



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF MARCH, 2013** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Tracy Reeve, Chief Deputy City Attorney; and Steve Peterson, Sergeant at Arms.

Item No. 214 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
204	Request of Barbara Boose to address Council regarding educational grant for pets suffering from hazmat (Communication)	PLACED ON FILE
205	Request of Kernel Moses to address Council regarding prayer vigil, camping ban, hurdles and solutions to safe sleep (Communication)	PLACED ON FILE
206	Request of Scott Fernandez to address Council regarding future of Portland's drinking water (Communication)	PLACED ON FILE
207	Request of Kurt Ferré to address Council regarding water fluoridation (Communication)	PLACED ON FILE
208	Request of Lightning to address Council regarding pet peeves (Communication)	PLACED ON FILE
TIMES CERTAIN		
209	TIME CERTAIN: 9:30 AM – Presentation to Council from the 107th – Timbers Army (Presentation introduced by Commissioner Saltzman) 15 minutes requested	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		

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Bureau of Environmental Services		
210	Authorize a contract with GSI Water Solutions, Inc. for as-needed services to support implementation of the Water Pollution Control Facility and National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Discharge Permits (Second Reading Agenda 187) (Y-5)	185917
211	Authorize contract with the lowest responsible bidder for the NE 33rd Drive & Buffalo Slough Culvert Replacement Project, Phase 2 No. E10377 (Second Reading Agenda 188) (Y-5)	185918
Bureau of Planning & Sustainability		
*212	Accept and appropriate a grant in the amount of \$25,000 from The Bullitt Foundation to integrate social equity metrics and outcomes into the Climate Action Plan (Ordinance) (Y-5)	185919
213	Consent to transfer of residential solid waste and recycling franchise to Rossman Sanitary Services, Inc., dba Republic Services of Lake Oswego (Second Reading Agenda 190) (Y-5)	185920
Bureau of Transportation		
*214	Authorize a competitive solicitation for construction inspection and project support personnel (Ordinance)	CONTINUED TO MARCH 20, 2013 AT 9:30 AM
215	Authorize contract and provide for payment for construction of SW Curry Closure Project (Ordinance)	PASSED TO SECOND READING MARCH 20, 2013 AT 9:30 AM
216	Authorize contract and provide for payment for construction of the SW Huber Street Sidewalk Infil Project (Ordinance)	PASSED TO SECOND READING MARCH 20, 2013 AT 9:30 AM
Office of Management and Finance		
217	Accept bid of Emery & Sons Construction, Inc. for the Upper Hillsdale Sub-Basin RDII pilot Project for \$2,157,955 (Procurement Report - Bid No. 115167) (Y-5)	ACCEPTED PREPARE CONTRACT
*218	Pay claim of Jason Wallace involving Police Bureau (Ordinance) (Y-5)	185921
219	Consent to franchise transfer from TCG Oregon to Teleport Communications America, LLC (Ordinance)	PASSED TO SECOND READING MARCH 20, 2013 AT 9:30 AM
220	Grant a franchise to Integrated Regional Network Enterprise for Telecommunications Services for a period of 10 years (Ordinance)	PASSED TO SECOND READING APRIL 17, 2013 AT 9:30 AM

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221 Grant a franchise to LightSpeed Networks Inc. for Telecommunications Services for a period of 10 years (Ordinance)	PASSED TO SECOND READING APRIL 17, 2013 AT 9:30 AM
Parks & Recreation	
*222 Authorize application to Metro Regional Travel Options for a grant in the amount of \$200,000 for start-up costs related to the creation of the Washington Park Transportation Management Association (Ordinance) (Y-5)	185922
223 Authorize an Easement and Equitable Servitudes agreement with the Department of Environmental Quality for city-owned property at Johnson Lake (Second Reading Agenda 197) (Y-5)	185923
REGULAR AGENDA Mayor Charlie Hales	
Bureau of Police	
*224 Amend an Intergovernmental Agreement between the Portland Police Bureau and Multnomah County for the provision of the Sex Buyers Accountability and Diversion Program (Ordinance; amend Contract No. 30002122) (Y-5)	185924
*225 Amend an Intergovernmental Agreement with Multnomah County to increase compensation for outpatient treatment and supportive housing to chronic offenders identified by the Services Coordination Team (Ordinance; amend Contract No. 30002795) (Y-5)	185925
Commissioner Amanda Fritz Position No. 1	
226 Authorize changes to the City Code to require Protected Sick Time for employees of businesses working in the City of Portland and enter into a contract with Oregon State Bureau of Labor and Industries for enforcement (Second Reading Agenda 203; add Code Title 9) (Y-5)	185926 AS AMENDED

At 10:47 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13TH DAY OF MARCH, 2013 AT 2:00 P.M.


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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Roland Iparraguirre, Deputy City Attorney; and Mike Cohen, Sergeant at Arms.

<p>227 TIME CERTAIN: 2:00 PM CANCELED. REFERRED TO MAYOR'S OFFICE – 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 1505-2012; Ordinance introduced by Mayor Hales)</p>	<p>Disposition:</p> <p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>228 CANCELED. REFERRED TO MAYOR'S OFFICE – 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 1506-2012; Ordinance introduced by Mayor Hales)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Mayor Charlie Hales</p> <p>229 Transmit the Revenue Bureau report regarding Broadway Cab appeal of the Private For-Hire Transportation Board decisions of December 12, 2012 regarding fleet expansion requests from existing taxi companies (Previous Agenda 202) 15 minutes requested</p> <p>Motion to modify the board's December 12, 2012 decision to allow more taxicabs with the condition that Broadway Cab receive an additional 10 permits to operate permitted cabs in Portland: Moved by Saltzman and seconded by Hales. Motion failed. (N-4; Y-1 Saltzman)</p> <p>Motion to deny the appeal and uphold the Board's decisions: Moved by Fritz and seconded by Fish. (Y-5)</p>	

At 2:13 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By  Karla Moore-Love
Clerk of the Council

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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.

MARCH 13, 2013 9:30 AM

Hales: The March 13th session of the Portland city council, karla, please call the roll.

Fritz: Here. **Fish:** Here. **Saltzman:** Here. **Novick:** Here.

Hales: Here. And we have some communication items, were you take the first one, please, karla.

Item 204.

Hales: Miss boose, come on up. Good morning, and welcome.

Barbara Boose: Good morning, I am barbara boose. And I have got to sit down here.

Hales: Pull that chair up and get comfortable.

Boose: This is in response to battalion chief jamie klum. And I want to request that the bureau of police work in response coordinate and cooperate with the fire department in regards to hazmat no. 7. Which is the fire engine locate at 19th and northeast killingsworth. And since 9/11, it's had 100 sensors for detecting the particulates in the air. And it's not being used for, for parent drug houses. And, and I have found this out by working with the police department for the last -- since Probably two or three years. And each meth cook has by-products of drano, bleach, and aluminum in the air. And so, also, enclosed is an independent police review division document that was originally for january the 11th, 2011, with officer kyle hesley and natasha hager, sergeant hager. And they came out and breathed in the particulates in the air. It was a foul stench, and it was going down into my front property against my landscape and my real property, and then in my yard. And it was very bad. And they said, this is a chronic, chronic nuisance complaint. So, need to call 9-1-1 when it happens because we need to catch the drug dealer. We need to catch everything in progress, and I did. Nothing happened. So, this, i'm going to file today because if something had been done in coordination with the fire department, my service dog, dylon, who is worth \$20,000, would be alive today. The neighborhood put this together. And this is to request the -- the ambulance services for service dogs and companion dogs and domestic animals. Service and companion animals from Multnomah county to osu in corvalis to the vet students so that they can measure the particulates with the sensors while -- and so that is my, my main focus.

