the child welfare system will not even open a case on one of these kids because they don't meet the abuse criteria. And we have a dedicated team, in the police department, the prosecutor's office and the child welfare department. From your standpoint that exists nowhere else in the country. No one else is doing coeducational shelter. They're all talking about boys need help, but they won't touch -- one of our long-term residents is a young man. What I came back from was two feelings -- one, I think the sentiment you're hearing from these other folks, it's really sad to have to realize this grew up on our watch. This program grew up under all of us sitting here today. Whether we realize it or not. But to me, I felt proud that once we saw it and recognized this community has evolved a response through your leadership and through the cooperation of folks like this, that absolutely exists nowhere else. It

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doesn't mean we've got the answers, but we're on the road to providing answers. And that we kept - kids cannot and will not get help other placing. That only happens because we're all willing to not talk to you, but talk to each other, and we do it on a regular basis. It's amazing to think that's a limited quantity, but it really is. Thanks, team.

Adams: Thank you all very much. Is anyone signed up to testify? I'm sorry, sophia. Would you introduce yourself?

Sophia Chavier: Sophia chavier, I am the public safety and peacekeeping advisory in the mayor's office.

Adams: Is there anything you helped put together the report working with everyone, is there anything in the report you would want to highlight?

Chavier: No. I think the biggest highlight here is the collaboration that goes on between everybody, all of the city partners as well as county partners and the federal government. There's been the u.s. Attorney's office, it's been amazing to talk with everybody here about the work that they do, and to see the work that has gone into it. And the thanks that they feel for what city council has done and just really hoping to see that continue into future.

Adams: Thank you all very much. Karla -- you may return to your seats. Has anyone signed up to testify?

Moore: One person. Dennis morrow.

Morrow: That's me. I'll yield my three minutes.

Adams: Move to accept the record.

Fritz: Second.

Adams: Its been moved and seconded Karla please call the vote on the motion to accept the report.

Leonard: Thank you for your great work. Aye.

Fritz: We had an acute tragedy in our community yesterday with the shooting at clackamas town center. And that is evidence of the acute problem that we have with guns in our community in part.

We have an ongoing problem with human trafficking, and that this report has evidenced, and so I very much appreciate everybody being here to talk about it, and the mayor's leadership in not only talking about it, but doing something about it. Again, half of the victims are under 15, and 12-14 is the average age of recruitment. Two-thirds of girls of color. So we are dealing with this problem, we will continue to fund the solutions and I appreciate not only the public agencies working together, but also the nonprofits. The mayor has -- and commissioner Saltzman who wasn't able to be here today, have worked also with commissioner diane mckee at Multnomah county and with our state legislators and we need to continue to make changes in our state laws to make it absolutely clear that buying sex from underage children is illegal. And not something that our community condones and that we're going to do something about it. Thank you so much for your report and thank you mayor Adams for your leadership on this. Aye.

Fish: Thanks, everyone who joined us today. To my friend dennis, thanks for all the work you do, not just here, but helping deal with kids that are on the streets, experiencing homelessness, drug addiction, thanks for your stalwart work to support the community gardens and the village market in the new columbia and all the various ways that janus intersects with the city, and to -- our jurisdictional partners, it's wonderful to hear you say that both from the nonprofit side and the law enforcement side we have -- we're doing things differently here. And that gives us hope we can continue to make progress. Thank you. Thank you, mayor. Aye.

Adams: This is one of the most important inadequately understood, embraced problem by the city, not just city government, because this city council as you've heard is one of the few in the nation that have actually stepped up to the problem. But it's still -- we're fighting this denial, and I really appreciate council listening to this report, because it shows we can -- two things -- we can make progress and we have a lot more work to do. Thanks to my public safety team antoinette edwards work on this when she was my public safety coordinator, but also clay neil, Amreet sandu, and also

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sophia thank you. Aye. [gavel pounded] Can you please read the title for nonemergency ordinance? 1452.

Item 1452.

Adams: Welcome back.

Kathleen Butler: Kathleen butler from the revenue bureau. And i'm here with marian gaylord the towing coordinator. Thank you so much mayor and commissioners for your time today. We've been working on this item for a number of months, and we know you're very busy. We're going to do a very quick summary this is a first reading of a proposed update to the regulations on private property impound tows. These are involuntary tows of vehicles from private property. And the regulations are designed to protect consumers by setting standards for when the vehicle can be towed, how and when the tower must release the vehicle to the owner, the amount and types of charges, the documentation required before towing, record keeping, and access to the vehicle and sign and notice requirements. The city first started regulating these tows in 1988. And the last time these regulations were modified was 2003. The good news is that the complaints are down significantly since the documentation and regulation requirements have been improved. But ms. Gaylord still processes and investigates approximately 200 complaints per year related to these tows, and in a significant number of them she finds code violations, loopholes, and has to order refunds to the consumer. The changes that are before you are largely the result of identifying problems through this complaint process, and also stakeholder input from the towers and other important stakeholders. The changes have been fully vetted with the agencies that are going to be more completely regulated, like public housing agencies who had previously been exempt from these code requirements. And I just wanted to mention that Portland has been considered a leader in this type of regulation in Oregon and in the region, gresham has -- fashions their regulations with consultation with ms. Gaylord and when the state started regulating this, they also used Portland's regulations as a model. In this update that we're proposing, we are going to extend the requirements to several types of properties previously considered exempt, such as public housing lots, and also agency parking lots, and those stakeholders are in favor of this change. We're also going to require review by city staff of any nonsingle family or duplex residential properties that are going to be considered in the exempt category. We're bringing our regulations more closely in compliance with the state definitions for exempt properties. We are restricting towers explicitly from requiring payment of all fees before releasing pets or other emergency personal belongings. And we are also going to minimize the inconvenience to those who have been towed by requiring them all impound lots be located within the city of Portland. We also have some housekeeping changes where the pay and park lot requirements have been moved out to a separate chapter just to make it clear that's a separate set of regulations.

Adams: Is there -- is anything you'd like to add?

Marian Gaylord: I'm here to answer questions.

Adams: Great. Are there any questions from council? Do we have any amendments or substitutions?

Fritz: I just wanted to thank the staff for briefing me a couple months ago on this very thoroughly. That was most helpful to get it way ahead of time.

Butler: Thank you. There was a substitute version

Adams: Did we move the substitute?

Moore-Love: Of the exhibit.

Butler: Yes to the actual code language.

Adams: I move --

Butler: And we do have one person who came who wanted to testify.

Adams: Let's take care -- I move the substitute.

Fritz: Second.

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

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

Adams: Aye. Substitute is approved. [gavel pounded] sir, would you like to testify? Thank you for your patience. Thank you for your explanation. You just need to give us your first and last name.

Victor Steven Greenfield: Good afternoon mr. Mayor. And distinguished members of the City council. My name is victor steven greenfield. Commonly called v. Steven greenfield. And I thank you for the opportunity to testify on behalf and support of this proposed ordinance. There are two issues i'd like to emphasize, really critical, I have been a resident of Portland since 1972. I've been a resident of the peaceful villa apartments which is managed by the housing authority of Portland since 19 -- excuse me, since 2004, and they apparently were exempt from the protection for predatory towing by the city code, which I think gives a lot of towing companies a little more freedom or misguided understanding of what they can get away with, and especially any renegade towing companies, they're self-serving because they work on commission. My car was towed amongst five other cars of tenants two years ago, a little over two years ago on a saturday evening, and it was towed with even though I had a permit, i've lived at that unbroken permit since 2004, and the tow operator towed my car three miles to their impound lot, within the city limits, and apartment complex is also within the city limits, southeast 47th between division and powell. And when I complained about the exorbitant fee, despite the fact they had no authority to tow in the first place, they refused to return my car even if I agreed to pay, and as a result of the encounter, I suffered a severe respiratory attack. I have severe copd, i'm on oxygen half the time and I demanded getting my rescue inhaler, which was in the center console of my car. The tow driver refused and blocked me from getting it. Constantly I had to call 9-1-1 and the police arrived and an ambulance arrived, even though I didn't ask for the ambulance. The police recognized right a way that I had a right to retrieve my inhaler. I could have died because my vital signs were so great, severe that the ambulance people wanted to take me to the hospital. In any case, they managed to get my inhaler despite the obstruction of the tow driver. And that helped. Additionally the two items on the proposed amendment here to the city code I think on page 10 emphasizes allowing access to emergency items. May I have another moment please? To get emergency items such as eyeglasses, prescription, which this was, and any other items of that nature without demanding prepayment. And basically they're holding your car hostage and your health is hostage as well. And I hope the city council recognizes it's long overdue for an adjustment on the city code for protection. And I thank you very much and I welcome any questions.

Fritz: to clarify, your two issues are with exempting the housing authority of portland and being able to get access to needed medical equipment, is that correct?

Greenfield: Correct.

Fritz: Thank you.

Adams: Thank you and thanks for your advocacy and taking the time to testify.

Greenfield: Thank you Mr. mayor.

Adams: Anyone else wish to testify? If not moves to further consideration next week. Can you please read the title and call the vote on 1443 this is not the lights portion of the discussion that we've had in the past this is simple the green power portion. The light portion I'm going to move to consideration next week.

Item 1443.

Leonard: Aye.

Fritz: Thank you, mayor, for your leadership on this and to staff and others who explained the concepts very well at the hearing. Aye.

Fish: Aye.

Adams: I think I've said all that can be said other than thanks. Aye. Can you please read the title for 1444, a nonemergency ordinance.

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Item 1444.

Adams: This is the contribution that the city made as part of city council made as part of the adopted budget. We just have to come back with a formal ordinance to do so. We have no presentation. I'm happy to answer questions.

Fritz: I have a lot of questions.

Adams: Luckily it's not an emergency. Want to get them on the record?

Fritz: I do. I had e-mailed your staff, but I didn't get entirely the answers back. I will need some more discussion.

