



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **2ND DAY OF DECEMBER, 2015** AT 9:30 A.M.

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

Mayor Hales left at 10:30 a.m. and Commissioner Fritz presided.

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

Item Nos. 1235 and 1241 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

	Disposition:
COMMUNICATIONS	
1224 Request of David Kif Davis to address Council regarding homeless state of emergency and civil rights violations (Communication)	PLACED ON FILE
1225 Request of Evelyn Bross to address Council regarding federal law is no smoking or drugs in government housing (Communication)	PLACED ON FILE
1226 Request of Barry Joe Stull to address Council regarding Portland's criminal partners (Communication)	PLACED ON FILE
1227 Request of Sarah Kowaleski to address Council regarding living wages, benefits and job protections for City Recreation Staff (Communication)	PLACED ON FILE
1228 Request of William Zeigler to address Council regarding living wages, benefits and job protections for City Recreation Staff (Communication)	PLACED ON FILE
TIMES CERTAIN	

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<p>1229 TIME CERTAIN: 9:45 AM – Improve land use regulations through the Accessory Structures Zoning Code Update Project (Second Reading 1198; Ordinance introduced by Mayor Hales; amend Title 33) 15 minutes requested (Y-4; N-1 Fritz)</p>	<p>187471</p>
<p>1230 TIME CERTAIN: 10:00 AM – Replace Code Chapter 16.40 pertaining to Private For-Hire Transportation in the City of Portland (Second Reading 1211; Ordinance introduced by Commissioner Novick; replace Code Chapter 16.40) 15 minutes requested (Y-3 Hales, Novick and Saltzman; N-2 Fish and Fritz)</p>	<p>187472 AS AMENDED</p>
<p>*1231 TIME CERTAIN: 10:15 AM – Approve a revision to Human Resources Administrative Rule – 6.05 Family Medical Leave to allow for six weeks of paid parental leave in a calendar year for eligible employees (Ordinance introduced by Commissioner Fritz) 30 minutes requested (Y-4; Hales absent)</p>	<p>187473</p>
<p>1232 TIME CERTAIN: 10:45 AM – Proclaim December 2, 2015 to be a day of recognition for Victor Merced in Portland (Proclamation introduced by Mayor Hales and Commissioner Fish) 10 minutes requested This item was canceled and will be rescheduled. Date to be announced.</p>	<p>PLACED ON FILE</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Charlie Hales</p>	
<p>1233 Reappoint Andrea Cano to the Portland Community Media Board of Directors for term to expire November 30, 2017 (Report) (Y-5)</p>	<p>CONFIRMED</p>
<p>*1234 Authorize a grant agreement to the Portland Rose Festival Foundation in an amount not to exceed \$100,000 (Ordinance) (Y-5)</p>	<p>187464</p>
<p>Bureau of Planning & Sustainability</p>	
<p>1235 Consent to the transfer of De Young Sanitary Service residential solid waste, recycling and composting collection franchise to Heiberg Garbage & Recycling LLC (Ordinance)</p>	<p>PASSED TO SECOND READING DECEMBER 9, 2015 AT 9:30 AM</p>
<p>Office of Management and Finance</p>	
<p>*1236 Pay claim of Grant M. Farr in the sum of \$16,941 involving the Bureau of Transportation (Ordinance) (Y-5)</p>	<p>187465</p>

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Commissioner Steve Novick

Position No. 4

Bureau of Transportation

***1237** Authorize Intergovernmental Agreement with Multnomah County for City participation in the County's Healthy Streets Pilot Project (Ordinance)
(Y-5)

187466

1238 Amend Permit code, and adopt and amend associated Administrative Rules for permit types and fee methodology for public works permitting services (Ordinance; amend Code Section 17.24.025)

**PASSED TO
SECOND READING
DECEMBER 9, 2015
AT 9:30 AM**

1239 Amend Intergovernmental Agreement with Oregon Department of Transportation for design of the SE Holgate & SE Ramona: 122nd to 136th Ave Sidewalk project (Second Reading Agenda 1217; amend Contract No. 30002698)
(Y-5)

187467

Commissioner Amanda Fritz

Position No. 1

Portland Parks & Recreation

***1240** Authorize a grant agreement with Portland Opportunities Industrialization Center Inc., not to exceed amount of \$103,842 for two street level gang outreach workers, to provide intervention services while principally deployed for service within City of Portland, Bureau of Parks and Recreation facilities and properties (Ordinance)
(Y-5)

187468

Commissioner Nick Fish

Position No. 2

Bureau of Environmental Services

1241 Revise legal description of property declared surplus at 2400 NW Front Ave (Ordinance; amend Ordinance No. 186777)

**PASSED TO
SECOND READING
DECEMBER 9, 2015
AT 9:30 AM**

Commissioner Dan Saltzman

Position No. 3

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<p>*1242 Authorize Intergovernmental Agreement with Multnomah County Health Department Community Capacitation Center for up to \$12,000 for training of Portland Children's Levy grantee agency personnel in Reflective Supervision (Ordinance) (Y-5)</p>	<p>187469</p>
<p>*1243 Amend a grant agreement with the YWCA of Greater Portland for eviction prevention services at the Gateway Center for Domestic Violence Services in the amount of \$60,000 (Ordinance; amend Contract No. 32000375) (Y-5)</p>	<p>187470</p>
<p style="text-align: center;">REGULAR AGENDA</p>	
<p style="text-align: center;">Mayor Charlie Hales</p>	
<p style="text-align: center;">Bureau of Planning & Sustainability</p>	
<p>*1244 Authorize application to Oregon Department of Environmental Quality for a grant in the amount of \$50,000 for funding the existing Deconstruction Grant Program managed by the Bureau of Planning and Sustainability (Ordinance) 15 minutes requested (Y-4; Hales absent)</p>	<p>187474</p>
<p style="text-align: center;">Bureau of Police</p>	
<p>*1245 Authorize an Intergovernmental Agreement between the City and Multnomah County, Department of Human Services to fund a portion of the salary expense for the County Domestic Violence Coordinator (Ordinance) 10 minutes requested (Y-4; Hales absent)</p>	<p>187475</p>
<p>*1246 Accept and appropriate a grant in the amount of \$80,000 from Oregon Impact for the 2016 DUUI Traffic Safety and High Visibility Enforcement program for sworn personnel overtime (Ordinance) (Y-4; Hales absent)</p>	<p>187476</p>
<p>1247 Authorize a Memorandum of Understanding with the partner agencies that constitute the Domestic Violence Enhanced Response Team for the stated project goals listed in the Office on Violence Against Women FY14 Grants to Encourage Arrest Policies and Enforcement of Protection Orders grant program award (Second Reading Agenda 1216) (Y-4; Hales absent)</p>	<p>187477</p>
<p style="text-align: center;">Office of Management and Finance</p>	