Hales: Ok. Barbara, thank you. You used your time, and I Appreciate bringing this documentation, too, so that will give us a chance to look into this. So thank you for coming today. Thanks very much. Ok, Karla, next person.

Item 205.

Hales: Ok, kernel moses. Good morning.

Kernel Moses: Good morning. I wrote a little poem that I would like to read to you.

Hales: Ok. Have a seat, and again, you have three minutes.

Moses: Thank you. When I was first establishing the sacred space out here, I was one of the few people supporting it, and I went about a week, when I got, I don't know, two or three hours sleep each night. And I was wanting to write a poem, and all I could get was the dream of sleep. And that poem never manifest. But last night after work I thought, I really ought to finish that poem. So, I wrote a poem for you all called "the dream of sleep." a light in the commons illumines truth, entropy of ordinance makes for horrid experience. Miles of empty real estate, heated for the plumbing. Souls shiver on sidewalks, deprived of legal bedding. Shattered realities, and

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neighborly angst. Breed, environment fear. No politician will stand against a cadre of neighbors, riddled, scared. And enigma how the riddles become unraveled but folks are being strangled, deprived of their dreams. Public education, fear Remediation. It's our only hope. Teaching all how to cope. R2d2, four, five, six. Pba, tries to hex. With their war on the poor, but you and I have the fix. A light in the commons illumines a truth, society needs to be soothed. Nightmares run rampant when you are forced to the street where the only dream you have is the dream of sleep.

Hales: Thank you very much. Thanks for coming.

Moses: Yeah, and thank you for coming. I have 48 seconds, so if any of you have a question for me, I would like to take this opportunity to answer any of your questions.

Hales: I don't think we have any questions but we would love a copy of your poem.

Moses: Ok, great.

Hales: Thank you.

Moses: No questions, all right. I will get that copy to you, thanks.

Item 206.

Hales: Good morning, scott. Welcome.

Scott Fernandez: Good morning.

Hales: You know the process. Three minutes and put your name into the record.

Fernandez: Scott fernandez. My website is www.bullrunwaiver.org. Good morning. Now is the time for Portland city council to request an epa, safe drinking water act waiver. Without the waiver Portland will continue to increase water utility rates that have doubled over the last decade, continued to lose jobs as we see, and Reduce water quality while jeopardizing the microbrew industry and the health of children. All through a cryptosporidium public health problem that has never exist and had never will because we do not have exposure to sewage in our bull run drinking water. So why are we asking for a waiver? The public health science for Portland supports it. The epa is reviewing the regulation and sees data showing the opposite of what they projected over the last 20 years. Over the last 20 years, no service water utility outbreaks have occurred from this. No deaths linked to drinking water have occurred. And no endemic disease linked to it has occurred. These outcomes are consistent with my comments made a decade ago requesting a waiver because I identified sewage, not cryptosporidium as the cause. The city of new york has also requested a waiver so we are not alone. Comments from council members include, and i, "spending a lot of money to address the public health problem that does not exist. That may not exist," unquote. I agree with that. Second one, and i, "we need to review water budgets went budgets in great detail and see where we can reduce costs," unquote, and the waiver is the solution. "the federal government insists we solve problem that does not exist and insists we pay for That folly," unquote. There is good news opening the door for Portland waiver. The epa says, science will determine the ultimate outcome, unquote. The papers deliver a guidance for successful outcome leading to a waiver exempting us from It2. The tsk work has been completed. Now it is up to council. Bull run has provided safe and healthy drinking water for 100 years without a microbial incident. As a city, we need and we deserve the waiver. And we all need to start working together now. Thank you.

Hales: Thank you. [applause]

Item 207.

Hales: Good morning.

Kurt Ferré: Good morning. Mayor hales, members of the city council, before I begin I would like to give a shout out to all the supporters of paid sick leave --

Hales: Pleae state your name.

Ferré: I'm kurt ferre, a retired dentist who would like to speak to you about what the cdc has hailed as one of the ten greatest public health achievements of the 20th century, water fluoridation. I volunteer two days a week providing my services to two local free dental clinics, one of which is

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the creston children's dental clinic in southeast Portland where I also serve as the board president and volunteer dental director. What I remember from my first volunteer day many years ago was a nine-year-old boy who Presented with a painful swollen abscessed first permanent molar. My question was, how long has this tooth been hurting you? His answer, I can't remember. Due to the fact that the tooth was so broken down, I had to pull it out. As you can imagine, seeing kids suffering like this saddens and frustrates me, especially since it is preventable. This began my growing passion in dental public health. Former surgeon general david satcher called dental decay the silent epidemic in america, five times more common than asthma. The 2007 Oregon smile survey reported one in five first to third grade kids suffered from untreated tooth decay in the Portland metro area. This is 40% more than in fluoridated seattle. This is unfair. And Portland is in a dental health crisis, a silent epidemic that many Portlanders, who have had good dental education growing up, who have access to care, and who have access to all the available dental prevention measures, don't understand on a personal level that so many of our less fortunate Portlanders, especially low income children, are experiencing needless pain and suffering. The healthy kids, healthy Portland coalition is working very hard to bring this dental health crisis to the consciousness all Portlanders. I have lived in Portland for nearly 33 years. And I believe that Portland cares about our less fortunate and will do the right thing. I urge all to vote yes this may To end Portland's distinction being the largest city in the united states that hasn't moved forward with fluoridation. Let's make Portland the healthiest city in this country. In closing, I would like to leave with this thought. In a perfect world, we would not need safety net dental clinics or fluoridation. We do not live in that world. Thank you very much.

Hales: Thanks for coming. Thank you very much.

Item 208.

Hales: Good morning.

Lightning: Good morning. I am lightning. I am a social justice entrepreneur, and I would like to talk about the term looking through the equity lands. Equity, something just and fair. Let's take a closer look through the just and fair equity lens at the broadway cab appeal and commit process. Broadway cab requested 30 new permits. Zero approved. It is owned by broadway cab, 13 new permits requested, zero approved. Portland electric cab llc, owned by a previous broadway cab owner, requested 25, zero approved. Although green cab, Portland cab, radio cab, and solarity were approved for permits, now, what I find interesting is Portland electric cab llc owned by sho. It sounds like a winner for Portland. Again, zero permits approved. Someone who tremendous amount influence through this process was our ex mayor, sam adams. Let me just add this, sho is the ex owner broadway cab and current owner of Portland electric cab llc who ran against sam adams to try to become the mayor Portland. For the outcome of all permits denied, appear to be an unfair act of policy stemming from prejudice. I will let the public decide. In my opinion, the board's decision needs to be reversed and reimpose a moratorium pending the industry reform recommendations to become effective and in the meantime, require the necessary data to be gathered and considered. Require a demand study that incorporates industry, accepted practices, if the study finds demand for additional permits exist, establish an equitable process for soliciting applications in a, in evaluating criteria to issue such permits necessary to meet that demand. As a very satisfied broadway cab customer, which I am, and I think that they are a stellar company, thank you for your time.

Hales: Thank you, thanks for coming. Ok. Let's take up the consent calendar. I have one item that my office has requested to pull back for a week. And likely to be refiled next week, which is 214. Any other request on the consent calendar to, to take anything off? If not, let's have a role call.