*******:** I have a presentation.

Adams: I'm sorry. I didn't see anyone.

Gabriel Graff: Good morning, mayor Adams. I'm gabriel graff with the active transportation division in bureau of transportation. We have --

Adams: We have lots of people here. I just didn't recognize them.

Graff: The safe routes to school program is in my portfolio and it is in that capacity that I'm pleased to present to you this intergovernmental agreement negotiated between the transportation bureau and Portland public schools. This iga is the product of several years worth of work and many long, hard conversations regarding transportation to, from and around schools, specifically Portland public schools. As you know, most pps facilities are old, an average age of 65 years, built at a time when most students were walking and biking to school. The school grounds and streets were not designed to accommodate the substantial number of students being driven to school by their parents today. While we have made significant gains in recent years in encouraging more students to get to school on foot and by bike this remains a difficult issue for parents, neighbors, Portland schools and the bureau of public transportation. On may 13th 2011 in response to community concerns council directed the bureau of transportation to negotiate an iga with pps that what allow both to focus limited capital resources to school related transportation priorities across the school district. I believe this iga accomplishes this goal, taking a step forward and promoting collaboration, problem solving and resource sharing between the transportation bureau and portland public schools. On november 6, 2012, voters approved a \$482 million capital bond measure to rebuild and upgrade Portland public school buildings. Portland schools has agreed to set aside \$5 million from this bond to fund transportation improvements across the school district. The funds will be targeted to the highest priority transportation needs across the district. They will work together to identify these projects with a focus on equity and safety using our public involvement work on addressing these issues at the ground level in the safe routes to school program. I'm available to answer questions and as are kirk krueger, paul cathcart from portland public schools and I believe jim owens from pps has some remarks.

Adams: Why don't you come on up.

Fritz: I just have a technical question. One of my questions was regarding .16 g. The answer to that was that you struck that line in the final iga. I'm wondering if I don't have a copy of the final iga. I was going off what was on council agenda.

Graff: I believe we made a few typographic changes. That was one of the struck items.

Fritz: I will need to see what were working --

Adams: Do you have an underline and strikeout?

Graff: Not with me. But we can provide that yes. The final copy I believe was in the packet we provided you.

Adams: Who would like to speak? Welcome. Your thoughts on this.

Jim Owens: Thank you. Good afternoon, mayor Adams, members of importantly city council. I'm jim owens, director of capital operations in the office of school modernization with Portland public schools. With me is paul cathcart, seated on my right, a project manager with our facilities and asset management group. Thank you for the opportunity to testify today. We're here to express

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Portland public schools support of the intergovernmental agreement before you today. The district appreciates your support of public school districts in the city and Portland public schools initiatives in particular including the capital construction bond measure. It's the voters' approval of this measure and your commitment to a strong working relationship that makes this agreement possible.

The agreement implements a memorandum of understanding the district and city signed in may of 2011. The mou outlined a process by which transportation improvements at district schools required by city regulations would be evaluated, prioritized and funded. The iga also memorializes the intent of the mou and furthers our mutual interest in providing safe, efficient multi-modal transportation options for our students, parents and staff. We believe it represents the best opportunity in considerable amount of time to effectively address needed transportation deficiencies within the p.p.s. Portion of the city of Portland and also provide clarity of responsibilities and will prioritize investment of limited resources and transportation projects that improve the most significant transportation efficiencies within the district first. Thank you again for the opportunity to testify today. We're here to answer any questions that you have of us.

Adams: You're here to answer questions? Commissioner Fritz?

Fritz: Thank you. First it's a problem that I don't have the last iga. I believe what's in my packet is on the council agenda. That is a problem. More on the bigger picture, this agreement was intended to resolve the challenges we discussed under the parks conditional use permit revisions that we were removing public input from changes in usage particularly in sports facilities at schools but also in other activities at school in exchange for this process. So it's of concern to me that there isn't any public input into the selection of the projects. \$5 million, while i'm very grateful to the voters for having approved it and to the district for having included that in the bond measure is not a lot of money considering how many of the safe routes to schools have significant infrastructure improvement needs. I would like to work with you before next week to consider revisions to the iga. We have a lot of diligent transportation volunteers in our neighborhood coalitions who are not necessarily going to be advocating for their particular school but are good at looking district-wide, how to prioritize and what the most urgent needs are. I think globally there should be more or some public input into identifying the master list.

Fish: I'm sorry, I am four hours into this hearing, am beginning to become a little fuzzy. What was the comment you made about changing the rules for public involvement on other school changes?

Fritz: We did that probably a couple of years ago and had a vigorous debate whether to allow parks and the school district to make changes without requiring a type 2 or 3 conditional use review. That was partly because we were planning to make sure the safe routes to schools and more global planning by city council and the school district would prioritize those improvements in another process. This agreement refers to the conditional use process but doesn't clarify how there has been public input into where these particular dollars are spent.

Fish: I would be happy between now and next week to learn more about your concerns. My recollection on the piece that you just described thought was we took it up in the context of allowing for replacement of grass with turf fields and the modest expansion of an existing turf field and we created a set of common sense rules around that after having a hearing and a discussion. So i'm not sure how that links with this, but I would be open to learning more.

Fritz: For instance one of the key pieces is sidewalks and crosswalks on adjacent streets. In this iga, it references that the city may -- there might be a waiving of some requirements relating to the bond. I appreciate the opportunity to discuss it with you and to work on it over the next week.

Adams: Sir?

Paul Cathcart: Just one thought. Paul cathcart, project manager with portland public schools. I think the district is open to a process by which to develop a criteria by which the master project list is to being developed but the list itself will be updated on a regular basis, so discussion about public process into updating the list versus the criteria that district and city staff will use, I want to make

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that distinction. I think the criteria will be key here and probably the best opportunity for public input.

Fritz: I appreciate that. Under the current proposal there's no public input until it gets to planning commission for the process. I believe in Portland public schools there are good volunteers who can help with the updating as well, so we shouldn't preclude that.

Adams: thank you all very much. Does anyone wish to testify on this matter? Further council consideration next week. Karla, for the next four, if you could read, there all second readings. If you could read the titles and call the vote for each.

Item 1445.

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

Adams: Aye 1446.

Item 1446.

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

Adams: Aye. 1447.

Item 1447.

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

Adams: Aye. Shall shall 47. -- 1448.

Item 1448.

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

Adams: Aye. So approved. Can you please the next two are related as well. Can you read and call the vote for 1449 and 1450.

Items 1449 and 1450.

Fritz: Before you call the vote I just had a technical question probably for the auditor for the city council clerk. The amendment we discussed last week and accepted were not all included in today's item but they would be carried over as stated at the hearing last week. Is that correct?

Moore-Love: The amendments approved last week?

Fritz: Yes.

Moore-Love: Yes.

Leonard: So I have been here over ten years. The first contentious hearing that existed here was on this issue ten years ago, and from then until now there's been no resolution nor lack of public process that has pointed our way toward a solution. I have been very torn about the proposal mayor Adams has brought forward because beginning ten years ago and without wavering, I have agreed that not only should these series of recommendations be adopted but there should also be parking structures at least one parking structure that we debated here probably as intensely as anything else I have ever been involved with, built in that area as mr. Zinger or the zinger brothers had recommended. That's not part of this package that we're voting on, unfortunately. Unfortunately, I feel like instead of adopting a broader plan that maybe both sides had to give on a little bit i'm adopting by my vote one half of what I think should be the solution to this larger issue of parking problems in northwest Portland. But it is what it is. I hope that we can move forward and even more comprehensively after this vote address parking issues including even very discrete, well designed parking structures at some point in the future. So with those observations I vote aye.

Fritz: Thanks to everybody who has given input on this and for the many, many years or decades of work that has been dedicated on parking issues by both staff and citizens. There are several city-wide issues which I am committed to continuing to look into and to find solutions for which are border for the northwest parking district. Those include parking in apartments, multi-family dwellings with no parking requirement. There will be a hearing next week on the 19th with a report from the planning and sustainability commission on that and I thank mayor Adams for his partnership in that. That's next week. Not time certain. It's a report, so thank --

Fish: Thank god we have such a loose agenda next week we can insert that in there.

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Fritz: Plugging away. Please listen without interrupting. Thank you. The issue of off street parking and occasional commercial use of lots which are not currently allowed for commercial uses is something we started discussing in the rose quarter. Its something I believe is a sensible thing we should look into city-wide. I don't currently have a project in progress for that but I have another four years to work at it. We have the curb cuts and that refers to the curb cuts for driveways rather than cuts for accessibility issues at corners. That has been an issue to Terwilliger hill as well as this district so that's something we could and should look at. We have low income waiver for permits or for low income assistance for getting permits, and we do have the issue that commissioner Leonard raised, funding for transportation improvements in general. The thing I probably heard most consensus on but not entirely agreement was interest in looking at off street parking structures. We simply don't have the money for that now. That's something that along with a lot of other transportation improvements we need to continue discussing. That said, this proposal as amended with all the amendments and exhibits that were attached last week does provide an end to this phase of the process and a bridge to the next phase and allows this council to make a decision on the input we've heard over four years after passing an ordinance back in 2009 and then another extension and now this one, it allows us to say this is what I heard, this is what I believe is the best way to go forward and allows the new council to have input. There will be at least two opportunities for further public process and council action moving forward. The amendments accept the plan rather than adopting it. Which means this is the framework for discussion. It can be changed moving forward. It will establish a transportation management board. Mayor Adams is taking applications and mayor haes will be appointing that board with council approval. We can consider all kinds of suggestions moving forward. The transportation management association will make recommendations and those will go to first the transportation director, transportation commissioner, any two members of council can call for a public hearing on those recommendations. So things that were suggested like \$1 an hour parking such as we have in the lloyd district is something that can be changed. The meter district, the first is permit south of lovejoy and west of 18th. That's the starting phase of permits. The second phase would be permits in the rest of the district. The map boundaries can be amended moving forward as we find out what works and what doesn't. This gives us a strategy for how to do it and honors and respects the work done that has been done on this. There's one thing we can agree on and that's we don't all agree. So let's have a process, which this resolution and ordinance do, to figure out how to do it. I'm the first to say we need adequate public process on this. I think we have had that and we need to move forward. Thank you to mayor Adams for your persistence and to my colleagues for your support. Aye.