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<p>1248 Accept bid of Stellar J Corporation for the Columbia Boulevard Wastewater Treatment Plant Lagoon Reconstruction Phase 3/4 Project for \$9,923,740 (Procurement Report – Bid No. 00000060)</p> <p>Motion to accept the report: Moved by Fish and seconded by Saltzman. (Y-4; Hales absent)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>1249 Accept bid of Titan Utilities, LLC for the Inverness 30-inch Force Main Repair Project for \$592,460 (Procurement Report – Bid No. 00000104)</p> <p>Motion to accept the report: Moved by Saltzman and seconded by Fish. (Y-4; Hales absent)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>*1250 Authorize a price agreement with Hitachi Data Systems, Inc., for the purchase of storage area network hardware, software, and services for a contractual total not to exceed \$7,500,000 (Ordinance)</p> <p>(Y-4; Hales absent)</p>	<p>187478</p>
<p>1251 Establish a tax on the demolition of certain residential structures in the City of Portland (Second Reading Agenda 1215)</p>	<p>CONTINUED TO JANUARY 13, 2016 AT 9:30 AM</p>
<p>Commissioner Steve Novick Position No. 4 Bureau of Transportation</p> <p>*1252 Authorize payment to Stacy & Witbeck, Inc. under negotiated price for warranty work and betterments on the Broadway Bridge in the amount of \$31,192 (Ordinance)</p> <p>(Y-4; Hales absent)</p>	<p>187479</p>
<p>Commissioner Amanda Fritz Position No. 1 Portland Parks & Recreation</p> <p>*1253 Amend contract with Skyward Construction Inc. in the amount of \$38,874 for additional scope of work on the Portland Tennis Center Air Supported Structure project (Ordinance; amend Contract No. 30004232)</p> <p>(Y-4; Hales absent)</p>	<p>187480</p>
<p>*1254 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of Colwood Golf Course – Phase II Redevelopment (Ordinance) 10 minutes requested</p> <p>(Y-4; Hales absent)</p>	<p>187481</p>

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<p style="text-align: center;">Commissioner Nick Fish Position No. 2 Bureau of Environmental Services</p> <p>*1255 Approve Sewer Overflow Agreement with AAT Lloyd District, LLC for the property commonly known as Hassalo on Eighth (Ordinance) 10 minutes requested (Y-4; Hales absent)</p>	187482
<p style="text-align: center;">Water Bureau</p> <p>1256 Authorize a competitive solicitation process and contract for the purchase of aggregate services at an estimated cost of \$10,000,000 (Ordinance)</p>	PASSED TO SECOND READING DECEMBER 9, 2015 AT 9:30 AM
<p style="text-align: center;">Commissioner Dan Saltzman Position No. 3 Portland Housing Bureau</p> <p>1257 Approve application under the Multiple-Unit Limited Tax Exemption Program for North Hollow Apartments located at SW 15th Ave and SW Taylor St (Ordinance) 10 minutes requested</p>	PASSED TO SECOND READING DECEMBER 9, 2015 AT 9:30 AM
<p>1258 Approve application under the Multiple-Unit Limited Tax Exemption Program for Vancouver Avenue Apartments located at N Vancouver Ave and N Shaver St (Ordinance) 10 minutes requested</p>	PASSED TO SECOND READING DECEMBER 9, 2015 AT 9:30 AM
<p>1259 Approve application under the Multiple-Unit Limited Tax Exemption Program for Mississippi Avenue Apartments located at N Mississippi Ave, N Albina Ave and N Borthwick Ave between N Fremont St and Cook St (Ordinance) 10 minutes requested</p>	PASSED TO SECOND READING DECEMBER 9, 2015 AT 9:30 AM

At 12:20 p.m., Council recessed.

<p style="text-align: center;"><u>WEDNESDAY, 3:00 PM, DECEMBER 2, 2015</u></p> <p>1260 TIME CERTAIN: 3:00 PM – Accept Report on the City of Portland Disabled Parking (Report introduced by Commissioner Novick) 1 hour requested</p> <p>This item was canceled and will be rescheduled. Date to be announced.</p>	REFERRED TO COMMISSIONER OF PUBLIC SAFETY
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December 3, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF DECEMBER, 2015** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fritz, Presiding; Commissioners Fish, Novick and Saltzman, 4.

Commissioner Saltzman arrived at 2:04 p.m.

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

<p>1261 TIME CERTAIN: 2:00 PM – Approve findings to authorize an exemption to the competitive bidding requirements; authorize a competitive solicitation for use of the Design-Build alternative contracting method; and authorize payment for construction related to the Willamette River Crossing Project for an estimated amount of \$40,000,000 (Ordinance introduced by Commissioner Fish) 1 hour requested for items 1261-1262</p>	<p>Disposition:</p> <p>PASSED TO SECOND READING DECEMBER 16, 2015 AT 9:30 AM</p>
<p>1262 Authorize a formal Qualifications-Based Selection/Request for Proposal process and contract for Owner's Representative Services related to the Willamette River Crossing Project for an estimated amount of \$4,000,000 (Ordinance introduced by Commissioner Fish)</p>	<p>PASSED TO SECOND READING DECEMBER 16, 2015 AT 9:30 AM</p>

At 2:42 p.m., Council recessed.

December 3, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF DECEMBER, 2015** AT 6:00 P.M.

THOSE PRESENT WERE: Commissioner Fritz, Presiding; Commissioners Fish and Novick, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont, Chief Deputy City Attorney and Mike Cohen and Jason King, Sergeant at Arms.

<p>Location: Mittleman Jewish Community Center 6651 SW Capitol Hwy, Portland, OR 97219</p> <p>1263 TIME CERTAIN: 6:00 PM – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 1209; Ordinance introduced by Mayor Hales) 3 hours requested for items 1263-1264</p>	<p>Disposition:</p> <p>CONTINUED TO DECEMBER 10, 2015 AT 6:00 PM TIME CERTAIN</p>
<p>1264 Adopt a new Comprehensive Plan for the City of Portland, Oregon (Ordinance introduced by Mayor Hales; Previous Agenda 1210)</p>	<p>CONTINUED TO DECEMBER 10, 2015 AT 6:30 PM TIME CERTAIN</p> <p>Location for Continued items 1263 and 1264: Parkrose High School 12003 NE Shaver St.</p>

At 7:47 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

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

December 2, 2015
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.

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Hales: I think that we are ready to start, good morning everyone and welcome to the December 2nd meeting of the Portland city council would you please call the roll?

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

Hales: Here. Before we get into the regular council items, I understand that we have someone here from psu, mark Roundtree, the athletic director for Portland state university is here. To talk when a team that seems to be having some success or something? What's going on?

Mark Roundtree: I think you are right, it will be a great sports weekend.

Hales: All this orange in the room has nothing to do with that other college.

Rountree: That's fine. I want to thank you to the opportunity and for the counselor, it will be a great sports weekend, Portland state is having a great time with football, and they are really a team that represents the city. And, you know, Saturday night, we're getting the opportunity to play for a national championship. So the only school in the state of Oregon, playing for a national championship. [laughter]

Roundtree: I did want to say that. But with the timbers playing on Sunday, it will be a great weekend for sports here in Portland, so Portland state, as the athletic director, we want to invite everybody, the city to come out on Saturday night, 7:00, at Providence Park for the second round game against northern Iowa. It will be a great night, and we want to invite everybody here. I also know that if you follow mayor hales on twitter, you know that scars are a big deal so I want to make sure the council is geared up properly this weekend, so on Saturday night, put on your scarf for the Portland state Vikings, on Sunday, just --

Hales: Look at that.