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

Hales: Aye. Approved. [gavel pounded]

Hales: So now we have a time certain, which commissioner Saltzman is prepared to introduce.

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Moore-Love: I will read the title. 214, i'm sorry, 209.

Item 209.

Saltzman: Thank you mayor, and thank all the members of council for allowing us some time this morning to hear from the timbers army, as they are incorporated and known today, as the 107ist. Portland's major league soccer franchise, the timbers, are loved by soccer fans throughout Oregon and our region. And I dare say have become something of a sports phenomenon. In the united states. Everyone who has attended a match or watched on tv, knows that the timbers army, the fans on the north end of jeld-wen stadium, section 107, I believe, are the most rabid and dedicated fans in major league soccer. If not, in fact, in all of major league sports. What may not be as well-known, however, is how involved and dedicated to our community a group of the timbers' army. The nonprofit made up of army members, the 107ist. Today I have the privilege of welcoming the 107ist to council. And they have put together a presentation as to who they are, their activities in the community over the past year, and their existing vision for the years to come. So with that, I would like to Welcome board president scott swaringen.

*****: Thank you.

Saltzman: Board vice president, jeremy wright. And operation board member shawn levy. Take it away.

Jeremy Wright: Thank you very much for having us today. We appreciate the time and appreciate the invite, commissioner Saltzman. It's good to be back in front of some of. We were here a lot during mls to pdx, so, with new commissioners and the new mayor, we wanted to come back and, and kind of give an overview of who we are and what we've been up to in the last couple of years and, and talk a bit about, about what our future plans are. My name is jeremy wright, vice president of the 107ist. And what is the 107ist? We call ourselves the engine that runs the timbers army. We are a 501c7 non-profit organization based here in Portland, Oregon. We have approximately 3,000 members. Who pay subscription fees of \$25 and they get a t-shirt. Our relationship is simple, to support soccer in Portland, Oregon from the grassroots to professional level. Ok. The history of the 107ist and the timbers army. We began in 2001 when seven to ten hardy souls showed up at the first soccer game when the timbers came back to town and decided to stand in the north end, and some pickled buckets and were banging on them and decided that was going to be the way we expressed our support for our beloved soccer team. As we grew through the years in the past decade, we probably called ourselves the army without generals, and everyone could lead, and if you want to do something, step up and that would be the future. And that would be, you know, we would embrace it, if it was a good idea. In 2009, on the heels of the mls, pdx came, we came in here, and we advocated on behalf of soccer fans across the town to bring mls to Portland to, remodel the stadium, and we realized quickly, as our team was going major league, that army had to step up its game, as well. So out of that came the 107 independent supporters trust. It's made up of 11 board members, who are elected to three-year terms. And our goal -- we have three primary areas of focus. The first one is game-day operations. Second one is away travel, third is community outreach. Game day ops. That's all that great stuff you see. The smoke and thousands of flags. And that, that -- we like to say a lot of times in that immense amount of organization goes behind the chaos. Volunteers show up three or four hours early. Go into the stands. Set out all the flags you see, Owned by the members, they stay in the stadium. Those grand displays that we do, which are called tepo, it's a european word that's bled into the americas. It's something that we do as a way of showing support of our team, our pride in the community, our pride in the town. That big picture saw from the seattle home last year, you could see incorporates many parts Portland, clive charles. Everything that's made that we love about our team and our town. I wanted to just touch on one thing before I pass this over to scott and our community operations stuff. I jumped over, is our 107ist logo you see in the corner. We call that our golden triangle. It's the team, the

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town and the timbers army. And you know, each of those point to that triangle is our focus of who, what we do. And so, one of the other things we do a lot is away travel. This Saturday is, you know, obviously, our first Seattle away game. We're bringing 1,000 people up to I-5, and in terms of this small economic impact, we will spend 50,000 at local bus companies this year alone. And leasing them, 14 buses this week, and in August, when we go up, we'll have 1500 allocation, and 20 buses. We're talking about trying to do something with Amtrak. So, there is always opportunities for us to travel. Our goal is to have someone at every away game, and we're proud to say that in 2012 that happens. And as part of our travel, we partner with breweries, now allow us that -- each bus is named after a local brewery and they donate beer so you get on the hub bus. You get on the Widmer bus, I will forget somebody and they will get mad. So I will pass over to our community outreach portion to our board president, Scott.

Scott Swearingen: It's good to be back. I have not been here since 2009. As Jeremy mentioned, one of the important parts of that triangle is the city of Portland and the community around it. So, I mean, that's one of our major focus areas. We have many board goals and strategic visions for what we want to do, just on this picture, on, on the last picture, we had Oregon Food Bank. We had Friends Trees. We had James John Elementary and A.C. Portland, and that was all, you know, in just a period of a couple of months, that was what happened. And that's not just in Portland. The Oregon Food Banks in baby and Portland, the Friends Trees, we organized in Portland and Vancouver. So, on the next slide, this is just sort of an overview of what we have done last year. So, Harper's playground is a handicapped playground in Portland. We gave \$42,000 last year alone, and our total for that projects was over \$60,000. That's not counting any in-kind contributions or labor that was used for deconstruction. And then the local area high school programs. Over the past years we have given thousands of dollars worth of uniforms, and we have even filled in where coaching needs were available. At Portland, which gives afterschool opportunities, and literacy opportunities to, to kids in the public schools and underserved communities. We gave 5,000 during 2012. We also have a scholarship fund, which picture here we have Ruben, with the, you 17 national team in Florida. We were able to help send him there because his family couldn't afford the plane ticket out there. The stuff needed for the school. So we helped fund that. We also have -- we have helped emerging charities, and other random needs, and that totaled 4,000 last year. Another one, it is not just about money, it's about getting out there and getting our hands dirty. One of the things that we like to see when people come to us for this is sweat equity is what we bring. Not the large amounts of dollars. The volunteer service award, we just started last year, and we're working out the kinks but we recorded 5,000 hours of volunteer service in 2012. That included things like Friends Trees, the Oregon Food Bank, A.C. Portland, as well as all of the Sunday Parkways. I just wanted to touch on Harper's playground one more time because that was a really big deal for us. Back in 2010, we, actually, were one of the first groups to help raise awareness for that, and just our, our relatively minor contribution of money, was, actually, a big deal at that time because no one really knew about it. They had limited money in the bank, and we brought visibility, both to you guys sitting here, as well as all of our members so that really helped to get behind it and get people on the board and people pushing forward on that. Just last weekend, we had a maintenance party to help fix things that may be had not gone right in the first time and make sure that everything is perfect, and repaint the benches that needed to get hit in that park again. That brought 25 people before the game last Saturday. Like I said, and mentioned before, last year, we gave over 10,000 to Portland public schools. Those schools included Jefferson, Madison, Franklin. There were others. But, it's good to make an impact on the men and women's programs at that school, as well as their J.V. And varsity so regardless of skill they have access to quality equipment. So some of the highlights for last year, as well, is, you know, we have really been -- we built on a foundation with Mos, now it's time for us to take the next level. We've been, you know, seen as sort of a leader, both nation-wide and now worldwide. Recognition, so how do we take that further? So, for years we have had

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partnerships with local breweries but this year we wanted to do something meaningful and impactful. We released the green and gold with widmer, and this is significant because it's the first beer to bear our label. It also bears the label of 107ist, and action for people to go and find out what we are about and help to support our community activities. And percent of the sales are going to go to our community outreach endeavors. So, that's a big deal for us, and you will be able to buy it at all retailers in town. Another highlight was in that we found our own physical space. For a, you know, for the first ten years, everything was kept in people's garages and basements to the disappointment of significant others everywhere. So, last year we found our own home, and it's at the corner of 17th and alder in the goose hollow neighborhood association. 1500 square feet. We call it the [inaudible] taken from germany. It's a place to bring the community together, and to rival our activities and storage. It's the first of it's kind of the united states where it's an independent supporter's group owning their own place, and we also joined the goose hollow neighborhood association and the business association, and in organizing activity there is and working to help finish off their sign cap project. So, for this year, our goal, we want to go to 4,000 members, we're on our way, we're the biggest we have been, so i'm confident that we'll be able to reach that. We want to give 100,000 in charitable contributions. We want our track volunteer hours to be over 10,000. And we want at least 50 timbers at every away match. It's not enough to have a handful at dallas or some of the harder games. We want over 50 at every organized away match, including orlando expatriates as well as people traveling out there. And we also want to fund our first capital project we're taking on, on our own, which is through operation [inaudible] I will pass that to shawn levy.