Fish: I respectfully vote no.

Adams: I want to thank city council, the majority, for their support as we learn from the Washington park and central east side and every time parking on street parking comes in front of us these kinds of issues are not popular. But unfortunately or fortunately very necessary. I want to thank Katja dillman. I want to thank casey ogden, bill hoffman, who has been on this issue in various ways for decades. He was a young man when he started on this issue and everyone else in pbot who has worked on this, I look forward to helping as a citizen move forward on implementation and also to move forward on seizing real opportunities that we can now focus on in the northwest area so that all the energy that's gone on to fighting these northwest parking wars can be focused on something more positive for that great part of Portland. Aye. Please read the title and call the vote for 1450.

Leonard: Aye. **Fritz:** Aye. **Fish:** No.

Adams: Aye. So approved. Can you please read the title for item 1451.

Item 1451.

Leonard: I could introduce this.

Adams: commissioner of bureau of development services, matt grumm.

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Matt Grumm: Thank you, mayor, commissioners. Matt grumm with commissioner saltzman's office. Just over a years ago council authorized the bureau of development services to initiate a request for proposals process for a new permitting plan review and inspection management software system. On behalf of commissioner Saltzman i'm happy to announce that bds and purchasing have completed that process and are now ready to proceed to contract negotiations.

Adams: Wow.

Grumm: BDS director paul scarlett and chief procurement officer christine moody will quickly lay out the projects current status. I could answer your questions but I would like to thank all the staff and private stakeholders who have worked so diligently over the past year to bring it to this point. This process has resulted in selection of a highly qualified implementation vendor, sierra systems, and solid proven software from hanson information technologies and evolve software corporation. I would like to thank the volunteers who put in countless hours on this work. Keith skilly is an amazing volunteer for bds as he's just ending his chairmanship of drac. He sits on our budget advisory committee. He was a member of this evaluation committee. As were volunteers marie streaming and robert mathias. I would like to thank our technology oversight committee members. Ben Berry, ken neubauer, doretta schrock, wilford pinfold and dave lister. The toc has been closely tracking the itap project since its inception and have been great in pushing bds on its business case work and the rational behind this incredible important project. They will continue to closely watch it and as we move forward and we really appreciate the thankless work they perform. Acceptance of this purchasing report is a watershed moment for the project and we're confident that the top notch negotiating team will get us a the best deal. And a reasonable contract will be ready for enactment in the next few months. Paul and christine will quickly walk us through and we're here to answer any questions.

Christine Moody: Christine moody, procurement services. You have the procurement report recommending award of three contracts for the permit, case management information system. Sierra systems with a not to exceed \$6,755,524 for system implementation. Hanson information technologies with a not to exceed \$1,579,764.20 for ongoing maintenance and support services. Evolve software corp with a not to exceed of \$220,261.80 for licensing. Through the best and final offer process we are comfortable with the pricing that has been put forward and will finalize contract negotiations with sierra systems, hanson and evolve. I will turn this over to paul scarlett to talk about technical aspects of the project.

Paul Scarlett: Thank you, christine and thanks Matt. Good afternoon, mayor Adams, commissioners. If I could take a second, to deviate from my script. Mayor Adams and commissioner Leonard, this is the last time i'll be in front of you as formal presenter. I want to thank you for your years of service and personally for your leadership and support you have personally provided me over the years. I really appreciate a remarkable job for the city. Thank you.

Adams: Thank you.

Scarlett: The itap project information advancement technology project, is one we're very proud of advancing. Want to express my appreciation for all the hard work that's taken place. I want to express clearly that i'm in full support of the advancement project moving forward and i'm pleased with the outcome of the rfp process that's resulted in sierra systems being the top vendor. Certainly this work couldn't have occurred without all the hard work that's been contributed by the number of volunteers from the bureau of development services, interagency bureaus and certainly the technology oversight committee has played a major role in providing us input and support and oversight over last several months. In particular I want to thank ross caron, the current project manager, who took over from hank mcdonald as commissioner Leonard knows all of this from the inception. Ross has done a remarkable job advancing this project and getting it through the rfp process. Couple key other staff, richard appleyard and kim talent. They had key roles in moving

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this project forward. Keith skilly, a various number of boards and committees, has also been instrumental in providing good assistance. The technology as you know, in keeping with construction activities permitted plan review process we are outdated. We have a legacy system that needs to be improved and we of course entered into that process. I'm confident the new system will provide efficiency and the changes necessary to assist the development community and customers and our employees to be more efficient and also result in a more cost effective system. It will be a 24/7 system that allows you to access the system from anywhere in the world, anywhere in your office, city of Portland, throughout the nation. That's something we're very excited about entering into. In fact we feel like we're a little bit behind but certainly catching up. Over all this project will -- there's still a lot of work to be done allowing us to enter into contract negotiations. It's one of the critical steps but ultimate outcome will be to have a system in place that will benefit all the users and not just developers and folks involved in actual development opportunities but public citizens who are curious about what is that zoning. What is the status of the building permit, and what not. We're excited about the project over all and i'm here to answer any questions, but i'm in full support and excited about how it's going so far. Thank you.

Adams: Questions? Does anyone wish to testify on this matter? This is a procurement report so i'll entertain a motion.

Leonard: So move.

Fritz: Second.

Adams: Moved and seconded to accept the report contained in 1451. Karla can you call the vote.

Leonard: Congratulations, paul. I know this has been more than a year matt has been working on it certainly a year. I don't know if it's been four years or five years.

Scarlett: '09 we started looking into it.

Leonard: This is a watershed moment that will take bureau of development service and its permitting processes to a new step for us but a step that other communities have enjoyed for years. I know it will make your staff -- it will be easier for your staff to process permits, easier for us to track what's going on, and i'm really excited to be able to vote for this before I leave. It was a very important project I know for you and for me. Thank you, matt, for helping shepherd this through. Aye.

Fritz: Commissioner Leonard this is indeed a legacy project for you. Another one that I appreciate coming to council. Director scarlett this is one of the best public involvement statements that I have read and I really appreciate your staff diligence in saying not only who was involved but how the outcome was shaped by that. And all three of you for your work on this project. Thank you, aye.

Fish: Congratulations to all. Aye.

Adams: About time [laughter] thanks to commissioner Leonard for the early work on this to commissioner Saltzman for his work on the latter end, to director scarlett, director moody and what's your official title?

Grumm: Policy manager, sir.

Adams: Policy manager matt grumm. This is really important to our ability to be accountable, to problem solve, to save money. I'm really excited. Thanks. Aye. Please read the title for emergency ordinance item number 1435. Do they work together or are they separate? They are separate. Right.

Moore-Love: What were their numbers?

Leonard: You said 35. You meant 53.

Adams: Thank you.

Item 1453, 1456, 1457 and 1458.

Adams: Commissioner Randy Leonard.

Leonard: Were we going to read 56, 57 and 58 at the same time? 1456, 1457, 1458. Might as well do all three at once. All four, actually. I'm sorry.

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David Shaff, Director Water Bureau: Good afternoon, mayor, city council. I'm david shaff. With me is christine moody, the city's procurement officer. Also with me are mike stewart chief engineer of the water bureau and teresa Elliott principal engineer and project manager for our LT2 open reservoir project. I'm going to do a very short introduction and then i'll shift to christine and then we'll go back to me and then presumably we'll answer questions if there are any. Why are we here now? That was the question commissioner Fritz asked yesterday. The reason is we expected to be here sometime a while ago but because of the work we have been doing on trying to get the Oregon health authority to give us an extension we as you'll recall stopped work on the open reservoirs for a period of time. We're anticipating that this will require the Washington park work will require a type 4 land use review because of this historic structures. That will require us we believe to be about 18 to 24 months worth of review. In order to submit our permits and review and our -- our permit applications, the visible features of the Washington park facility will need to be designed to about 75 to 90% level. We need at least a year to design to that level as well as do public outreach before we can submit. Given the guidance that we had received from the mayor-elect where he had asked for a little bit of breathing room that first month in office, we're worried that we will lose over a quarter of time, three months' worth of time, to get work under way if we do that we're not going to be able to meet the compliance deadlines. We have three compliance deadlines for this particular project. March 31, 2016 we have to submit the designs to oha for approval. We have to begin construction july 1 of 2016. We have to be done and have the reservoir in operation by december 31, 2019. So if we don't submit the land use review by january 2014 we don't believe we would be able to meet our lt2 compliance schedule. I'm going to shift over to christine to let her talk about the cmgc process then come back to the aecom and cornforth contracts.

Christine Moody, Procurement Services: 1453 is asking for an exemption to the traditional low bid process using an rfp process to select a construction manager, general contractor for the Washington park reservoirs improvement project. This project involves technical complexities and requires specialized expertise for its construction with work around historic features and steep slopes. Procurement services and the portland water bureau will conduct a competitive rfp process to select the cmgc contractor. Using this process will result in substantial cost savings to the public because the cmgc will participate in value engineering and constructability reviews and will develop the construction phasing plan and well coordinated project schedule.