Fish: And that's a sustainable scarf.

Roundtree: That's right. We have a great partnership with the timbers so we want to make sure that you are geared up properly. Let me know if you are coming to the game.

Hales: Thank you. Let's do this. Come on, let's take a picture for the team. Ok. Let's proceed. We have council communication items, and then we're going to move into a series of time certain and other ordinances on the calendar, I will be leaving at 10:30, so we're going to try to takes action on some things that require second reading in fairly short order after the communications, and I think that I want to pull up 1251 early so we can address that, as well as the time certain items. So, first, let's hear from item 1225, please.
Item 1225.

Hales: Are you here? Come on up, please. Thank you.

Hales: Good morning.

Evelyn Cross: Good morning, mayor. City council members. How are you guys doing today?

Hales: Fine, thanks for coming.

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Bross: Good. I am here because I have just moved to government housing, in September, and my rent might be like 700 cheaper a month, but the circumstances that goes around it, is ridiculous. There is smoking in the property, when you sign a lease, you sign the lease, the lease says that there is no smoking allowed. In the property, or on the patio. And you sign the lease that says that. People are smoking and doing drugs, in the property, I am deathly allergic to smoke, I gasp for air, and my breath sheds down and I cannot breathe, and it comes through the vents. People downstairs will smoke marijuana, at 6:00 in the morning, it comes through my vents and wakes me up, and I can't breathe because it's coming through the vents, and everything else. And I gave you some flyers to show you that, that the government is getting down packed, and it's given the city up to 18 months, to get government housing, and in order that no smoking is allowed in government property, whatsoever. And they are getting really strict on it. It's like yeah, so now, it's like not only is it uneasiness With the smoke but the government will make it -- the tenants have to follow the rules because the government is getting down, that there should be no smoking on government property. There is no smoking in here. No drugs in here.

Fish: Evelyn, excuse me, is home forward your landlord?

Bross: Yes.

Fish: Have you filed a complaint with them?

Bross: Yes, over and over.

Fish: The leverage that we have is that we appoint the commissioners to home forward but we don't run home forward. So, have you -- did you bring a copy of your complaint with you?

Bross: No, I haven't. I have a lot of complaints from -- especially the person that lives right next to me, and I made a lot of phone calls to them. Complaining.

Fish: Is it possible, without inconveniencing you, if you furnished us with, dan with a copy of your complaint?

Bross: I could.

Fish: Gives him something to go to home forward because we oversee them, and we can make sure you go an answer.

Hales: If you could get that to commissioner Saltzman, that's probably the best leverage.

Bross: Can I get your fax number.

Saltzman: I will be meeting with home forward's leadership next week.

Bross: Really? Because I live in [inaudible] tower, and its senior citizens and people with disabilities, and the thing is that why are senior citizens smoking? And doing drugs. And people with disabilities, you know, and there is children there, living there, it's not only is it affecting people like me. It's also affecting children and like this paper I gave you, I gave you this paper, this one here, there is a picture of the dog, if only pets could speak, they would tell you not to smoke.

Hales: Absolutely. I think that's -- if you could drop off at commissioner Saltzman's or mail to him or otherwise get him a copy of your complaint, or one or more of those --

Bross: I've been like there since i've been a child. I cannot breathe around -- my respiratory, actually, shuts down. I can't breathe.

Hales: We'll be happy to help, and just make sure that you get that paperwork to his office. He's the contact with them.

Bross: They changed apartment managers, apartment manager left so now there is a new one temporarily. So, there is no new -- there is no one in effect yet.

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Fish: You are in the high-rise in St. John, and that, actually, that building could use some updating, too, I think that's --

Bross: Oh, that's another thing I needed to tell you about, the elevator.

Fish: I think it's on a list for a preservation update.

Bross: Yes, the elevator does not work going down to the basement. And animals, they have pets in there, and the dogs who go on the elevator and they will do a number one. On the floor, and then you are stepping on it, and you can slip and slide.

Hales: Thanks for letting us know. If you could follow up with commissioner Saltzman's office, that's probably the best leverage that we have to help. Thank you very much.

Bross: Thanks.

Hales: You take care.

Bross: Ok.

Hales: Ok. Let's see, maybe we should call 1227 and 1228 together. Would that be helpful?

Item 1227.

Item 1228.

Hales: Come on up, please. Good morning. Welcome. Get the chair out of the way there. Good morning.

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

Hales: Whoever would like to start, welcome.

Sarah Kowaleski: Good morning, mayor hales, and commissioners. My name is Sarah Kowaleski. I worked at Multnomah art center for over five years. My work has included booking Portland live events for my community, processing need-based scholarships and connecting the public to social services, in my multi-purpose building. I not only connect the public with social services, but I need them myself. I have years of service to the city, and years of empty covers, but I am not here today just to talk about my story. I am here today on behalf of hundreds of rec workers, colleagues who teach classes for Children, and ensure pool and water safety, and support elders. Many staff have worked as casual workers for nine, ten, and even 24 years. Often without benefits and a living wage, job security, or basic workplace protection. This time last year, I spoke to city council about the misclassification of work and community centers. Since that time, some progress has been made. But, the larger problem remains. There are still hundreds of rec workers, struggling with poverty wages under this city's employment. Recently mayor hales, you pledged to push the city council to recognize a new classification of rec worker. This is a path to living wages, benefits, and union protections. In support of this effort, over 350 of my co-workers, signed a petition asking for \$15 an hour, and more opportunity for year-round jobs. The packet of signatures before you today, represents the aspirations of hundreds of my co-workers. From instructors to full-time coordinators, who program classes, we stand unified to end this decades' long problem of low wages. In the pathway to better wages, couldn't come soon enough. Portland is becoming more and more stratified by race and class, and the city government, there is no exception. As we strive to implement equity, in city services and internally, it gives me pause to know that casual workers who face low wages, are 20% more likely to be women like myself and 10% more likely to be people of color. In a city with the fastest growing rent in the country, we are also the most prone to displacement. On May 13th, you passed the fair wage policy, creating an avenue for living wage work for city contract workers. Today, I ask that you extend the same living wages to your own employees. You can do this by creating an

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ordinance that would voluntarily recognize a new classification of rec worker by December 16. Thank you.

Hales: Thank you. Good morning.