Shawn Levy: Thank you. The day that we first decided we would organize into an army with not generals but captains, at least, the first idea that came up, when we said, if we could bottle the poverty communitarianism of the timbers army was what became operation pitch invasion. Our mission is to restore, maintain and build soccer fields in the city. To date we worked with the Portland parks on, on five parks facilities. Donating approximately 1600 volunteers, volunteer hours. We show up on saturday morning in a group of 50, replace sprinkler heads, level the fields, and reseed, and scrape and repaint the goals and leave the park looking new. We've been told the amount of labor we can do, the parks Department because of the amount of space that they have and the amount of labor that they have, it would take them literally months to accomplish. This year we're going to do four more parks. Last year we also showed up at a warehouse on division street and took every goal mouth in storage, or put in a used pile and refurbished it. So, there was a rack of 90 new, new looking goals that they could then bring out to the parks. And we worked with the Portland public schools. James john elementary, we were sort of the muscle behind a deep haven project replacing the blacktop with the turf field. We cut a new field at whitman elementary where there was a baseball field that's going to be converted into a soccer field. We slow up on the sweat equity side. We have had a vision always something bigger, that vision is going to be realized this year. Bless field is at the new columbia housing community. And it's a vacant lot between rosa parks and the boys and girls club. We're going to put a 200,000 turf field, all weather field on that spot. And we're going to populate it with timbers volunteer coaches, mentors, people running clinics, skills, workshops, and supervised by the boys and girls club, and instructed in turn by the timbers academy, so that the instruction that they are getting is, actually, sort of in line with what is expected at The professional level. The project is called "bless field." it's named after general timber howie bless, as we knew him. A fella, on the cover willamette week years ago, when they first reported on the timbers army phenomenon. Ex-g.i. With a belly. Used to bang a triangle at games. He passed in 2009. We did not know his name. It turns out to be howard bless. And one day, a child who learns to play from the timbers army in the timbers way, on that field is going to score a meaningful goal at jeld-wen field, and she might be a thorn. This is meant to be a completion of that triangle that jeremy reference. The team timbers army. It's energy, it's poverty.

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It's taking kids who come from all over the world to live in Portland and make their first landfall at new columbia. And turning them to what's good about this city and that's what positive. Teaching them things from the history of people like clive charles and the timbers to the meaning of the Portland flag to what it means to go out on game day and win, lose, or draw support your team and your town. We have, as I say, a \$200,000 project between the 107ist, the timbers army, and operation pitch invasion's own fundraising, we're almost halfway there. We have not yet begun to reach out to the timbers' corporate sponsor partners. We're starting to do that now on April 4th at the hollywood theater, we have a bunch of timbers legends from the 1970s going to be present for an evening we call beating seattle never gets old. [laughter]

Levy: We're showing highlights of the 1975 playoff match where the timbers beat seattle in overtime, and we're going to have the players who were on the field sort doing a live director's cut describing what was what was going on during the game. We have a glorious tradition here. The ground that our players play on, first hosted soccer in 1893. Barcelona was not playing on the same field in 1893. We're very cognizant of how much has accrued to us from the city, from you folks, and from the community. And we have always want to put our muscle and our money where our mouths. And we live there 365 days a year. Thank you.

Saltzman: Thank you all. Does that complete your presentation?

*****: Yeah.

*****: Ok.

Saltzman: This is a presentation, I don't know if my colleagues have any remarks, but I want to start out by saying how, you know, very proud I am of the timbers army and the 107ist. And in fact, you know, when I did vote, back in 2009, to, to say, let's go ahead and remodel jeld-wen field, so that we can get a major league soccer team here, i'll be the first to admit That I am, you know, I am still acquiring a taste for soccer. And the timbers are helping. But, I did not come to it naturally. What impressed me was, really, the turnout by the timbers army and the passion that they had for this sport. I knew that we were going to sell out those games. And that was a crucial factor in the economic equation for the city, was, because we get money from ticket sales. So, and I was also very impressed with the community service aspect of the timbers army, so those two things were really what swayed me to be the vote to move ahead and, and remodel jeld-wen and, and in looking back in retrospect, I drove by jeld-wen on saturday afternoon around 2:30, there was a game at 7:30, but there were people lined up around the park at 2:30. And I was very impressed. I think that they were there for thorn practice or maybe they just get there five hours early.

Wright: They get there, in some cases, like eight hours early because we're a general admission in the north ends, and we have gone to policy where people line up to get a numbers wristband, and they can go away, and come back and they line up right before.

Saltzman: Very impressed, and your report here, your partnership with Portland parks, your partnership with Portland public schools. It's just outstanding. You have really not disappointed me one second since the decision to move ahead, as I alluded to, It's been a success for the city's coffers, as well. We are making more revenue than anticipated. Because of that, because of the outstanding crowds that turn out for each of the games, they are virtually all sellouts, and the timbers' army is phenomenal, 107 I was, so congratulations and thank you very much for your service.

*****: Thank you.

Fish: I have a question and a comment. The question is, what about the thorns? How does the -- how does this new team enhance what your plans are for the future and how does the, how does the thorns get, incorporated into, into your work with the timbers?

Swearingen: Yes. So, one of the things that made the timbers army special was that we grew organically and created our, our, you know, of the legends and everything that went along with it, happened throughout the years, so we're helping to support a core group of our members who are

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looking to support the thorns in that way. Both financially and organizationally so they can help to grow that from a small core people who are interested in making that happen, and bring the other people who are season ticket-holders into creating unique legends, unique memories around the thorns. So, while it won't be under the army banner, the 107ist will support their organization for the women's team, as well.

Fish: I want to thank you. And I want to echo what dan Said. In your presentation, you highlighted three things that have meant the world to Portland parks and rec. The first was harper's playground, which was one of the proudest things that we have had a chance to be involved with. And it simply would not have happened without great partners, and you guys stood up early, and you helped to make it happen. Cody goldberg was with us last night, and we rewarded his service by not actually having the time to call him forward. [laughter]

Fish: But, cody wanted there to be a playground for his daughter and for all children that have barriers, experienced barriers, physical and otherwise, and you guys were there from the beginning. And you were there at the ground-breaking, and you are now there maintaining it, so, thank you. The second, the second thing that, that we did last year that was a proud moment was we dedicated the community center in honor of charles jordan. I think the significance of that has to do with the bless field. The bless field occupies very important piece of the ground in our community. Because it's across the street from the rosa parks elementary school. It's around the corner from charles jordan community center. It's diagonal from the village garden, and it's in the most diverse track called the new columbia. So congratulations for insisting that young people who don't have the same advantages there that kids in other places of the city have, have a field. Their first safe place to play all sorts, including soccer. Finally, I want to thank you, specifically, for the work you have done in enhancing ball fields at pitches at the high schools. We are cutting budgets at every level, and some people don't think that the fields a priority. We agree that they are a priority. But, without the sweat equity and the, and the other things you bring to the table, a number of those fields would not be maintain, and that is another lasting legacy of the work that you do. So, gentlemen, thank you for your work and your support, and your council is very proud of what you are doing.