Shaff: So on the aecom, the design portion of the project, the procurement is providing for the design and construction support services to replace the open reservoir number 3 with a 15 million gallon buried storage reservoir on site, then to disconnect the second reservoir number 4 from the public water system to comply with the lt2 requirements on open reservoirs. We did rfp solicitations following the process designed by the city. We did get four proposers. Mwh, black and veatch, ch2m hill and aecom. There were a total of 91 firms that reviewed the r.f.p. We received two proposals on the cornforth geotechnical contract, shannon emulsion and cornforth. We had selection committees for both of those. They involved a member of the minority evaluator program and then four water bureau employees from the engineering services group. The mwesb effort for the \$15.2 million design contract with aecom will be using approximately 20 sub consultants ten of whom are state certified mwesb firms. They'll receive approximately 24% of the total contract. Then of the geotech contract with Cornforth, they will be using six sub consultants, four of whom are state certified mwesb firms, approximately 13% of the total contract. Total budget for the Washington park project is approximately \$70 million. The design and construction support contract is about 21% of that total project cost, commissioner Saltzman typically asks this, this is slightly higher than the standard -- than standard reservoir projects, which has been historically about 15 to 20%. It's due to the complexity of the project being located at a large active landslide, the need for deep foundations and locations within an urban park and proximity to a

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residential neighborhood. Opportunities for public comment, it will impact this project will impact the aesthetics of the Washington park reservoir site as well as users of Washington park and the local community. The water bureau will be developing a public outreach plan for the project and it will include involvement from public stakeholders and address impacts to the community. We will be using during the design process the same firm that we have been using on the powell butte project, jla public involvement, then of course our own staff will be working on public outreach activities in the summer of 2013. Meetings with neighborhood associations, residents adjacent to the park, several public meetings and then the stop and talk public events that we typically do. That's it for Washington park. Let me segue over to the mt. Tabor piece. As you'll recall, on the east side of the river the mt. Tabor project portion of the It2 consists of several things. One is building powell butte 2, the second is building kelley butte, the third is what we call the mt. Tabor adjustments. That's got two phases. One is work that's done in the right of way, and one that is done work that is done in the park itself. The work in the right of way is what we're bringing forward today. What we're bringing forward today requires some explanation. We're doing a change order. Normally under the city's rules, because it doesn't hit the 25% amount of the original contract, I could simply sign a change order and direct mike and teresa to make those changes and have the work done. But this is an It2 related project. It tends to generate a lot of controversy or at least public comment, and rather than do that, I decided to bring it forward in front of you so that you know what we're doing. We have three valves and associated -- three sites all on division street, 42nd, 67th and 68th, that will involve valve work, pipe work and that sort of thing to get us to the next stage, the final stage of the mt. Tabor reservoir project, the disconnection work and actual work in the park. Now, we could put this out to bid. The reason why we chose to do the change order route is because we have ssc, the folks doing powell butte, on site. They are already mobilized. It will be cheaper for us to do it and they will be able to use current mwesb contractor. The alternative is for you to say no, we want you to put it out to bid. We would, and that would be you'd pick a low bid project and we would go through that process. So this is cheaper, more efficient and it meets the council's interests in using mwesb certified contractors. With that, i'm open for questions.

Fritz: The mayor left me with the gavel, which is a dangerous thing. I don't think it's actually my turn. Following up on the last point how do you know you're getting a cheaper product for that and the cmgc? How do we know we're getting the right price for the ratepayers?

Shaff: We negotiate the price with ssc, the current contractor and we don't have to go through all of the -- there is a lot of work that's involved in putting a contract out to bid. So our belief is that we will save both time and money doing this. But there isn't a guarantee, commissioner.

Fritz: Okay. On the bigger contract for Washington park is there a community benefits agreement involved in that?

Shaff: Teresa passed me a note saying ssc did competitively bid that portion to subcontract. They have competitively bid it. Ssc, the prime contractor.

Fritz: I don't understand what that means.

Leonard: Teresa is under the weather right now.

Teresa Elliott: [audio not understandable] subcontractor to find out whether or not to get the price, find out whether it was a price that we could live with or not. The contractor that they selected if we chose to go this route was the lowest bid contractor and is 100% mwesb contractor.

Fritz: Thank you. I should mention, david, mike and teresa gave my staff and me a fascinating tour of the reservoir construction at powell and kelly butte. I hope standing out in the rain is not what precipitated your illness. Thank you for that and the clear explanation. Also, as I often do pointing out to young women at home we have a woman in charge of this massive construction project and doing a great job. Thank you very much.

Elliott: Thank you.

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Fritz: I do have some other questions. What's the impact on the rates by approving these contracts now rather than in a couple of --

Shaff: It won't have any different impact. What we call our cipr, -- hang on. The capital improvement plan annual report, the methodology we used there, the rate impact of the project over all is 4.8% over the life of the project.

Fritz: So tell me again about the community benefits agreement as part of the construction project.

Shaff: That's not part of this project. Remember what we have done, what council did two months ago --

Leonard: Washington park.

Fritz: Couple months ago we approved kelly butte and the interstate facility as pilot programs. Does acting on this now preclude -- we had some challenges with the interstate facility having already gone out to contract and then having to retrofit for a community benefits agreement. Might there be some benefit in delaying this for a couple of months to make sure we can put that community benefits agreement into this one?

Shaff: This isn't the construction contract, commissioner. [speaking simultaneously]

Fritz: The cmgc.

Moody: When we bought the powell butte and interstate projects to city council as pilot projects we were with the understanding we were going to review how those projects worked as a pilot project before we were adding a community benefits agreement on to additional projects. So at this point that hasn't been decided to put this on to this project. The other two are just beginning and we don't have an analysis of that.

Fritz: One thing I would like to explore between this time and next week is on the Oregon sustainability center there was some discussion about having equity in the design portion of that facility as well as in the construction so that's a question that I would like some more discussion on. How confident are you in the \$17 million price tag for Washington park?

Shaff: I'll let teresa or mike add. Under the city standards we referred to that as a low confidence rating because we have to design it and then once that design -- once the design is done then we'll put it out to -- not really to bid, we'll be negotiating under the terms of the cmgc agreement. We have a basis of design report that gave us an estimate of approximately \$38 million to build. What we believe we'll end up designing. Under the city's rules the confidence rating is at this point low. Mike? Do you want to add?

Mike Stuhr: I would say that's correct. But I would also add that you don't get a very accurate construction estimate. This one would be considered to be plus or minus 50%. I know that sounds like a lot, but in this case I don't think it's terribly accurate. We have a really good bdr, basis of design report. And we have been working with cornforth, in my opinion a premier consultant in the geotechnical work and that's what makes this difficult. And so our construction estimate on this is better than your average. We won't really have a good number for the project until we have completed the design and there's a lot of work to go. So I don't know what more one can say.

Elliott: The only other thing I would have said is that one of the reasons, one of the unknowns in the estimate is historic preservation and the permits that will be involved. Those are the big unknowns and why that is at a low confidence at this point.

Stuhr: Much of this will have to come clear as we work our way through the design and land use process and the public involvement process.

Fritz: What safeguards are in these proposals to identify which historic structures stay and what the outcome will look like?

Stuhr: That comes out of the land use process, but I think -- did you bring the slide?

Shaff: I did.

Stuhr: Karla, will you pop our slide up?

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Shaff: So that's two slides, the one on the left is what our current facility looks like. I have heard it described and have described it as a bathtub with a dirty ring around it. The one on the right is not a description of what it will look like, it's what it used to look like. That's what it was before we put in the -- before we started the temporary cover process. The goal is to have it look like that when we're done. Fundamentally we're going to put a tank underneath what is going to be a reflecting pool. That preserves the historic character of the facility and that's the objective of national historic preservation act.

Adams: is it going to be a wading pool for the public?

Shaff: No, it will look like it does now with a fence around it and there will be a relatively shallow body of water on top, a reflecting pond. Yes.

Adams: Wading pool? [laughter]

Fritz: What's the impact on rates on the reservoir project?

Shaff: You asked that question. Our cipr capital improvement plan annual report estimates that the over all rate impact is about 4.8% over the life of that contract the project.

Fritz: Whether we do it quicker or slower that would get spread out.

Shaff: It's not going to make any difference. The approximately \$70 million that we have put into our five-year capital plan anticipates that amount of money. That amount of money hasn't changed.

Fritz: Thank you.

Adams: Additional council discussion? Additional presentation? Let's go to testimony. Karla?

Moore-Love: We have six people signed up. The first four please come on up.

Adams: Hi. Who would like to begin? Welcome.

Mary Saunders: Greetings. I'm mary. I'm often here this time of year. Mary saunders is my full name. I have worked as part of this citizens for Portland's water.org group and other groups advocating for clean, affordable water in Portland. I'm here today to speak to the issue of no big contracts. Sufficient time for the public to be involved in complicated issues. The announcement in the business paper has pretty truncated paragraphs about what is actually in all of the backup verbiage. So one of my concerns is that the public can be informed enough to weigh in and have enough time to weigh in. In addition there's been concern at the council about equity. That's another issue I want to bring up in relation to no bid contracts. The other one is accessibility, so I would like the public to really be able to have access to all the information that might relate to us before the time comes for us to speak. Transparency, there are issues with transparency in the city charter so that's another reason to get all of the information out in a very timely way. I also feel that the cautionary principle is served by having a bidding process because competitive bidders may notice things that we need to be aware of. We're all aware of side effects in medication and things like that. We all want to know best case, worst case, best practice, all those kinds of issues before we make decisions that will be very costly. I was at a service place this morning and I said, well, i'm going down to testify about water, the cost of water as one of the issues, and the person behind the counter said, oh, is my rent going to go up again? So these are big concerns for citizens here and for employment. And for local access to bidding competitively. So those are my comments.

Thank you for hearing my concerns.

Adams: Thank you. Sir?