William Zeigler: My name is William Zeigler. I am a casual recreation employee with the city of Portland. I have spent a third of my life working for this wonderful city, and in my eight years, working at the community centers and outdoor pools, I have learned quite a lot about our community. I have talking over 1,000 people how to swim and watched many children grow up in our centers. Throughout these years, I have also seen the struggles of my co-workers, staff, who, like myself, have helped our community grow. I have seen excellent employees and teachers, struggle with low wages and a lack of access to full-time work. These staff members kept our community centers running, even if it meant they were not making enough to live or had to work multiple jobs. Many great employees who had a real future with the city have left due to low wages and a lack of access to full-time work. Speaking of living wages, as a long-term employee, I, like so many others, do not make enough to afford my own housing or transportation. I also do want receive benefits. An overwhelming expense, especially as a person with a physical disability. I have spent my life in and out of medical debt and have seen the stress it can put on families and households. On October 21st, I personally heard the mayor say they would push city council to voluntarily recognize a new classification of rec workers. An avenue that could change the lives of hundreds of recreation employees, the largest group of low wage workers employed by the city of Portland. By using this democratic process of voluntary recognition, rec staff will have the opportunity to gain access to benefits, living wages, and union protection. Staff will also be more likely to afford rent, something that I have not always been able to do, and will also be more likely to provide for their families. In early November, rec staff came together to gather signatures for a petition to support fair pay and benefits for everyone at our community centers. In a short time, we received over 350 signatures. Both from casual staff, struggling with a lack of work and low wages, and represented staff, who are tired of seeing their co-workers struggle. Now, we have the chance to tackle a large problem that has been around longer than most of us can remember. I ask all of you to create a pathway to living wages, benefits, and union protections by creating an ordinance that would voluntarily recognize a new classification of rec workers by December 16. Thank you all for taking the time to hear us out, and we look forward to working with you for a better future for rec staff.

Hales: Thank you all for coming. And thank you senator dembrow. [applause] appreciate the senator and the representative Frederick for being here, as well. I think you have a council here, only one of us has not had the privilege of being the parks commissioner. Maybe at some point commissioner Novick will get that opportunity of us have been park commissioner and is we all know what great work the community centers do, and I was out there on Saturday for the inter-cultural center, and it's one more example of how you serve the community, so you are doing a great job of advocacy, so thank you.

Hales: Thank you very much.

Hales: Let's move onto the regular calendar, get people a chance to get back to work or wherever you are headed. If there is no objection I would like to bring up 1251. We have had two items pulled off the consent, I believe, 1235 and 1241. No others? Ok. So let's take a roll call, please, Karla, on the consent calendar, minus those two items.

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

Hales: Ok. And then if there is no objection let's bring up 1251 for discussion and possible roll call vote.

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Item 1251.

Hales: So there is a continuation of the discussion that we started at our public hearing on October 14th, and continued last week. There were a couple of requests from council members at the last hearing, Jillian detweiler on my staff has provided information to your offices, but I want to summarize that. And commissioner Fish asked for more input on whether houses in the floodway should be exempt from the tax, and representatives of both bes and Portland housing bureau have said that they believe the tax should apply because it will help to deter the displacement. Andy peterson at bds said the floodway should be exempt because it will make it less expensive to raise houses above the flood level. Commissioner novick asked for more information on the carbon impact of not exempting the demolitions that result in increased density, and bps responded, planning bureau responded that the impact of houses going to the landfill is significant and the lost density is small. So, those were the council Requests. We have heard from a lot of people on this issue. We have heard excellent testimony at last week's hearing from united neighbors for reform. From living [inaudible] from the welcome home coalition, and it's really at a point where I think that I need guidance from the council. We have the option of proceeding, doing something else or setting aside, so I am open to suggestions before we take a vote.

Fish: Mayor hales, first, thank you for the process that we have had to get to this point. And actually, thank you for posing these questions before the vote. I think that this is -- I wish that we did this more often, had these discussions before we put something to a vote. It also gives the public, to get a clearer sense of some of the fault lines on the council and issues of concern. If this goes to a vote today I will vote no. And in part, I will vote no because of the issues outlined by the dra and the letter of December 1st. I am not sure it's fully baked, and I have some concerns about intended and unintended consequences. It is theoretically possible if it is pulled, and we spend more time working on it, that there could be an acceptable version, and in particular, if we could find a way to balance the issue of exempting homes, below a certain price without running afoul of the legal restrictions. There is a delicate balancing act. If we go to a vote today, I will reluctantly vote no, and I would engage the mayor in good faith, if this was pulled back to your office with no promises of an outcome but I appreciate being given that option.

Hales: That's why I wanted to queue this up. If there is a chance that there is a majority or better yet, a consensus of the council to move forward on this, I am certainly willing to take more time on the old measure twice one of the one proposition, if there is not a majority of the council that wants to do this ever, then I need to know that, and that's an acceptable outcome, although I think the question will arise, if we are not going to do this, and we're not going to do nothing, what are we going to do to deal with the pace of demolitions and the loss of architectural character in the neighborhoods? And, what are we going to do to provide funding for affordable housing? This is the first actual new revenue for affordable housing that we have come up with so far. So, I am not wedded to this as a solution, I am wedded to finding one, and this one appears useful. So, open to other comments from council members before we either proceed or not today.

Novick: If this comes to a vote today I will vote no. My concern, as I expressed last week, this proposal, in fact, assumes every demolition is equally bad, and the parties involved in the demolition are equally able to pay a \$25,000 tax no matter what the circumstances. I think that it's obvious that we have policies to promote density, demolition that results in increased density is not as bad as a demolition that does not, and it also seems clear that the parties involved in the demolition of a 200,000 house, and the replacement by a

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350,000 house, are less able to pay \$25,000 tax, than where you have a 200,000 house being demolish and had replaced by a million dollar house. So, I am not going to vote for anything that does not include at least one of those two things. A density factor is, or exemption, and some variation of the tax based on the value of the replacement house. I, actually, am I not fixed in my mind as to whether I might support one of them but not both but I can't support anything that does not have either.

Hales: That's helpful. Any other comments?

Fritz: We have been asked to take more time. The first reading has been over the holiday season, and I am very -- it's very enticing to find a new, reliable source of revenue for affordable housing, by just saying that, it's indicative that actually, this won't stop that many demolitions, and that there will be a sizable chunk of change for affordable housing. It does not seem reasonable to me to pay for affordable multi-family housing by making single family housing even more Unaffordable. So, I am not sure that I am going to be able to get to yes, even if you take more time, but it would be no today.

Hales: That makes it fairly obvious, unless you have any comments, commissioner Saltzman, that, we don't have a majority that wants to proceed today. There are other options that I think that the counselor can consider in addition to or instead, in addition to or instead of attacks. We've been asked to declare a moratorium on demolitions. There is a process in state law for doing that. I would be open to doing that, but when you declare a moratorium, you have to say, and we're going to do this, during the pendency of the moratorium. You cannot stop the world and get off. You have to say, we're going to stop issuing permits for demolitions, in order to change our regulations this way. I would be open to doing that, and we, obviously, have the residential infill project working on changing our code, with respect to what happens in infill situations, after a demolition or on a vacant lot. So those two things have some interaction, as we talked about at the last hearing, and therefore, the counselor could try to merge those two efforts.

Saltzman: What's the time line?

Hales: Too long, is my short answer, but there are elements of that work that I would like to call up for early action by the council early next year.

Fish: One thing that we should acknowledge, we have had a full council agenda the last couple of months. The holidays couldn't come at a better time. We also have the benefit of an advisory committee composed of neighborhood leaders and the developers. Who have written us with some substantive concerns, which on the face, seem reasonable and thoughtful, and they have not said no, under any circumstance. They have said we think that we can be part of the solution. So, I would respectfully request that we engage the drac and looking at if there is a version of this proposal that could muster the votes in council, and if so, bring it back in January.