*****: Thank you.

Novick: I couldn't say it better than commissioner Fish did, or anywhere near as well. I did have a question for you, specifically since you mentioned barcelona. I was curious, as a non traditional army, in spanish civil war terms, do you think that you organized more similarly to the marxist pound or the anarchist militias? [laughter]

Levy: To give an answer would be to pick a side, and we try not to do that. [laughter]

Wright: We have one side we support, the Portland timbers.

Fritz: Thank you very much for coming in. My former hometown is known for soccer. It is delightful to know that the timbers are truly phenomenal, and the timbers are setting a standard across the world for a community involvement and for 24-7, 365 involvement, as the games part of but not the only thing so thank you very much for coming for this presentation. I am particularly interested to hear about the presidential volunteer hours tracking system, so if you can let me staff know about that. Portland was listed as the second highest volunteering city in our country. And I think that it's just because we don't track our hours very well. So I am hopeful that we can become the number one, and it sounds like the timbers army is helping. I love the phrase, "beating seattle never gets old." I'm an Oregon ducks football fan and watching the pick against u-duck never gets old. I am a proud Portland thorns season ticket holder and looking forward to seeing the women's game take prominence at jeld-wen in partnership with you, and thank you for the alliance there. And commissioner Fish and I are going to be co-sponsoring a resolution shortly about the cascadia cup, which we'll be working with the timbers and the 107ist. For those who like i, before I went to the opening game of the season, didn't realize that the cascadia cup is a fan-based award, and needs

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to stay that way so it will be coming to council shortly on that, and we are happy to work with you on. So thank you for all the work you have done to make this truly a very Portland-like timbers Army and 107ist and for coming right back here to tell everybody about it on television.

*****: Thank you.

Hales: The only thing I would add, these are great comments and reflect the affection that this council has, as well as the whole community has for what you are doing. What you are doing to support the team, to make the games exciting and accessible to everybody else and support the community. Just a couple of antidotes. Like commissioner Fish, I was involved early on with the goldberg family and harper's playground. And not only were you enormously helpful in terms of both dollars and volunteers, but I think that you gave them a lot of hope and raised a lot of visibility for the project, and I think that excitement factor bring was also very much the case with friends trees, that it made it much more exciting for all of the other volunteers to participate because the timbers' army was involved. So, I think that, that now have enough star power as an organization, that where you choose to place your volunteer hours, and dollars, is not only valuable in the practical effect of that, but in the sort of intangible effect of getting other people to, to share the excitement. So, really appreciate everything that you are doing, and look forward to this season and many more, so thanks for the update here today. Let's hear it for the timbers: [applause]

*****: We take a picture?

*****: Sure, let's do it.

Hales: Let the record show these won't be consumed during the meeting. [laughter]

Hales: Ok. That was fun. Thank you very much. We are now to the regular agenda. Item 224, please.

Item 224.

Hales: Good morning.

*****: Good morning.

Hales: Take it away, thanks for being here, good morning.

Officer Mike Gallagher, Portland Police Bureau: We're here to, basically, answer any questions that you may have about the contract that's in place. We're asking it to be extended to a two-year contract versus an existing one-year contract that's been there.

Hales: Put your name in there.

Gallagher: I am officer gallagher, the Portland police bureau.

Hales: Give us a summary what the program is doing and how it works.

Gallagher: Another term for it is the john school that we have that operates here in Portland police bureau. It's a, a zero cost to the city because it's paid for by the johns that are participating in it, that go to it, and it's a, a, an eight-hour long school held every other month. Where we have the agenda, basically, is they have the county health department is there, puts on a presentation, and there is a couple of classes on sexual behavior as far as from a mental health standpoint, why they are doing it, and why It's not good for them. And unhealthy activities they are doing, and the sexuality resource center puts on a presentation there. And we have a survivor that puts on a presentation there about her life. And, and prostitution. And prostitution coordination team puts on a presentation there. Sort of describing how these women get involved in prostitution, with pimps and how the pimps keep them involved in this thing. To educate the johns as to, as to the unhealthiness of prostitution, and why it's not a, you know, it's not just this, this --

Hales: Not a victimless crime.

Gallagher: That's what I was trying to say. And the d.a.'s office puts on a presentation about the effects that can happen to these johns if they continue to get arrested with these crimes and the laws that impact them. And we have a community member that shows up there and talks about the livability issues. As related to her living along the corridor, and how it impacts her. And their families and stuff like that, so it's a presentation targeting the johns to get them to understand why

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it's not this victimless crime that's out there that people may think that it is. It's cost zero to the city. To pay for like I say by the johns that attend this. And we're asking that it be extended to two-year contract. With, with the different partnerships, Multnomah county and life works.

Hales: Great.

Fish: Can I ask you a question, last year the city approved a substantial investment of urban renewal funds in their life works northwest new residential facility. Which is going to be in the interstate urban renewal corridor. What exactly -- what's, what does life works bring to the table in this effort?

Gallagher: There is a portion life works that is dedicated exclusively to the victims we deal with, the new options from one partnership there. And they are dedicated solely to, to women who are involved in prostitution. The life works portion that we work with. And we refer them, basically, if we need someone that we think needs their assistance, they have got drug counseling, excuse me, and mental health counseling, to help them look for jobs, and mentor that is work with them that will slow up and advocate for them. And they have survivors that work there at life works. And they have got mental health professionals that work there at life works. So, they bring in a partnership to the table that these women are not going to place that they feel uncomfortable going to. And that these people go in and advocate for them, work directly with them. Is, it's a, a very unique partnership in that we have. It's not just sending them to mental health provider that has no idea what the women are going through.

Fish: Thank you.

Saltzman: So is this in lieu of an arrest for solicitation of prostitution that you go to the johns school or is it in addition to an arrest for solicitation?

Gallagher: What would happen after we arrest, a, a john, a male buyer, is that one of the options that they have when they go to court is that they can choose to go to the johns school, like a version for, for an alcohol treatment. So, they would choose to go to the john school and pay a fee to get in, and once they complete that, and have no further police contact for six months, that arrest is off their record.

Saltzman: I would be curious, officer, if you can make provide us, my office or maybe all of us, I would be interested in knowing how many participants have, have, have there been. It has been in place for two years, and --

Gallagher: It has. And in 2011, we had 50 johns go through. And in six classes. In 2012, 65 and so far in two classes we have had 40 go through.

Saltzman: Thanks, and I want to thank both you for your dedication to fighting and helping victims prostitution in east Portland.

Gallagher: Thank you.

Hales: Questions? Comments?

Fritz: The fee is \$1,000?

Gallagher: Correct, a non sliding fee.

Hales: Great. Any other questions? Thanks so much. Appreciate you being here.

Gallagher: Thank you.

Hales: Anyone else want to testify on this item? If not, the emergency ordinance, and roll call, please.