Michael Morgan: Regarding items 1453, 56, 1457 and 1458, what we don't want to do is to bring these planning design and construction activities any earlier than is necessary. To note Washington park reservoir 3 design work is not required to begin until 2014, and construction work not until 2017, and mt. Tabor construction work is not required to begin until 2014 according to the lt2 compliance schedule approved by the environmental protection agency in march 2009. In this schedule, planning design and construction are already required to be done earlier than is beneficial for Portland. It would be much better today if they could originally have been scheduled farther out in time and instead of now bringing these activities to be even earlier than the schedule requires it

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would benefit us to do the opposite and delay these activities as much as possible and most importantly to seek a deferral of the approved It2 compliance schedule. That rochester, new york, obtained a ten-year deferral because of financial hardship, limited resources and the environmental protection agency It2 rule review is even more reason for us to delay It2 -- compliance activities and obtain a similar deferral for similar reasons which by logic we should be able to obtain as well. Rochester demonstrated water utilities are not required to demonstrate continuing steady progress toward compliance as stated in the Oregon health authority may 2012 letter denying Portland's request for a delay in the approved compliance schedule. I'm concerned that we are moving toward spending \$400 million on underground water tanks that we simply do not need nor want. The cost is huge and the benefits of covering finished water resources are uncertain. The high cost and uncertain benefits of the It2 cover requirement give rise to the ongoing environmental protection agency rule review and was expressed by at least -- lisa jackson. One of her statements was we should and can find cost effective ways of achieving public health protection from water born parasites and diseases. She made other statements and they all those statements she made indicate she is willing to make changes to the It2 rule treat or cover requirement if science supports them. Our congressional delegation in an october 2011 letter --

Adams: Sir, your time is up.

Morgan: Said we are wrestling with immense cost and uncertain benefits of covering is water reservoirs. The mayor of rochester and director of their department of environmental services made statements regarding the uncertainty of the benefits of the It2 rule treat or cover.

Adams: Thank you for your testimony. Appreciate it.

Floy Jones: Floy jones, friend of the reservoirs. Portland rate payers have suffered a 61% increase in water rates just since 2008. You should be embarrassed. This is not a failure of engineering. It's a failure of leadership. In light of the information we uncovered regarding rochester securing a deferral of open reservoir projects are two historic reservoirs until 2024 is outrageous that you would consider adding these fast track projects to burden ratepayers. You're bringing them forward two years ahead of the Portland wear bureau's own schedule. New york city and rochester sought and secured lengthy reprieves for their open reservoirs. You roll over. Mayor bloomberg, mayor richards of rochester see ratepayers as constituents to be protected. You see us as cows to be milked. Every time this issue comes up you protest we're doing everything we can. You haven't. And you aren't. Approving these contracts on a fast track schedule demonstrates that. Other cities are doing everything they can to avoid these costly, unnecessary projects. They are succeeding and you're sitting on your hands. Commissioner amanda Fritz ran on a campaign of keeping reducing water rates, preserving the functionality of our historic open reservoirs. She crushed her opponent. Skyrocketing water rates are outstripping growth and personal incomes. High water rates have made Portland a less competitive place to do business. And now you're looking to add to that. So to those of you who will remain on the city council in the new year, this is your opportunity to chart a new course. Defend our water system, stand up for ratepayers, protect your constituents, and do the job you were elected to do. If you don't we'll elect somebody else. We have sent you all of these documents from rochester. They are very detailed, very specific an it was a really simple process for them to secure a deferral based on economic hardship and constraints. The situation in portland is by far worse than it is in rochester. The increases in rates, massive amount of debt accumulated just in the last few years, it's an extremely more serious situation. You have heard the last time we testified it took a full three minutes to read all of the organizations that do not support these projects. You have every opportunity now. There's a new city council coming on board. Publicly steve novick has offered his support in achieving relief. The new mayor has offered his support. Commissioner Fritz has given that support. That's the direction we need to go in the future. Thank you.

Adams: Thanks. Hi welcome.

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Dee White: Hi. I'm dee white. Michael and floy pretty much said everything I was going to say anyway. I'm going to read from the letter that a vast amount of organizations and associations sent to the Oregon health authority on november 19th and also to governor kitzhaber. Portland business alliance, southeast up lift neighborhood coalition, coalition for livable future, Oregon physicians for associate responsibility. These are just a few. Portland wear users coalition, et cetera. Recently uncovered information the city of rochester requested and secured a ten year reprieve from the environmental protection agency lt2 treat or cover requirement for two historic open reservoirs set in city parks like us. The reasons are financial hardship, limited resources, and lt2 rules revision. Rochester worked with state and local public health officials and the environmental protection agency to quickly secure approval for this ten-year reprieve quickly. Rochester's case makes clear utilities are not required to demonstrate continuing progress towards compliance. Having any timeline in place isn't in itself compliance, that economic hardship and real revision are valid reasons for deferral. These reasons apply equally and as importantly to Portland. Financial hardship. Rochester argues their water demand has declined and water rates have risen. Water demand in Portland has declined for 26 years and our rates have gone up 61% just since 2008. Rochester's rates went 44% since 2000. Our 61 since 2008. Economic resources are limited. In their letters rochester rightly argued limited financial resources are better spent on making improvements to the transmission and distribution system reducing main breaks and associated interruption of service. The same can be said for Portland. Is it judicious to pay for an upgrade to our reservoirs which we did recently close out that contract for \$23 million where we improved upgrades only to pay to replace them? Rule revision. Rochester argued that the rule revision was prompted in order to reevaluate the effectiveness and regulation in light of new data that brings into question the assumptions upon which the lt2 rule was promulgated. In light of this new information it confirms the epa is not requiring continued steady progress. Project progress. I would like to ask that you vote no on these contracts which are being brought two years ahead of schedule. Portland water bureau's own approved schedule.

Adams: Thank you very much. Next? Welcome back. You want to begin?

Sue Parsons: We have one more. Cherie lambert.

Adams: Would you begin, sir?

Brad Yazzolino: Yes. Mr. Mayor, commissioners, this has -- I want to agree with the last two testifiers especially. They really laid out all the logical reasons why this is really an unfortunate and really preemption of Portland citizens' ability to control their own futures, which is really quite different than what it all seemed like during the start of your tenures. I was there to see a few of you indicate that your interest was foremost to respect public involvement, and I think that over the last few years we have seen that there's been a number of rather sophisticated and underhanded timing events that help to make this difficult for the public to see and understand. This has been one of those. Here we are two weeks before the end of a couple of your tenures and it's just a midnight vote to ensure that the water bureau is more or less in control of the water that's inside the bodies of most Portlanders. This is -- it goes that deep. The pity of it is that history will see that Portland had a marvelous water system and that it is unproven that a covered water system is better. It's certainly more expensive and we're all going to pay for it if it happens. It really would be better if you just stopped your continuing press on the pedal of making this happen. If you notice during david shaff's testimony he said that one of the reasons they are pushing it forward two years, for public involvement. It's p.r., the water bureau needs time to convince the public that once again this won't hurt them. It's just expensive. Forget about it. I probably don't have anything else to say. I urge you to vote against these contracts because it's not your place to vote on these right now.

Thank you.

Adams: Welcome.

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Cherie Lambert Holenstein: Hi. Cherie Lambert Holenstein. First of all I want to say that I certainly agree with Floy and Dee and Brad and all, thank you for saying that. David Shaff said that what we are doing today requires some explanations. Nobody laughed. I was surprised why. I would revise that to what the water bureau has not been doing requires even more explanations. They and the city council have expedited so many water projects with full speed ahead emergency ordinances, no bid contracts, lack of equity and transparency, et cetera, et cetera. Other cities have received delays and deferrals of longevity but this council and this water bureau do not have the respect for our amazing Bull Run system or for the people who use and pay for this water. You probably all recall the movie Chinatown about the water and the plot the wrong criminal and the illegal activities. Portland has a slogan, the city that works. I would suggest an addendum to that, the city that works like Chinatown.

Adams: Thank you. Welcome back.

Beth Giansiracusa: Hi. I'm Beth Giansiracusa. I would like to address those that are still going to be here. I have looked at everything for many years here, the economic plans, moving fast track, making it simple and easy to just keep the money flowing without stopping and bidding out and doing the whole money thing again to do that. I understand the economics of these plans. I also understand that Canada, Washington, Oregon, California are all up for regional plan of creating a water consortium of sorts. That perhaps all these buildings, all the things that we're doing here is to support that. And in that support, there is no other alternative other than to run fast track, to run emergency measures where we have a city charter that says, you know, we, the people want to trust you. You have a city charter saying we want you to trust us, but when you can say it's an emergency because the sky is gray and that's the only reason that there's an emergency on something, the citizens don't get to say a word, or that exactly like what Cherie said about or Brad said about the spinning that the water bureau does about this is how we're going to do and this is how it's going to be. I have worked with it for many years now watching it as you all well know when I start writing my own spin on my own bloggish stuff. Still I'm coming back to Canada, Washington, Oregon, California, Ch2M Hill going down with Oregon's representative down into California, San Diego, having a particular meeting, not even sure if David was there, something that I would assume the water bureau in Portland would have something to say because we are basically the jewel of their Nile. I think that we can pull out of this and have a different way of looking at our jewel other than the plan that they all have us set forward to march on. I think that the EPA is giving us the opportunity to do that in the review of the Lt2, and I would really like perhaps the water bureau Lt2 woman help with shifting that energy over because we do have that opportunity now. I'm not sure what's happening on the water bureau nor is anybody else. When I'm looking at these two star projects that I want to actually speak upon later on when I watched this morning at 9:30 and you all said it would be after 2:00 when you pulled a couple of things off because it was emergency, but it was pulled out because it was an emergency because David Shaff said it was covered somewhere else. Or it got voted on somewhere else.

Adams: Thanks for your testimony. Welcome.