Hales: Ok. Without objection, I will continue this until January 13th, which is the middle of January, and we can change that schedule if we need to, but that's more than a month from now, so I will continue this to January 13 and give us a chance to have those discussions. Ok. Thank you.

Fish: Mayor, i've been advised 1241 is no, has no longer been pulled.

Hales: Ok. 1241 is no longer pulled. So, that is a non-emergency ordinance, so it passes second reading. The puller has depulled?

Moore-Love: We have voted on consent.

Hales: But that was pulled. So we'll have to make a separate item on that. Separate action. We can save that until later on the calendar, if we might. That will allow the other issues to get resolved while I am here. Ok. Let's move then to 1229, please.

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Item 1229.

Hales: This is a second reading. Comments.

Fritz: I would ask for an indulgence on this to have a little conversation and have staff input. One of the things that I have noticed in reviewing the proposed code is that the allowance to put a structure of a certain size on the property line does not say that the adjustments are prohibited. So, the assurance that these will be small and limited to 24 feet by 10 feet, is not an assurance because the change in the, in the purpose statement, also means an adjustment might be more likely since they are already there. So, I wonder if that was an unintended part of the code that you did not prohibit adjustments to this.

Hales: Can we get staff to respond to that?

Fritz: Or are you intending to allow larger structures on the property line? The section in question is, 33.110-250c2.

Matt Wickstrom, Bureau of development Services: Matt Wickstrom with development services, and you are correct, the code does not say adjustments are prohibited so someone could go through an adjustment review, to ask for a larger setback, larger than would be allowed with the new code. Just as they would be able to go through an adjustment review today to ask for a larger, accessory dwelling unit and the Setback, and the approval criteria would, would relate to the livability and appearance, and the purpose statement for the setback regulations, which talks about a privacy and the placement of homes and neighborhoods and proximity of dwelling units to other dwelling units.

[staff]: This is similar to the current, the current process has that same allowance for garages? If somebody wants to build a 24 by 30 garage, they would go through an adjustment process, so the idea would be the parallel process with other structures.

Hales: So the criteria would apply, and affect the design and character of the project is then considered.

Fritz: My second question is about run-off, if it is on the property line, the eve is going to be over the property line.

Wickstrom: That's not allowed. So, basically, if someone was going to have an eve, they need to make sure that is pulled in, the wall would have to be pulled in so the eve would not extend over the property line.

Fritz: So you cannot put the wall on the property line because there will have to be some provision for the run-off? So that is not clear.

Hales: I think it is.

[staff]: It's other codes that address that, so environmental services handles storm water, and I believe that the structures are more than 500 square feet they have to show what they are going to do, so once you get a smaller, a smaller scale structure, you may Not necessarily have issues, but a larger one will have to show how they are going to. We don't have anything with garages that say, with the zoning code that the garage has to be setback to meet bes requirements, that's part of the menu of requirements that they have to go through to meet when they are getting a permit.

Hales: Other questions for staff? Thank you very much. Ok. This is the second reading and let's take a vote, please.

Novick: Aye.

Fritz: Since the first reading two weeks ago I have held two public meetings, one with 70 people and one with -- I attends one with over 20 last night, and by a 20-1 margin people do not, in general, support this. I have given both arguments for and the arguments against, as I have read them in my emails, and did not state my own preference. And it was quite stunning how many people are quite concerned about this. And I believe that

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it's going to have backlash against accessory dwelling units, which have been so popular since we carefully crafted the regulations some 20 years ago. To allow them to be compatible and not I want fringe on neighbor's rights, now we are allowing them to be 30% larger than the average garage, and taller, and right on the property lineup, and I would not like that next to me, and I think that there is a lot of people who are going to be very upset when they find out that there is going to be a structure Like this on the property line. We allowed airbnb because we knew we were going to get a lot more tax money from it, and yet, now we'll have seen an explosion of these, built as airbnbs so people have commercial structures right on the property line, and that's not what residential neighborhoods are for. No.

Fish: Aye. **Saltzman:** Aye.

Hales: I want to thank the planning bureau and the bureau of, the bureau of Development services for their good work on this, and I think the community has done a good job of coming to us with a responsible proposal. I am sensitive to the concerns you raised, Commissioner Fritz, but I think that there is such demand for this kind of housing in the city that we should try to make this work, and I think that it will work well. Aye. [gavel pounded]

Hales: Thank you very much. Ok. Let's move then to item 1230.

Item 1230.

Hales: Comments or concerns before we vote?

Fritz: There was a question about the wording of commissioner Saltzman's amendment, which, as posted, in today's second reading, is not the same as what commissioner Saltzman moved, and I seconded.

Hales: Can we get some help on that?

Novick: There was a discussion after the amendment was first offered, and we came up with an alternative version of it, which is reflected in what we have today. Commissioner Saltzman, is that correct?

Saltzman: The version that appeared in the auditor's report, is -- I am comfortable with that, I think that better reflects the discussion, than maybe my ill-advised to attempt to craft something on the fly. I think that the amendment reflects mine.

Hales: So you are satisfied with the language that we have in front of us?

Saltzman: Right.

Hales: Other questions? Ok. Roll call, please.

Novick: In this job there are issues you deal with that you are excited to deal with because you ran into those issues, and they are part of the reasons you are here, and there is issues you deal with because they came up on your watch and you have to deal with them. This for me falls squarely in the second category. Speaking purely for myself, I would be very happy if I had never heard the words, uber, or lyft. This is a no-win issue. If you don't let uber operate here, you are depriving Portlanders of a popular service used throughout the country and the world. If you let them operate here, you are murdering innocent traditional taxicab drivers. This is a no-win issue. When the regulation of private for hire was transferred to pbot, here's the situation that we had. We had a set of regulations that are somewhat similar to taxicab regulations and other cities, But regulations that are unlike any other kind of regulation that we have in the united states for any industry, as far as I can tell. There is some industries where governments have concluded they are sort of natural monopolies, natural geographic monopolies like electric utilities, and maybe garbage collection. I am not aware of any other industry or any, where any government says we're going to allow competition, but we're going to limit the