Fritz: Thank you for your work on this. I am very proud of the council for recognizing that this is a situation in our community and taking multiple actions to address it. Aye.

Fish: Aye.

Saltzman: Again, I want to thank Portland police and all the other groups, life works northwest, the district attorney's office, and a special recognition for Multnomah county commissioner diane mckeel, who really spearheaded this effort to get the john school up and running, so thanks to her, too. Aye.

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Hales: Good work, aye. [gavel pounded]

Hales: 225, please.

Item 225.

Hales: This is another great program, and I think austin is here, if there are questions. On this. Good morning, austin.

Austin Raglione, Portland Police Bureau: Good morning. I am austin with the Portland police bureau, and I am here to answer any questions that you have. This is simply an amendment to a contract to provide the treatment services that we get through the volunteers of america, and for the rest of this fiscal year, the council funded it partially, it was fully funded.

Fish: I have a question, and I will support this as I have in each of the prior years. Funding for this, but we had an interesting discussion within the last month at council about the relationship between the service coordination team and the department of justice settlement. And one of the issues that was of concern to me is that a primary focus of this program is drug and alcohol. And yet, a primary focus the department of justice settlement has to do with mental health. And I guess do you have any additional thoughts, at least with respect to the doj settlement, about whether there program will be modified in any way to, to address more directly the mental health side of the ledger, if, in fact, it's embedded in the department of justice settlement?

Raglione: Let me answer the question by first saying that, that most of our clients do have some degree of mental illness. It just seems to go hand in hand with years of homelessness and incarceration and drug addiction. So, in that regard, we do address the population that the doj is concerned about in terms of people with mental illness. The second part of the question, having to do with expand, the set program to address people maybe with more intense mental illness, is certainly an option. And something that we would want to pursue. The concern would be, it would be certainly a lot more expensive to provide services for people with this disorder. Because need to provide people with in mental illness a lot of case management and more supervision. Than what we provide now through our program.

Fish: I am just looking at this, for steve's benefit if no one else because of his focus on health care reform, but if we measure success in this program by taking someone who has come to the criminal justice system, squarely addresses and beats their addiction, and is stabilized, hopefully, in some housing, and ideally is on the path to employment. That might show up as a success in the set program, but without other interventions and programs and fund it go may not address the mental health side of the ledger as robustly. I think this maybe an example where, again, if this becomes part of an ongoing requirement of the department of justice settlement there may be a chance for link up with the county in some way to make sure that we have robust services on the mental health side that continue. So, that we get a successful outcome beyond the addiction.

Raglione: Absolutely, I have been an advocate of saying that we need services for people with extreme disorder. People with serious addiction issues, can't get treatment with mental health providers because they are drug addict. People with mental illness who are also drug addicts, can't get help to function within that, so having services that provide people with extreme addiction and mental health issues is something this community sorely Needs.

Fish: Thank you.

Hales: Other questions or comments for austin? Thank you very much.

Raglione: You are welcome. Thank you.

Hales: Anyone else like to testify on this item. If not, it's an emergency ordinance, roll call.

Fritz: Thank you, justin, for your leadership of this program over many years, and commissioner Fish, a very good point that we need to continue to investigate and work on. Aye.

Fish: I want to also echo my thanks for austin's leadership on this program. When you attend one of the graduation ceremonies that she holds in this chamber, with graduates of the program, it is one of the most inspiring things that you can do, and I appreciate it. I've been invited to speak at a

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graduation, and it was an amazing experience. And I also want to do shout out to our friends at volunteers america, Oregon, and kay and all the folks that, that have partner with us so successfully.

Thank you. Aye. **Saltzman:** Aye. **Novick:** Aye.

Hales: Aye. Thank you. [gavel pounded]

Hales: Final item on the calendar. Item 226.

Item 226.

Hales: This is a second reading and roll call.

Fritz: This is an historic moment for human rights in the United states of america. It's about public health and wellbeing, and about the health of workers, their families and consequently, the health of businesses, and our community. And I thank the members of Everybody Benefits Portland coalition led by andrea paluso, Sharon bernstein, lisa frack, and other staff from the family forward Oregon organization. And thanks to our coalition members. There are many and united food and commercial worker's 555 led by jeff anderson. The main street alliance led by lee mercer and jim houser, and Oregon working families party, led by steve hughes. Working america led by amy herzfeld and tara murphy. Causa, led by francisco lopez. Center for intercultural organizing led by kayse jama. APANO, led by Joseph Santos-Lyons. And my beloved Oregon nurse's association, led by sarah baessler and jenn baker; AFSCME, led by Joe Baessler and Eva Rippeteau, and many, many more, so I hesitate to call out any folks, but these are some of the community members who have demanded that we pass this ordinance, and I thank you very much for all of your participation and support. Thanks to everybody who took time off work unpaid to come and testify, and everybody who wrote in, and thanks in particular to tom from my staff, and shannon callahan on commissioner Saltzman's team and everyone who worked together to figure out what we're going to do and what we're doing here today. Eleanor roosevelt said do what you believe in your heart is right because you will be criticized anyway. I believe in my heart that this is right. It will provide people and businesses with a means to maintain their health, which means satisfaction on the job and consequently productivity, which means a thriving, sustainable business environment. And people matter and jobs matter. There will be costs to businesses from this ordinance. The council recognizes that and we support businesses both small and large in our community and this is not the only thing that we will do this year that affects the businesses, there will be other things which I hope that we will have businesses coming in droves to urge us to do. We have had many businesses who have been supportive of this ordinance, and in fact, 60% of employees in Portland already will receive some paid sick time. So, those are the businesses that have done the right thing without government having to act. We also have 40% of our employees who don't have any access to paid sick time and we heard from many of those. So we crafted the ordinance to be as simple as possible. And thanks to Bernie bottomly of the Portland business alliance and heather hoell of venture Portland for their input into the ordinance language, and the other members of the task force who worked very diligently since our first hearing on january 31. Thank you to commissioner dan Saltzman for suggesting that process and for co-leading the task force with me. Real change does not come without some sacrifices. The stories we heard from workers who have had to work sick, take their children with them to work sick, and send their children to schools, made me understand some of the problems that we are trying to solve. And these people have names. Previously, it was a general issue that I became aware of. Now they have names to me, and I have heard from so many people who have been impacted who go to work sick because they cannot afford to stay home. And they cannot afford the risk of being fired. And I think that we have almost consensus that you should not get fired for calling in sick if you have the flu. It is really not good to have people with infectious diseases working out in the community. We tried to accommodate the businesses, especially the smaller ones here in Portland because we are a city of small businesses. And we believe that the true cost of this benefit will be a minimal expense compared to the other expenses that businesses are confronted with. It's a two-way street.