Nancy Newell: I'm Nancy Newell. I think the people have spoken on the water bureau and lack of trust of the water bureau. I think they have spoken on the impact it's had on every aspect of their lives especially at the point when at the federal level we're at the fiscal cliff. Here we are in Portland destroying our water system. Not only are we overpaying for projects we don't need not only are we feeding the glutton federal courthouse pockets of known crooks that are contractors in the city, we're jeopardizing the very asset that the public put their money into for 100 years in this city. Why would we put at risk our own assets that have proven beautiful water and open reservoir works every time. That's crazy. Are we really a crazy Portland? I don't think we're crazy. I think there are a lot of good people that have spoken to this council and I think this is absolutely the right thing to do. I don't think the direction you're taking, Commissioner Leonard, is appropriate at this

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point. It would be very destructive to quality of water, quality of life in the city of Portland and you should rethink and request the council reconsider. I also feel you have not investigated properly the fact that new york indicted the very name we put on as a world model for testing water. Right near our airport. John corollo in new york has been indicted by a jury of public people and we haven't even investigated their operation. We walked out there. We can't find any traces to get information on projects like this and this water bureau is nearly impossible. I had to get an international organization to fly us over your head works to get an idea what the project looks like. The public does not have the kind of appropriate transparency when costs are skyrocketing. It's proven in new york that corolla the cartel that sets bidding prices and you're telling us we shouldn't have competitive bidding, we should go ahead with this ridiculous proposal? You have to be more convincing for the public to accept it or cooperate with you because you're going to have future leaders of this council are going to have a heck of a time with the public, with the costs that will be in every aspect of their lives and your lives and the headaches and health issues that come with it. We turned you back on fluoride, on using water for inappropriate purposes. Now we want to turn you back on this because the wisdom is in the community. We have wonderful people that have shown magnificent leadership including our council. I think that we deserve a better shake. Thank you very much.

Adams: Thank you. Anyone else?

Parsons: No one else has signed up.

Adams: All right. So I have a question for I guess david. I know these go on to further consideration. I meant to ask earlier, so as is known by hopefully some might remember that my -- I have a key interest in making sure that we are trying to predict into the future not only the water needs of the city but the context in which we have access to the bull run, success of bull run as a rainwater shed and as you know I have talked and asked about impacts of climate change and yesterday the epa issued a new report on climate change and impacts to drinking water around the united states. Can you remind me how many days of secure water we have so I do not consider open reservoirs to be as secure as contained reservoirs? How many days?

Shaff: Our goal is to have somewhere between two and three days, but that's really more to do with a catastrophic event, not climate change. Two, three days isn't going to do much in climate change, but it's between two and three days.

Adams: What do but have now?

Shaff: Between two and three days. We will end up with when we're completely done with all of the projects we will have approximately 50 million gallons less in storage when we are done. That will suffice for our needs from a day-to-day operation and catastrophic emergency events.

Adams: How is the water stored and secured right now?

Shaff: Well, most of our water is stored either in an underground tank like powell butte or above ground tanks like you see throughout the city, and at the three, four open reservoirs that we currently have in service. Reservoir one, 5, 3 and 4.

Adams: How many open reservoir storage will go from open to secured?

Shaff: All of it.

Adams: How much is that?

Shaff: It's 90 million gallons.

Adams: 90 million gallons that is currently in an open reservoir --

Shaff: We have more in currently.

Adams: How much of the \$90 million would go to secure water storage?

Shaff: All of the --

Adams: proposal.

Shaff: All of our water when this program is done will be in secured, covered storage.

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Adams: So the 90 million or whatever the secured amount is, how much is the secured amount? That which is now 90 million will be converted to how much secured water?

Shaff: I was answering your question of how much secured storage are we building. 90 million. Our current open reservoirs -- 50 plus 61 plus 34.

Adams: 140. Unsecured water will be converted to 90 million gallons of secure water.

Shaff: Right. We're going from 265 million gallons in our current system to 212 million in our future system and that will all be covered and secured storage.

Adams: Thank you.

Fish: I have two questions, two arguments which I have heard most from the public today, to do with rochester and the questions about the land use review timeline. Let's start with the easier one, the land use review timeline. What has changed in the land use process that you weren't aware of a year or two years ago in terms of the timeline for consideration?

Shaff: I think we have just gotten better sense of what it's going to take, but i'll let teresa add to that.

Elliott: So when we put the schedule together in 2009, we were assuming a 12 month land use review process and a type three review. We have since been told it will be a type 4 review because of the historic structures and we should assume 18 to 24 month review. That's not reflected in that 2009 schedule. In order to meet that that's why we need to move forward now.

Fish: That's a change in what you thought were going to be the regulatory hoops you had to go through.

Mike Stuhr: One of the other questions that comes up is this business of expediting. I would rather talk about this in a way that backs into why we're doing what we're doing. The actual document that has the first deadline our first deadline is not about starting anything. The first deadline is to submit plans and specs to Oregon dhs for review and approval march 30, 2016. That has not changed.

Elliott: That's 100% design at that point.

Stuhr: So then you back up two years to do the land use review process. That takes you to march of 2014. So in order to engage in the land use process, we have been told we typically land use review type 1, type 2 land use review 60% design is adequate. But this is more complicated land use review we think we need 75 to 90% design of at least of the above ground structures. In order to engage properly in the land use review. So you back that up, that leaves us barely a year to get the above ground structures to that point so that we can engage in the land use review if we start now.

Fish: To me that sounds like a very reasonable explanation for the regulatory piece over the next couple of years. So the second issue that's been presented is but why are we even working off 2016 because somehow rochester is a game changer and would give us a chance to rethink the whole thing. I think in fairness you should have an opportunity to respond.

Shaff: Okay. Well, the game changer was new york and getting the city of new york using the offices of senator schumer to push on the epa and getting the epa to open the door a crack on schedules. That's what new york did. They got an extension. Then two other cities that I know of, there are three dozen or more open reservoirs left in the country, but only two cities decided to try and exploit that crack. One was the city of Portland. We went to the oha, and we asked for an extension and we modeled our request after what new york did. Rochester did the same thing. They modeled their request more or less after new york but using the same -- using the same arguments that new york was successful in getting. The difference is we're not in new york. Oha is the regulatory agency that makes the decision for Oregon water jurisdictions. It's the state of new york department of I believe they are called the department of environmental quality in new york is the one that said yes to rochester. If we were in new york, it's very possible we would have gotten an extension from the state agency. But we didn't. But we're in Oregon an Oregon said no. It wasn't the epa that told rochester yes. The epa told everybody including the city of Portland that

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here are the guidelines. Here are the criteria that will fit a request for a change in the schedule. And floy was talking about the letter from the mayor to lisa jackson in the epa. Lisa jackson responded to the mayor of rochester saying the rule is not changing. You still have to show compliance and she used the same words that they used in the letter in their response to us. It was the state agency in new york that said to rochester, okay, we'll give you an extension.

Fish: What you have described is that both new york and Oregon under the rules established the relief had to be issued by a state agency.

Shaff: Right. They exercised their discretion differently than Oregon exercised its discretion.

Fish: Fair enough. Was there an argument or supporting evidence made by rochester that we did not make? In other words, did they make an argument that was materially different from what we argued?

Leonard: Can I ask david to clarify one point? It's important to know that rochester covered its reservoirs.

Shaff: It's covered one of them.

Stuhr: Bypassing the two others.

Leonard: Doesn't the extension of time include a treatment system?

Shaff: Rochester changed directions. They were originally going to cover all of them. Then they decided to cover -- they have covered one I believe they are simply going to stop using the other, and the third, the one that got them the extension, they changed the direction and said we're going to treat at the outlet. So they have the ability they believe they have the ability to design and build a uv treatment system in their footprint of their facility so that they can continue to have an open reservoir. That is one of the choices.

Leonard: We applied for and received a variance from having to build a treatment system.

Fish: I just want to be clear here. Both rochester and Portland had to go to a state regulator.

Shaff: Right.

Fish: We made similar arguments. If somehow we became a suburb of new york we might have the same opportunity to get that relief, but we're still bound by the decision of our state regulator.

Shaff: We are bound by the Oregon health authority, yes.

Fish: That throws us back to the same dilemma.

Shaff: Exactly.

Fish: And again, this is important for my understanding, there's nothing that we have learned in the rochester application that would give us a basis to say reconsider here in Oregon. Was there a different argument or a new argument or new evidence that would give us a basis to seek reconsideration here?

Shaff: No. As a matter of fact I think we have the better case as far as the evidence of cryptosporidiosis and the danger of cryptosporidium because by that time we already had our variance.

Fish: We had made the same arguments about cost and hardship?

Shaff: We did argue cost. We argued that we have a lot of infrastructure needs just like rochester did. Again, we both cities adopted if you will the playbook that the city of new york used that got them their extension.

Fritz: Our application didn't emphasize economic hardship because the state of Oregon told us not to do that.

Shaff: Epa.

Fritz: Part of rochester's successful argument was based on economic hardship.

Shaff: I don't know if it was or not, commissioner. The documents -- we don't know what the regulators were -- what the basis for the regulators was. They said yes, we'll give you an extension.

Adams: Additional Council discussion? Alright, my understanding is the only thing we're voting on today is 1458. Is that right?

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Shaff: That is correct.

Adams: OK, motion to accept the procurement report—I move the adoption of the procurement report.

Fish: Second.

Adams: It's been moved and seconded. 1458. Sue please call the vote on the motion.

Leonard: Aye.

Fritz: The director Shaff points out he could have authorized this without having had a public hearing, and I appreciate that transparency and the completion of the Powell Butte reservoir two project. Aye.

Fish: Aye.

Adams: Well, I don't want to spend a dollar more than we have to, but we're heading into on the other hand we're head nothing some very uncertain times for the impact of climate change on our drinking water, and I want as much secure drinking water as is prudent, and as we can afford. Aye. [gavel pounded] so approved. I understand 1459 is going to be referred back to commissioner Saltzman's office.

Fish: Without objection.

Adams: Without objection, 1459 is being referred back to commissioner Saltzman's office. Please read the title and call the vote for second reading 1460.

Item 1460.

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

Adams: Aye. So approved. [gavel pounded] could you please read the titles to 1461 and 1462. I'm going to continue them to thursday, december 20th.

Item 1461 and 1462.