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number of competitors and limit the amount of service each one of them can provide. It's as if we had said that only three companies will be allowed to operate coffee shops in Portland, Starbucks, Stumptown and Keets, and the others nine and others seven, we don't do this in any other industry. We also had regulations that didn't work and/or were inadequately enforced. We had the requirement that each taxi company have 20% fleet be wheelchair accessible vehicles, a requirement which was, to say the least, not always kept, not always played out in practice. And which people in the disability community said did not result in good service for them. We also had regulations requiring city-wide and 20-7 service for all the taxicabs, which we did not really afford. We did not have the staff to do spot collection to see if that was applicable. We also had, when pbot took over private for hire, Uber knocking on the door. People might recall that Uber was very upset with Portland for not moving quickly to let them in. And at the time, Uber had no provision for any kind of insurance whatever in so-called period one, when the app is on, but the right hasn't been accepted. And Uber had nowhere in the country, as far as I can tell, committed to wheelchair accessible, providing wheelchair accessible service. What we have now before us is the set of regulations where we do allow for competition in this industry. In terms of the wheelchair accessible vehicles, instead of a fleet requirement that did not work, we have a performance requirement that says that you have to provide service, which we are going to enforce. We've been doing spot checks recently and determined that there are carriers that have not been providing wheelchair accessible service, and we are going to impose penalties. But, we're not just doing sticks, we're also doing carrots. We are going to come up with a way to reimburse carriers for the cost of providing WAV rides which is more than the cost of a regular ride. We also somewhere taken an action that I don't know if it's been taken anywhere else in the country, if so, only a few, and I have to credit Commissioner Fish for this. When you looked at Uber's terms of service, it, basically, said if you -- it does not matter how negligent Uber is, no customer can go after them for anything. And Commissioner Fish looked at that and said, that's pretty outrageous. I think similar disclaimers are rampant throughout industry in America, but, we regulate this particular service, so we can do something about it. So, we insisted that in Uber's disclaimer language, they say, this is not valid in the state of Oregon because actually, there is a court decision saying that language in Oregon is not valid. So, we insist they put that in their language. There is one issue that has been the subject of a lot of discussion, where I think it's been obvious that I have gone back and forth. It is the issue of insurance, and particularly, the level of insurance in period one, which is when the app is on before the ride has been accepted. Now, the regulations before us require a higher level of insurance, for the TNCs in period one than the state requires for non-commercial drivers. But, I have to say in my view, the level of insurance that we're requiring, in period one in these regulations, is not as high as it should be. I would like to see it higher. I am not going to try to fix that today. For three reasons. One, right now, there is no insurance product in the market that provides for a higher level of insurance in period one. We've been told, by the insurance industry, that they cannot turn on a dime and create a new product that takes time. The second reason is, I'm still not quite sure what the appropriate level of insurance of period one is, what the taxicabs say, their experience is they have more accidents before it has been accepted than after. And they provide statistics on that. What Uber says, it's the opposite. And it's possible that one or both are cooking the books. It's also possible they are both telling the truth, and there is a difference in the business model. Taxicabs are allowed to take street hails so they don't have an active ride they might drive around looking for another ride, and the others are

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not able to, so it might make sense to sit in place if they don't have a ride accepted. So I am not totally clear in my mind whether we should treat this period for insurance purposes exactly the way that we treat them, for all other purposes, to have insurance in all other periods or whether it should be somewhat less. A third reason, why I'm not going to take a-to fix what I acknowledge as a flaw today, is this -- uber and lyft made it clear if any jurisdiction departs from the, "national agreement on insurance, and let's make this clear, this is not only Portland where these insurance rules apply in period one, this is part of a, "national agreement adopted in many places throughout the country." uber and lyft have made it clear If any jurisdiction tries to depart from this national agreement, they declare war. Now, I am not normally a guy who shies away from a fight. In fact, occasionally in the past couple years, been told time eager to fight, but, if you are going to have a fight with a 50 billion company, you are probably well advised to look around for reinforcements, for some allies. So, I am going to do that. Mr. Kafoury, you said last week that there is going to be legislation in this next legislature to require a higher level of consistent statewide higher level of insurance in period one. With a caveat again, I am not quite sure what the level should be, I will support that concept. And I will come down to Salem to testify for it. Because I think that the state of Oregon, which is seven times bigger than Portland has a better chance of winning a fight with uber and lyft than Portland alone. I am also going to look around and see if there is other major cities in America in the same situation that we are, where uber and lyft are operating under the national model but a majority of the council would like to raise the insurance levels in period one, and see if we can take action collectively and together agree to jump off the cliff and take on this issue. Because, there is strength in numbers. Or, as our labor friends say, there is power in the union. Speaking of unions, Seattle appears poised to do something on December 14, which is fascinating which I am inclined to follow. As you know, i've been concerned about the fact that this industry as a whole, not just the tncs but the taxi companies, most drivers are classified as independent contractors, which means that they don't have the kind of protections that employees normally have like minimum wage and worker's comp, etc. Commissioner avakian has said preliminarily he thinks that uber drivers, at least, are employees. And I think that's great. Now, I don't know, however, if that's going to hold up in court. Or if you will follow through with this recommendation. Seattle, is taking a somewhat different take on a portion of that issue. They appear poised to pass legislation saying that independent contractor drivers in the private for hire industry have a right to collective bargaining, which is not something that I thought of before because I think of it as being governed by federal law but i've been reading articles and the labor lawyers are going back and forth saying well, maybe this would work and maybe it would not. But I think it sounds like a hell of an idea, so I will be looking to see what Seattle does on December 14 and I would be inclined to propose an ordinance that follows that. Having said all of this, I can't tell you that I am going to spend a bunch of time on either of these issues in the immediate future. My priority for the next several months has to be passing a local temporary gas tax to fix our streets and make them safer. Which is a huge issue, which the city hasn't dealt with in at least 28 years. So, that has to be my priority. I am going to have a limited time for anything else. But, I will say this, to the taxicab industry, if you can identify those allies in other cities, if you can identify two American cities with populations over 300,000, that are prepared to raise the insurance levels from period one if they have company, then I would be prepared to move forward quickly with a proposal like that hand in hand with the other cities. So, with that extraordinary long preamble, I vote aye.

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Fritz: Mine is even longer. I never thought that I would see the day that the Portland city council would operate like the republican dominated congress in Washington. Congress is known for allowing the industry to write its own regulations rather than legislators acting on behalf of their constituents in the public interest. Sadly, that day has arrived here in portland today with these regulations being adopted on behalf of the transportation network companies or tnc's, principally uber and lyft, I am troubled that common sense regulations were not accepted by the council majority because uber and lyft wouldn't approve. This has been a long public process. It has not been a good public process. None of the workers most affected by this ordinance had a seat at the table at the community task force. Tnc lobbyists had multiple private meetings with the primary council members supporting the ordinances, taxi representatives did not. As a consequence of the process, the final ordinance does not represent a balanced approach. As a result of that lack of balance, it does not act on behalf of the long-term public good of Portlanders. A December 8, 2014, a year ago almost, in the article in the Oregonian reported commissioner novick stated if uber thinks there should be no maximum price on what they charge Portlanders they should make their case to the Portland city council because everyone agrees, good regulations make for a safer community. Good regulations do make for a safer community, but this ordinance doesn't follow through on the laudable, initial commitment to good regulations. As commissioner novick just reiterated, his desire for both uber drivers and taxi drivers to be treated as employees. It is not ok to say that we're going to punt on that and that if two cities join us we'll go along. Two major cities have already said that the insurance needs to be greater in the period one, and uber and lyft have decided not to operate there. In meetings inside city hall, commissioner novick pledged to me the new system would be a safe for an aging woman like me as the current taxi system. That is not the outcome with the policy before us. Background checks will no longer be overseen by trusted public servants working for the people of Portland inside city government. They will be contracted out to private third parties with only spot checks to confirm accountability. There is no requirement for drivers to take a defensive driving course, that's missing a huge opportunity to close the driver gap as we implement vision zero. Taxi drivers are having to work longer hours to eke out a living, these make me less safe as a lifetime taxicab user as a result of this ordinance. There are other factors in these rules dismantle, the reliable, safe, taxi service that Portlanders have depended on for decades. People choosing to use taxis will no longer be certain before we hail or book the cab. Customers will need to ask every driver in a taxi waking zone for their fare to get the best price. New taxi companies will no longer be scrutinized by the grueling public vetting and approval by city council in an open public hearing. I feel so sad for my friends in union cab supported by the communication workers of America local 7901. You worked so hard to win approval of your franchise. And now, the majority of council is telling you, you are an expendable casualty in the free market. The free market grinding the working and middle class into the servants of the billionaire corporations. The majority of council is showing the same disregard for the values and services that the radio cab put out on the owned and operated by veterans, the same for green cab and eco-cab. Which values and principles does this serve? The free market is a poor substitute for local businesses, values, loyalty. More problems with this, only taxis will be required to use cameras, this puts passengers and drivers at risk. This is another inequity created between taxis and tncs. Why not require that tncs have the cameras turned on during the ride in those wonderful smart phones, and the answer is, because uber and lyft say no. The city will lose revenue with the adoption of this