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Employees work for money and job security, and the employer needs good workers who know the job and can be good long-term workers because it saves them money. We are all in this together. And employees need to understand that this is a benefit their employers will be giving them, and that they need to step up and give 100% effort every day that they are at work. We need to care for each other. This is a regulation that seeks to do that. And I am hopeful the state will pass as good or better regulations statewide as we're passing here today. So, I encourage everybody, however you feel about this, contact your state representative and support house bill 3390 and also for senate bill 801. Because I think that we all agree it would be simpler and better. Senator steiner hayward said to me, when I visited on friday morning, right after we had had the hearing last week on thursday, she said, it's not fair for workers in Portland to have a benefit that workers in medford do not. And I think that that is true, and that the more workers nationally that get covered by earned sick leave, most countries have this. So, that's why I believe that this is, this is a precedent that i'm proud to participate in. I thank all of my colleagues who have realized how important this is for Portland, to the state, and to people who are in real need of protection. And I thank the legislators at the county and the state who have stepped up and are supporting this. Let's get it done. Our president, barack obama, said in his state of the union speech this year, you and I are citizens have the obligation to shape the debates of our time. Not only with the votes we cast, but with the voices we lift in defense of our most ancient values and enduring ideals. Let us now embrace with solemn duty and awesome joy what is our lasting birth right. With common effort and common purpose, with passion and dedication, let us answer the call of history and carry out into an uncertain future that precious light of freedom. As an elected official, I make decisions based on the facts and broad public input, seeking the long-term public good for the whole city, with shared benefits and responsibilities for all Portlanders present and future. That is what we are doing here today, and thank you for, for engaging and making decisions with your council. Aye. [applause] [applause]

Fish: Mayor and colleagues, as a former labor and civil rights attorney, I believe that paid sick leave is not just a public health issue. I believe it is a social justice issue. Currently too many low wage workers have to choose between coming to work sick, or losing a day's pay. Too many parents have to send their children to school sick rather than take time off and risk losing their job, and too many food service workers risk passing their illness to others. Today we have a chance to change that. Our vote today is the culmination of a lengthy process. To the task force and council hearings, and in emails, telephone calls, and face-to-face meetings, we have heard from a wide variety of concerned citizens. Many of them suggested ways to improve the draft ordinance. The council listened, and the final version in my judgment is better because of their input. One issue that I addressed last week was how will we treat businesses that offer an equal or better paid sick leave benefit? And I want to be clear today, that it is not the council's intent to require those businesses who are already exceed the standard we are adopting today, to set up a new or different record-keeping system above and beyond what they already provide. And in the rule-making process to follow the adoption of this ordinance, I intend to stay engaged and expect that it, too, will be transparency and inclusive. After our vote today, our attention will turn to the state legislature as amanda noted, and we will work with our partners to enact statewide earned sick leave. My preference and my colleague's preference is for a statewide solution. And so that all working families in Oregon, not just those in Portland, receive this benefit. There are so many people to thank today. And I will start with commissioner Fritz, who has done yeoman's work for months to bring us to this point. Amanda, you have been a champion, our champion for paid sick leave from the beginning. And I noticed you took some heat along the way for your work. I applaud for remaining steadfast in your commitment to working families, and for remaining steadfast in your efforts to pass this landmark legislation. I would also like to acknowledge the work of tom bizeau from your office and apologize in advance if there are any unintended consequences that might publicly, by acknowledging tom, who I know can be very difficult to work with. [laughter]

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Fish: I want to thank dan Saltzman for co-chairing the task force, and to all of my colleagues for working in a spirit of true collaboration. I want to thank andrea peluso, family forward, and the honor roll of organizations that amanda noted in her comments for their persistent and thoughtful advocacy. I want to thank my friend, jeff anderson and the uscw555 team. Tom chamberlain, jodi parker, and all the voices in labor that came together behind there legislation. I also want to thank the businesses, large and small, those who supported and those who opposed, who joined us in good faith at the table and who worked to strengthen this ordinance. Today is a proud day for this council. And I am proud to vote aye. [applause]

Saltzman: I would like to also thank commissioner amanda Fritz for championing this issue from the beginning to end. And while she listened and responded to the needs of the business community, she was always clear in her unwavering support for a sick policy, and that benefits all Portlanders. I would like to thank all of the task force members, who participated with commissioner Fritz and me, and to continue to improve the sick leave policy in a series of fast moving and productive meetings. And thank you, also, to tom, shannon, and brendan from my staff for all your hard work over these many months to help perfect this policy. And while I realize that this will impact our Portland businesses, both commissioner Fritz and I have sought to add both clarity and certainty to the business community by the amendments that were introduced over the last few weeks. I have heard many compelling testimonials about the need for a paid and protected sick leave policy. But the reason i'm supporting this policy really quite simple. No person should have to choose between their job and taking care of their sick child. No domestic violence victim should have to wait to seek services that may save her life because they cannot afford to take time off from work. These in and of themselves are absolutely compelling reasons for me to support this policy. And I would also say as my colleagues have echoed, we hope the state will act as the senator said, there is no reason somebody working in medford should not benefit from the same paid sick leave policy that we have here in Portland. And I hope that our action today will help to stir salem to act something on a statewide basis. And on a personal note having been on this council in my, in my 15th year, in looking back, I think this vote will be one of the ones that I will really recognize, this one made a difference. This one is going to help people climb up the ladder. This one really is going to help close the gap between rich and poor, and is going to lift the standard of living for many people right now who are struggling to make ends meet every day. So, this is something that I am going to look back and recognize, this vote, this law, this ordinance, really improved people's lives, and that's what we're all up here to do. And I am pleased to vote aye. [applause]

Novick: It is a great honor to serve with commissioner Fritz and with commissioner Saltzman who, in shepherding this ordinance, through the task force over the past month, has served as batman to commissioner Fritz's superwoman. I thank both of them. I want to note that although some people may disagree with the action we take today, all of us would agree with the goal of reducing the amount of illness and injury in the workplace. One of the things that I am committed to do as a city commissioner is to go to employers, public and private, Around the region, and seek out examples of the best wellness programs, and then share them with other employers, small and large, public and private, throughout the region. This is not an extreme left wing idea. One of my conservative friends, who constantly tells me that the united states is going to hell in a communist hand basket, constantly holds out singapore as a shining example of unbridled capitalism. That they have earned sick leave. And I also want to note that a number of entities have made cases for exceptions to this law. And some of those were sympathetic cases. But, we had a couple of problems with going down that road. One is, that there is no exception to the idea that we don't want sick people going to work, and infecting their co-workers and customers. The other is once you started going down the road of exceptions, every exception you grant, ten people will rise up and say they deserve an exception, too, and if you go too far down that road, two things happen. One, you wind up with

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special provisions for a company incorporated in delaware on december 17th, 1922, like the united states tax code. And second, everybody who doesn't get an exception feels unfairly treated. The last thing I want to say is that to me, this is a matter of whether we are going to live in a civilized society. And a society in which 40% people don't have earned sick leave, is not a civilized society. I am proud to vote aye. [applause]

Hales: I just want to start by adding my thanks and bravo to the leadership here. The leadership on this council, and in the community that works so hard to come up with this good resolve so bravo, well done. And I agree, dan, I think that this is one of those issues that a lot of, all of us will look back on and say, that was one of those moments where we made Portland better place. The mayors think a lot about the economy these days, and other elected officials do, too. And I do that. I want Portland to be more prosperous for more people very soon. Tomorrow morning, would be fine. Because we still have a lot of people who are underemployed and unemployed and we're still struggling to come out of this recession, and we look around nationally and locally, and we see a lot of signs hope, and I am very happy about that. In fact, I am very optimistic as I said about our city's economic prospects. I think that we have very good years ahead. But, we also look around nationally and we see that as we have gone through the last couple of cycles, we have exacerbated this terrible inequity between a few who have gotten better off and a middle class that has faded. And is struggling to stay in the American dream. And sure, there are, there are big forces out there that we have to contend with, and that we are swept along in to some extent. But, we can do what we can with what we have where we are. And Portland has been consciously different from the norm in a lot of ways, we are different in our, in our, in our environmental policies. We are smarter and greener than most american cities, and we've been consciously different in our transportation policies. And well, why should we not, why should we not also be consciously different in our economic and our economic development policies? So, for me, this is one of those places where we can start to reflect those Portland values of communitarianism in how we live and how we operate in our economy, and I think that this will pay great dividends to our economy, as a stronger and better place over time. At the end of the day, I think that this is a simple question. That we should, when we act, do justice whenever we can. This is justice. It's the right thing to do. It's a good day for Portland. I am proud and pleased to vote aye. [applause]

Hales: Thank you all. [applause]

Hales: Can't get any better than that today. We are adjourned.