Adams: I'd like --

Fish: Could I just, so we're thinking about quorum and schedules next week, could you just -- could you characterize what we're going to be doing next week on these two matters? Is this an additional hearing?

Adams: This is a hearing and a possible vote. We'll see. That's the best I can give you right now. Again, their conversations with the league continue, and so -- what's the time certain on the 20th right now? Sue? Do we have any time certain on the 20th?

Parsons: No. I don't have anything scheduled for 2:00 pm.

Adams: Is everybody here?

Parsons: Yes.

Fish: Mayor, my understanding is we did not schedule a thursday afternoon before christmas.

Adams: Is that right?

Fish: I'm not aware we have any items for that afternoon.

Adams: My understanding is there is an emerging item, potentially. What's on the -- what's on the 19th? How many time certain do we have on the 19th?

Parsons: The morning we have three time certain. We don't have anything scheduled for the afternoon. We have you away at 2:30.

Adams: Ok. Then let's -- I can change my wednesday -- ok. Let's do this at 2:00 on wednesday the 19th. But notify your schedulers there might be a meeting on the 20th about a different issue.

Parsons: That's 1461 and 1462?

Adams: Correct. All right? So done. [gavel pounded] we're going to take a break until 2:30. The next item shouldn't take too long, but I think we need a break.

Fish: We have two things on consent we'll take up and then move to the afternoon agenda?

Adams: Correct. [recess]

At 2:00 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

DECEMBER 13, 2012 2:00 PM

[gavel pounding]

Adams: City council will come to order. Today is thursday, december 13th, 2012. It's 2:00 p.m. How are you, Karla?

Moore: I'm good, thank you.

Adams: It's so lonely in here. Can you please call the roll? [Roll taken]

Adams: So what i'd like to do is, because this is a first reading, is I'd like to amend it so it's subject to the pdc commission's funding of the grant the council accepts it. And they're going to be doing that the first week of january. That way we don't --

Moore: 1465? I should read the title.

Item 1465.

Adams: Basically what I guess the amendment i'd like to move is to accept the grant, once it is made by the Portland development commission, and then they can go on with the procurement process. So I move to amend it -- a universal amendment to this item, but once the grant is made, we will -- we accept the grant once it's made by the Portland development commission.

*****: [inaudible]

Fish: Second.

Adams: Been moved and seconded. Discussion? Council has voted on this twice already. So we really limited our presentation. So this is a nonemergency ordinance, so if there's any discussion from council? Anyone wish to testify on this matter? It moves to a second reading next week.

Fritz: On the amendment?

Adams: Oh, did I -- did I not call the vote on the amendment?

Moore: You did not.

Adams: I apologize. Thank god you're here. Can you please call the vote on the amendment.

Fritz: Aye. **Fish:** here. **Saltzman:** Aye.

Adams: Aye. [gavel pounded] now we're in recess until 2:30.

At 2:06 p.m., Council recessed.

At 2:31 p.m., Council reconvened.

Adams: City council will come back from recess. Please call the roll. [roll call]

Adams: A quorum is present. We shall proceed. Please read 2:30 time certain. We have two items, 1466, which is a resolution, and 1467, which is a resolution.

Item 1466 and 1467.

Adams: Keith? You have to push that button in the middle.

Keith Witcosky: Keith Witcosky Deputy director of Portland development commission. So i'm going to run through a quick power point here that provides the details that the clerk talked about. Two amendments to the east Portland enterprise zone. This is a zone you approved in july 2012. And first of all, in terms of how the enterprise zone works, it provides a five-year property tax abatement on new capital investment, and the taxes on the land continue to accrue. And in

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exchange, the community benefits through a variety of ways. One is in trade-off for this there's a commitment to add family quality wage jobs, there's job training opportunities, there's local procurement, and a percentage of the abatement value is put into a fund for job training and assistance to small business through the neighborhood economic development programs. And again, in this case since it's focused on east Portland as the funds accrue, it provides pdc and the city with the ability to make investments that help east Portland. On the next slide it shows briefly the amount of activity and amount of success we've had in working on the enterprise zone. This is not east Portland zone centric, since it's such a brand-new designation. This is in the Portland enterprise zone that's been in place since 1995. And you show how it's cyclical with the economy, but if you look most recently over the last four, five, six years, while the economy hasn't been exceptionally strong, particularly in 2006 and '07, 2011, we see how the program really serves as a great opportunity to keep investment going and keep job growth going through incenting corporate expansion. So the two boundary amendments that you have before you today are one for new seasons central kitchen in the central eastside. This is the site of the former tazo tea site. It's an opportunity for them to do the food preparation to provide it to their 12 stores throughout the area, and the facility is going to have the capacity to go beyond 12 stores if they grow as well. It's a \$10 million investment. The total amount of taxes abated are estimated to be in the range of \$400,000. In year six when the abatement is up there will be about \$80,000 that comes back on the tax rolls and they're estimate about 40 new jobs right now. The second amendment that's before you today is more speculative. This is for 29.2 acres down on the zidell zrz property in south waterfront. Pdc and the city has been working with zidell for nearly two decades as part after grander vision of how to redevelop that area of downtown, and we've been working with them for about a year and a half on development agreement that would set the tone for 10,000 jobs and 5,000 housing units within that 29.2-acre area. And again, since this tool has been so effective at encouraging investment and generating job growth, we want to be able to have it on the table. At this point we don't know whether or not the enterprise zone program would be used or whether the tax increment would be used or some combination to deal with the investment needs That would accrue down there, but it's very important for it to be available. On the right side of the slide you see just a little bit of the facts in terms of the -- what this addition means in terms of size of the enterprise zone. And the e zone can be expanded up to a total of 12 square miles. Right now it's 8.2 so the addition of 34 acres is a slight up tick in terms of the size and there's plenty of opportunity to expand further if the council wishes that we do so.

Fritz: Could you just go back to that map? Clearly the properties don't have to be contiguous?

Witcosky: No, they do not.

Fritz: Thank you.

Witcosky: This next slide shows greater detail. On the right is the 4½ acres in the central east side and area on the right side of the slide is the zrz property in the south waterfront area. I guess the other thing i'd like to talk about is chair cogan's office is supportive of both of these amendments, both of these expansion efforts. We talked to them personally. And they're supportive because of what incredible tool this has been for adding jobs and leveraging investment into Portland. We have representatives from the company both companies available that would like to say a few words, so we can go to them if you'd like.

Adams: Who would like to come forward? Anyone from the produce row -- ok. Welcome. Welcome back.

Dennis Allen: I'm dennis allen, director of development for zrz realty, the zidell property. I wanted to show support of the e zone, we think it's another tool that can be used by businesses to help facilitate development on our site. We've been master planning for better part of a couple years, and much of our development could include office, and this will be definitely help assist the

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businesses to make decisions, some of the businesses to make decisions on our properties. So we're in support.

Adams: Thank you. Sir?

Don Forest: Good afternoon mayor Adams, council members. I have a prepared statement here, it's going to -- my name is don forest, i'm the director of development for new seasons market. Work address is 2004 north vancouver avenue. Portland, Oregon, 97227. I appreciate the opportunity to share with you today our plans for investment in the east Portland enterprise zone. As you know, new seasons a locally owned company with nearly 2400 employees, 12 locations and our support offices. We pride ourselves on being an integral part of the economy by finding and supporting local growers and food producers and ensuring our employees receive a living wage and benefits for their families and partners. We're also committed to give 10% of our after-tax profits back to Nonprofit organizations in the communities that we serve. We are very excited about the new central kitchen production facility located in Portland's central eastside at the former tazo tea headquarters. It's a fitting neighborhood with a rich food history and growing food cluster. Our new 33,000-square-foot facility will allow us to prepare many of our made from scratch specialty and grab and go items our customers look for at each of our stores. Because many of our bakeries and kitchens have capacity constraints we're not always able to keep up with demand or provide a full range of items our customers are asking for. The central kitchen expands our food preparation capacity and allows us to free up space for in-store food preparation and to introduce new specialty items which will vary from store to store inspired by our neighborhoods that we serve. As we consider possible locations for the central kitchen, it was important to be in a location that provides access to our stores, from east vancouver to happy valley, as we researched the central east side location, we began a series of conversations with pdc staff about the potential for participating in the e zone program. With your approval of the e zone boundary expansion to include the central kitchen location, we'll be able to utilize the five-year tax abatement on our capital investment of approximately \$10 million. To open the facility, we anticipate a transfer from our existing store positions of about 40 staff members. And we plan to grow the central kitchen staff to a total of 80 positions over the first two years of operation as we ramp up production to meet demand. Simply put, our investment in the central kitchen will help serve our current future -- current and future expansion needs, city, and regionwide. We're slated to open our 13th store on williams avenue in late summer of 2013, followed by our 14th store on northeast 32nd and broadway in the fall of 2014. Both these stores will bring about 300 new jobs and benefit greatly from the new central kitchen as well as our existing stores. I thank you for the opportunity to share this with you today. We're very excited to be part of the revised -- revitalization of the central east side industrial district. By moving into an existing building and former home of another iconic food company tazo tea. We would be grateful for your support for the expansion of the east Portland enterprise zone. With, that i'd answer any questions or comments. Thank you.

Adams: Thank you. Thank you both. Questions?

Saltzman: These are both great things. I was curious about the central kitchen. This would be -- this is just curiosity. It would be to basically enhance meal preparation in your -- for your other stores?

Forest: Correct. We would be preparing soup, salads, bakery items, smoked meat, have a test kitchen, centralized test kitchen and will have the ability to provide well beyond our stores.

Saltzman: Thanks.

Adams: Thanks for your investment. Appreciate it. Thanks for your ongoing investment as well. All right. Is anyone wishing to testify on this matter?

Moore: No one else signed up.

Adams: Karla would you please call the vote beginning with item 1466.

Leonard: Aye.