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ordinance. Many tnc drivers won't meet the threshold annual income level of 50,000 to be liable for the business income tax, and yet the rides they provide would otherwise have been taxable income for a full-time cab driver. Expanding the driver pool dilutes the tax base. The fees charged for tnc permits are woefully inadequate to cover the cost of enforcement, meaning the fees paid by taxi companies will disproportionately pay for transportation staff time, attempting to hold tncs accountable. This will mean fewer spot checks of the taxis. I don't understand why people driving for profit are somehow exempt from the portions on using cell phones while driving. Commissioner Saltzman has previously been so vigilant on distracted driving. Studies show that hands-free operations just as distracted as hand-held phone use, we heard testimony that the sound has to be kept on to alert the driver of the ride opportunity, does that mean it's on for taking a phone call? Have three of you forgotten so fast that the public service announcement that we viewed from at&t a few months ago, urging us to put our cell phones in the glove compartment while driving. But with all these flaws, the ordinance is most egregious regarding the disparate insurance requirements between taxis and tncs. Taxis will continue to be required to carry half a million dollars in liability insurance at all times. Uber and lyft drivers will be covered by a paltry 50,000 when accidents happen when drivers are waiting to pick up fares or on their way home and will get nothing if a crash occurs with a distracted driver, tapping their phone to accept a ride, crashing into a tree or another car. There is no required collision coverage on that scenario. Worse is the disregard on this ordinance for pedestrian, cyclists and other motorists injured by tnc drivers during period one when the driver is cruising, waiting for a ride or after a passenger has been dropped off. Mayor Hales asked for data on accident incidents. The data gathered laboriously by taxi companies proved most crashes happen when drivers are waiting for rides or are on their way home yet no changes were made to the coverage required, required in this ordinance, in response to that data. As you are aware my husband was killed in a traffic crash last year. Through this excruciating life event, I learned a lot about insurance requirements in this state. The crash in which my husband was killed was probably initiated by the reckless driving of a commercial tanker truck as it was being driven home after dropping off the cargo. This ordinance sets the value of personal life taken by a commercial driver returning from a paid fare at 50,000 maximum. Less the coverage that council is setting of 100,000 per incident. Four innocent people were harmed in the crash that killed my husband, and under this ordinance, another grieving spouse like me would receive only 25,000 in compensation for a death caused by a tnc driver. Even if the insurance company paid, without the fees of 35% or more, that are dedicated to the lawyer if the estate has to engage one to collect on damages. I am baffled as to why any of you would consider your own life or that of the person you love most in the entire world to max out at 50,000. Less than one-half, one year of our salaries, I don't understand why you ask for the data on crash instances before and after picking up a ride and then ignored it. The council is opening the city to liability in knowing of a problem and refusing to address it. The same way that odot failed to install median crash barriers until we pass the Fritz Fairchild act, whose names will be on the ordinance after amending this code after somebody's family member is killed by a tnc driver, period one? Again, I quote commissioner Novick earlier in the process. If Uber thinks taxis should not have to have proper insurance in the case of a crash, they should tell us why we should allow that. That has not happened. There is no public purpose in allowing tncs to have inadequate insurance in the case of a crash. Mayor Hales said, our main concern is the public's health and safety. Because the state invested in the cities, the

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responsibility to do that. Beyond that, though, is the issue of fairness, taxicab companies follow rules on health and safety, and the rules adopted by the majority of council today, do not follow the same rules of public health and safety for tncs as for taxicab companies. There are multiple other problems with the done deal being adopted. Lack of protection for tnc drivers assaulted by passengers compared with taxis, and setting the insurance company rules to favor uber's insurance, which is not admitted in the state of Oregon and will not provide protection if the james river corporation fails or making local taxi companies buy more expensive insurance from big national companies rather than reliable Oregon firms. Taxing all rides the same to pay for accessible rides without requiring tncs to share the load of providing accessible vehicles, which places an unfair burden on taxi companies who recently invested in accessible vehicles, to meet the city's fleet requirement. One and done driver safety checks rather than periodically testing. I could go on and on, and I am beyond disappointed in these regulations which ought to be so simple, fair and safety oriented. Aside from the here and now pass on drivers, passengers and bystanders, injured by tnc operations, I am very concerned about the negative climate impacts of putting thousands of tnc drivers on Portland streets. And before the pilot project, there were a mere 750 permits issued to taxis, and now we are told that there are 5,000 commercial drivers on Portland streets, adding to congestion and making it easier for passengers to choose low occupancy cars over transit. The mayor is heading to Paris to boast about the commitment to reducing the vehicle emissions and other critical mechanisms to combat climate disruption. And how does this ordinance help in that regard? I am very grateful to the taxi drivers and other citizens who participated in this process, however flawed the process has been as if the participation might make a difference. I was hopeful that my input might make a difference, too, I see no evidence, that that is true. And I thank the director Leah Treat and the Portland bureau of transportation staff. I recognize that you have carried out the direction of your commissioner in charge and your mayor. I expect to receive the same from the bureau of directors assigned to my portfolio. Thank you to my colleague, Nick Fish, who stood side-by-side with me in trying to protect the interests of the constituents rather than ceding to the demands of two powerful out of state corporations. Like the many Portlanders who have provided support, and encouragement for me over the past 62 weeks, Commissioner Fish your efforts have been appreciated even though we cannot change the outcome. Thank you to Clare Adams, Tim, and Tom and my staff, and Judith and James in the office of equity and human rights who tried hard to get taxi drivers voices heard. There are many Portlanders supplementing their income or driving for Uber and Lyft as their primary income. I appreciate their participation in the process, too, and I worry about the tnc drivers putting their families at risk, from driving without proper insurance, surveillance, or support from their tnc employer. When 50,000 insurance proves too little in period one, the injured party can and will sue you personally to recover damages. I believe that we could have set up a system that safeguards both drivers and riders in the new paradigm, and those in the taxi industry continuing to provide service to women like me, who did not feel safe getting into an unmarked car with no camera running. This ordinance does not do this. This ordinance, denotes caving in to multi-national corporations at the expense of Portland businesses and the safety of the community. There is limited public purpose in the regulations being adopted today, this ordinance represents the capitulation to the lowest common denominator in the worst way. I am disappointed Portland is not stepping up to set the national standard for a sharing economy with adequate safeguards for both workers and customers. This is one of the saddest votes that I have cast in almost seven