At 10:47 a.m. Council recessed.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

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[roll call]

Hales: And the items, please.

Items 227 and 228.

Hales: These two items are not ready for signature and therefore returned to my office. [gavel pounded]

Hales: Okay, now item 229.

Item 229.

Hales: Okay. City attorney, we have commissioner Fish to bring up to current status here by making sure that he has had a chance to make any declarations, correct?

Roland Iparraguirre, Deputy City Attorney: That's correct. I just have a few questions for commissioner Fish. He will participate in the deliberation of this final decision. And I understand that commissioner Fish is familiar with the exhibits and the testimony that was submitted during the march 6th, 2013 hearing. And the second question for commissioner Fish is if there have been any ex parte or conflicts of interest --

Fish: I have none.

Hales: We are ready for council deliberation and council action and motion.

Saltzman: Thank you, mayor. Pursuant to last week, I think the discussion was a good one. I believe that for whatever reasons, I mean, the private-for-hire board and the decision to grant more permits and to also recognize the new company were sound decisions, but I feel that Broadway cab should also have been granted more permits and for whatever reason, you know, whoever account, version, they did not get any permits. I feel they should have some permits. I am going to offer a motion pursuant to city code chapter 6.40.58, subsection e, I would move that the council modify the board's December 12th, 2012 decision to allow more taxi cabs with the condition that Broadway cab receive an additional 10 permits to operate permitted cabs in Portland.

Hales: I will second that motion for purposes of discussion. Want to bring up staff comment?

Fritz: Could I ask commissioner, what is the basis for your -- what is the data to say that 10 more permits are needed?

Saltzman: I don't think there is a lot of hard and fast data that justifies whether 50 permits for union cab or the additional ones granted the other cab companies -- think one thing that came out last week there is not a lot of underlying data to justify a specific number. A lot of it is anecdotal.

My rationale is one of equity. Broadway cab is one of the major cab companies. Everybody else was granted permits and we recognized a new company, but Broadway cab, despite having asked for permits received none. I guess it is a matter of equity. They asked for 38 new permits.

My motion speaks to 10 permits, and it is more, as I said, fairness and equity.

Fish: Can I just ask -- you know, we do some sausage making here on the land use side but we have a duly constituted board which we ask to make these kinds of judgments. I mean, what is the harm in denying your motion and allowing Broadway cab to make a subsequent application to bring this up in the normal channel? It feels a little unusual to be just carving this up on the fly here. I appreciate your argument about equity, but it does not preclude them from making an

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application and this coming back to us at some future date. But I have some reluctance to modify the board's work based on the record that is before us.

Saltzman: That is a good question. I know you were not here last week. One of the questions I did ask our attorneys was, does the city council have the authority to grant additional permits. And the answer was yes, we have that authority. So, it seems like the window isn't open for new permits very often. What culminated in december of last year was a long process and I just felt that we should -- this is a way to shortcut the process and allow the council to exercise its duly authorized authority to make a decision, and that's why i'm doing it this way and suggesting 10 permits, a modest number compared to what they asked for but nevertheless, think it is a good faith gesture on our part.

Fish: Mayor, I watched the video, but that is part of what I was required to do. I would just move that we take this to a vote, mayor.

Novick: I just want to add a comment that it is my -- last week broadway cab said that actually that didn't think anybody should get any new permits, including themselves, but as long as people were asking for new permits they put in their request. They thought it was bad for cab drivers for any new permits being granted. I am not comfortable with the idea of granting them new permits when that was not what they were asking for in the proceeding.

Hales: Vote on the motion please.

Fritz: I didn't hear -- in the evidence last week to grant more permits to broadway at this time and would prefer for the private-for-hire board to review a new application, no.

Fish: No.

Saltzman: Aye.

Novick: No.

Hales: I vote against the motion, no. So then, a motion on the item before us, please.

Fritz: I move to deny the appeal and uphold the board's decision.

Fish: Second.

Hales: Roll call.

Fritz: I found this whole process very interesting and I appreciate the work of the staff and the taxi review board. I think there is some additional pieces that can be brought in play. I appreciate everybody who has participated. This is a complicated industry and it provides a valuable service to Portlanders and to our visitors. And we want to make sure that it remains a viable industry for all concerned and that the taxi drivers are earning a fair wage and providing good services to all of our citizens. I view this as one step in the process, additional conversation has been helpful and I look forward to the next recommendation from the review board. Aye.

Fish: One of our roles I think is to be essentially a referee. I had a chance to review the testimony and the hearing last week. I thought it was a full and fair hearing where everyone got to be heard. I am not persuaded to the amendment that was offered and I also believe that broadway cab, if they wish to pursue this, has an alternative channel other than us modifying the work that is before us. I want to compliment staff and thank you for the thoroughness of the presentation. Aye.

Saltzman: And I vote to -- to deny the appeal?

Hales: The motion is to uphold -- i'm sorry, deny the appeal uphold the board's decision.

Saltzman: I vote aye.

Novick: Okay. An aye vote to uphold the board's decision.

Hales: Correct.

Novick: Aye.

Hales: I will support the motion and uphold the board's decision to deny the appeal. I think this hearing raised a lot of questions. And those questions are going to require further discussions

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outside of the formalities of quasi-judicial appeal hearing which frankly is about the worst way I can think of for us to proceed on this kind of discussion. This is a strange little world. This is an oligopoly that the city regulates. There was an old way to do that which we—with competent staff --carried on for a long time, to have the board use anecdotal information and keep track of the market and make recommendations and decisions about how big is it and how is it working? While we're having this hearing, we are awash in a sea of data that we are not capturing and paying attention to. There is data out there and it was brought up in the hearing that can tell us what is exactly going on on the streets with the cabs that we have licensed. And we can start making decisions I think in a different way about how we regulate that, provides the critical transportation service in the community and a bunch of for-profit businesses of a bunch of people who would like to make a decent living. The system, which I know our staff has been thinking about, but that we have not caught up to yet. The question I think for this hearing, and that is why I was somewhat sympathetic to commissioner Saltzman's motion, we are sort of winging it as we go along as a city because we're still using an old anecdotal model of how we analyze this industry and make these decisions. I don't know what the new model will look like or how we get there, but i'm interested in having that discussion. I'm also interested in looking for perhaps a less formal way to have these negotiations than board hearings and quasi-judicial council appeals.

Because, again, we are talking about a very limited universe of business people and the folks that work for them that are operating under our authority, and rate control, to provide a service. So, I guess I want us to think a little more creatively about how we do this in the future. This hearing has been helpful to me in provoking those questions. That will take longer to get to than a decision in this case but it is something that I nevertheless want to work on. Aye. We're adjourned.

Iparraguirre: Mayor, you might want to direct the revenue bureau.

Hales: We're not adjourned. I forgot my part. Direct the -- direct the revenue bureau to prepare a final order based on the testimony and exhibits of the March 6th hearing and this decision today. Now we're adjourned.

At 2:13 p.m., Council adjourned.