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Fritz: I think the enterprise zone is an excellent tool to stimulate development while at the same time making sure that we get the good jobs at family wages with benefits that the kind of development and the kind of jobs that we need. So i'm very much supportive of this program and motion. Aye.

Fish: Aye.

Saltzman: I'm very supportive of these amendments to the enterprise zone and certainly excited by both what new seasons and zrz are doing. Aye.

Adams: Thanks again for your work, your investment, and also to pdc for the great job in managing the enterprise zone. Aye. [gavel pounded] please call the vote for item 1467.

Leonard: Aye.

Fritz: Thank you. Aye.

Fish: Aye.

Saltzman: Aye.

Adams: Aye. [gavel pounded] so approved. We are in recess for 15 minutes. [recess]

At 2:44 p.m., Council recessed.

At 3:01 p.m., Council reconvened.

[gavel pounding]

Adams: City council will come back from recess. Karla can you please call the roll.

[roll call]

Adams: Can you please read the title for emergency ordinance item number 1468.

Item 1468.

Adams: I'd like to invite Multnomah county commissioner deborah kafoury to come forward, and joining her will also be Portland bureau of transportation's michael mcgee, and office of management and finance jonas biery, and sellwood project manager ian cannon. Earlier this year Multnomah county chair jeff cogan and I began discussing how we might mitigate the impact of a new library district on the city's general fund. Our fiscal staff estimated the impact into the next year due to compression. In the spirit of cooperation, that led us to the creation of a new education urban renewal district in may, chair cogan and I agreed to take steps to mitigate the impacts of compression. The most significant of those -- these steps is refinancing of the -- quotation, refinancing of the sellwood bridge obligations, the changes in the iga before you reduce the maximum costs from \$100 million to \$86 million for the city. And I know the final negotiations with your contract are underway right now, and that hopefully the city's cost and your costs will be below the \$86 million, and so i'd like to welcome Multnomah county commissioner deborah kafoury and thank you for all your efforts on this very, very important project. Welcome.

Deborah Kafoury: Thank you. I'm just here today because I cannot resist the opportunity to talk about my favorite project, the sellwood bridge. As we all know, the sellwood bridge has been a project under consideration by Multnomah county and the residents of our community for a long, long time. The old bridge was built at the beginning of the era of the automobile, and anybody who's driven across it or god forbid tried to ride their bike across it knows it needs to be replaced. And we need a bridge that has an eye to the future with state of the art facilities for bikes and pedestrians as well as meeting the highest safety standards in case of a catastrophic earthquake. And from the beginning of my time working on this project, the city of Portland and mayor sam Adams have been instrumental in moving this project forward. I want to thank you mayor, and I want to thank the council for such -- for being really there from day one in such a huge projects, being willing to step up to the plate. I'd like to thank your project staff in particular michael mcgee, and jody yates, but as well as all the agency staff who have helped us through permitting, sometimes helping us move things along a little more speedy than might otherwise be to help meet

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deadlines. The sellwood bridge replacement is one of the largest projects Multnomah county has ever undertaken. In fact, the only project that was larger was the original construction of the bridge in conjunction with the ross island and the burnside. It was a three-bridge project that was constructed in 1920s. That was the last time we took on a project of this size. The other thing about this project that I think is so unique and always bears a call-out is the fact that it is a true partnership with the federal government, the state of Oregon, Multnomah county, and of course thanks to you, the city of Portland. So I appreciate your time today, and I appreciate your aye vote on this.

Adams: Thank you for your leadership on this. A difficult bridge to build in a difficult funding environment, at a difficult site. On a hill that keeps moving. Trying to close the gap. Not very helpful way. So who -- michael, are you next? Mr. McGee.

Michael McGee: So michael mcgee with the bureau of transportation, and i'm your project coordinator for the city. I've got a brief presentation that will outline the agreement as it's amended, as well as some updates on the project since we haven't been before you in quite a while. This is a rendering of the bridge as we'll see in 2016 when we're finally complete. I wanted to first go over the changes that we're proposing for the funding agreement. If you recall in 2011, the structure was 100 million. We estimated the product to be a total of 330 million with the city's contribution to be capped at 100 million, and then measures of cost savings from there to work our way down. As we move forward. This is a little bit different in that we have new information and better information that we've gained over -- since 2011, and that's reflected in this agreement. Our contribution would be 74 million towards the first 270 million, and then we wouldn't see any additional costs unless the project exceeded \$306 million, and from there we would split those costs 50/50. There's some adjustments to when our disbursements will be made, so we're not asked to contribute anything until june of 2014. The current agreement asks us to -- would have us issuing bonds in december, so that's why this isn't before you as an emergency action, so we can follow through with the agreement that we made with the county. There's a second installment in 2015, that the provisions for savings are still in the agreement, so whatever savings that we can achieve will be shared 50/50. That hasn't been lost, it's just been restructured. All of our costs will be reconciled at the project completion. Our team is involved in working all of that, and they're providing a transparent process to see all of that effort.

Fish: What does completion of the project mean? Commissioner kafoury is a very skilled legislator. I can see -- what if she were to declare the completion as technically 2035 rather -- or some other date? What is the last -- what is the last event that actually --

McGee: We are -- the contract is administered by the department of transportation and it's following their requirements, which is substantial completion, which is a very finite, defined term. And that's what this would be.

Fish: We have a picture of deborah on her bicycle crossing the bridge, we can say that's conclusive evidence it's completed.

McGee: When all the work that's represented in the contract is done and the design team has signed up. That's the completion.

Fish: Ok. Of course I was kidding, but --

McGee: It comes up often, it's a very well-defined thing. That's why we're following the odot protocol.

Fish: Thank you.

McGee: Any other questions? It's been a while, so I -- we've had some of the community ask some questions and there's been some uncertainty, and they thought maybe we're making changes. More for the public to make them negotiation we're retaining all the agreements, the funding agreement and the changes we're doing to save money aren't affecting those. It's still going to be a beautiful, architecturally designed with lighting, the artwork, all of those elements are going fob there -- to be

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there, all the separate facilities for bike and peds are maintained, all the connections to the trail system, it's going to be able to handle all the freight traffic that we're expecting, and it has the conformance we need to support the streetcar, which is no small effort, because it had to be strengthened in order to meet that. We're doing the interchange improvements, and we have the detour bridge which is a critical element, which is -- you'll see some construction photos, which is sliding the existing structure downstream essentially so that we are only going to disrupt traffic for one week, and then they'll drive on the existing structure and we'll go to work on the new structure and we'll switch people over. And I've gotten some pictures to show our progress on there. But all of the major elements that the community has asked for and is expecting is still in the project. As far as the product, we're on track to meet our schedule. There's some early work packages that are on the way, as was mentioned earlier, the county is in final negotiations with the contractor for the major -- which is the actual bridge Structure and the interchange. That major work is going to start in January, we're expecting to do the bridge translation in the middle of January, so that is all being formed up. We are meeting our targets for the emerging small businesses, and about 70% of the product has been handled through subcontractors, so that translates to local jobs that we're putting people to work with family wage jobs, which I know is important to the commissioner and the community. And our target date hasn't changed. We're still going to have substantial completion in 2016. So I have here some construction photos that we're -- it's a little difficult, but if you look downstream on the left, you can see the workings underway, you can see some new concrete that's part of the connection, the ramps to the Oregon highway 43 interchange, and there's a lot of work that's going in water with the detour bridge and other things we need in building the new bridge. Here's a nice picture of -- that you can actually see the rails and all the work that's going in, you can now envision that the existing bridge to your right is going to be slid over onto the new support system, and that's targeted for mid January. It's going to take about a week. So they're getting everything prepared for that event. And it's going to be a great video that will showcase all that, and lots of information.

*****: [inaudible]

McGee: Yes. And then this is just another picture to show that the decking and the work that's going underway to make that connection on the highway 43 side, where the traffic will eventually get moved over. And it's just a tremendous amount of work that's already underway with the early work packages. And I just wanted for the public to remind them of their website, sellwoodbridge.org for information. It's a tremendous resource for the community. If they have questions or anything about what's going on, that's a great place to go.

Kafoury: There's a video cam so you can watch 24 hours a day construction of the sellwood bridge.

Adams: Do you have that on at home at all times? You dropped a wrench. [laughter] you should get an intercom system. All right, that's 20 minutes for lunch.

Saltzman: Mom, can't we watch something else? [laughter]

Adams: Would you like to make some remarks, Mr. Cannon?

*****: I'm just here for questions.

Adams: Mr. Biery, are we all good?

Jonas Biery: Ditto, just here for questions.

Adams: Any discussion from council? Thank you very much. We really appreciate your coming over, commissioner, to help make the presentation.

Kafoury: We should also note that the Multnomah county commission will be voting on this at our agenda next week.

Adams: Does anyone wish to testify on this matter?

Moore: No one else signed up.

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Adams: All right. Seeing no one to testify, Karla please call the vote, an emergency ordinance number 1468.

Leonard: Aye.

Fritz: Thank you commissioner Kafoury for your leadership on this partnership with chair Cogan and Mayor Adams. It's a very necessary and worthy project, and we appreciate the county working with us to reallocate some of the funding. Aye.

Fish: Thanks, Deborah. And maybe this will free up some money to keep that safety net afloat over the next couple years. Aye.

Saltzman: Good work to Multnomah county and also to Mayor Adams for leading the way for the city's ability to participate and be a partner in this most critical piece of infrastructure that I can think of. Good work. Aye.

Adams: To the PBOT folks and the Multnomah county bridge folks and the contractor, and the finance -- our finance guy, Mr. Biery, and commissioner, staff, thanks, and to the chair and his staff, thanks for working with us on a variety of levels related to this project. It's really great to see it moving forward, and thank you for working with us through this project to -- in partnership related to the library levy compression. So thank you all very much. Appreciate it. Aye. [gavel pounded] so approved. And we are adjourned.

At 3:14 p.m., Council adjourned.