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years in office. Portlanders will lose their family wage jobs, fare-paying passengers will not be safe, as when hiring rides in Portland, and victims will receive grossly inadequate compensation when tragedies occur, as a result of this accident -- of this action. This ordinance does not act on behalf of the long-term public good of Portlanders. In casting my vote, I would like to add a swear word, but in the interest of decorum I will simply vote in the name of all those traffic crash victims. No. [applause]

Fish: I want to begin by acknowledging the countless hours put into this process, by key stakeholders, including the taxi companies, drivers, tncs, the private for hire task force, staff, and pbob, mayor hailes and novick and their staff. I believe that they worked in good faith to attempt to craft policies that strive to balance fairness, safety, and jobs. I appreciate the progress that we have made on a lot of issues I care about. Like requiring tncs to tailor their terms of service, to reflect Oregon law, and improving to disabled customers, and clarifying that tnc insurance is primary in all three periods. That said, I cannot support this proposal. As I have said before, I am not pro taxi or anti-uber. Rather, I have a healthy dose of skepticism to the claims made by a company with a well-established track record of running over its critics, its competitors, and its regulators. I have questioned whether the public interest is served by deregulating this industry. And I have expressed concern with the business practices of many of the key players in the so-called sharing economy, who simply declare that the rules don't apply to them. Throughout this process, I have supported reasonable policies and regulations that reflected our values, not theirs. I keep coming back to the same issues. Fairness. A level playing field. Consumer protection and safety. And perhaps, most important, trust. Time will tell if my concerns are justified. But today, I cannot support this ordinance. And so I vote no.

Saltzman: I want to thank commissioner novick, brian hockaday, the Portland bureau of transportation, for really, taking a thankless task and doing yeoman's work here, I think that there's been an effort to level the playing field as much as possible between tncs and taxicabs. And I think that that's the good direction to go in. And I know that we like to talk about 50 billion corporations versus small taxicab companies, but, I look at this as a new reality, I mean, this is a generational shift. People like me, who are over 60, are committed to the taxicabs, and I will always use them. Take my daughter, who is 25 years old, she will use uber and lyft, she will not envision anything else. And i've been to many cities in the last year, Austin, san Francisco, new York, and all of those have the same issues going on here, and you know, particularly san Francisco, and I see a very healthy taxi cap industry in san Francisco, despite the emergence of uber, lyft, and whoever else is at tnc, so I think that we need to recognize this is being sought by Portlanders, as I said, it's a generational thing, and anybody under 30, 35, they want this. I have heard countless testimonials of young people who say, they go to the bars now, and they take an uber or a lyft home. They don't drive, so I think that there is a tremendous public safety event in that, and it's a reality. Cabs, for whatever reason, are just not as available when they are needed when the bars are closing, and I think that that's a tremendous public safety aspect of this, that we tend to overlook but a reality. I think that enforcement is a key, and that's why i'm so happy that we are doing a surcharge per ride to be dedicated to enforcing these new regulations. I think that's been a key concern of the taxicab industry. And I think that you are heard, and we'll have a robust enforcement program, and I am convinced of that. And finally I would like to say that it's time -- we had a robust demonstration period, it's time to move out of our own phase 1, and get into our own phase 2, as commissioner novick has alluded to, phase 2 may be robust but it's time to

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say we have had the trial period, and it's shown that the pie of people using tncs and taxis, has increased dramatically, true, the taxicab share of that pie, has declined, and not as precipitously as feared. I believe that there is people like me and Commissioner Fritz, and others who are always going to use taxicabs and always going to be a place, but there is also a place for transportation network companies, and we need to accept that, and get these rules in place, and move on. Aye.

Hales: I also want to thank commissioner novick and his staff, brian hockaday, in particular, jim owens who facilitated the task force of citizens who helped us to try to work our way through these issues. I won't add a lot to the good comments made but I want to add, a bit of context. Remember that, how we came into this issue. These tncs, as commissioner novick pointed out were something new under the sun. They started operating in the rest of the Portland metro area, and I want to reiterate this point. We are 600,000 people. In a region of 2.2 million. And in the entirety of the rest of the metropolitan area, there are no regulations whatsoever with respect to transportation network companies. Not in Vancouver. Not in Beaverton. Not in Gresham. Not in Lake Oswego. And so on. So, there is an appropriate role for the state to play, and I hope that they do. And I hope that the discussion about insurance continues there, as well as the discussion about who is or is not an independent contractor. What happened in the city of Portland was, these transportation network companies began putting pressure on us to allow them to operate here, and then one of them began operating illegally. They were told to stop operating illegally, so we could consider changing our regulations to incorporate them into the new reality that we're in, and we have done that. We haven't gone as far as some would like us to go in those regulations, but actually, I think that we have gone farther than any other city in the United States. That's a good start. These are regulations. We can change them, particularly, after the state acts. But, I think it's important to remember that context that no one asked for this, least of all, the transportation commissioner. Or his bureau. They have some other work to do, and I appreciate your priority very much, commissioner novick. But, we have made a good effort at regulating a new thing, but we have got to remember that there are others who also have to play a role here, the state labor commissioner, the legislature, and have a role to play in trying to figure out how this is going to work going forward. And the city of Portland will continue to be involved in that work. So, I appreciate the good effort that's been made. It's a good start. We have not achieved perfect equity between the cabs and the transportation companies. I understand that, that was not really possible for a city to do. But I hope as this goes forward the city will continue this -- this city will continue to be an innovative, effective regulator, in the context of a brand new global industry that showed up uninvited on our doorstep. Aye. [gavel pounded] thank you. I am going to pass the gavel, and I will see you next week.

Fritz: Now for something different, would you please read the title for 1231.

Item 1231.

Fritz: I am very excited to bring forth this change in policy, there is an abundance of research that shows the benefits of paid parental leave, and this benefit not only extends to new parents and children, and with babies, but also, has positive children, also has positive impacts on job performance. Although, it is not up to international standards of parental leave, this is a very good start. I want to start by thanking the advocates for family forward, lily and andrea, for their work on this important issue, and thank you, also, to Anna Kanwit, who is going to explain what it is we're doing here today. With the director of human resources.

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Anna Kanwit, Director, Bureau of Human Resources: In your, commissioner Fritz.

The rest of the commissioners, and anna, the director of the bureau of human resources, and pleased to be here, presenting an important policy change for the city. The ordinance proposes adding to human resources administrative rule, 6.05, family medical leave, and a provision that would make the first six weeks of parental leave under the federal family medical leave act or Oregon family medical leave act paid, events, As commissioner Fritz, mentioned for that leave would be the birth of a child, adoption of a child or a foster placement of a child. This change would cover parental leave taken by all, our regular employees, limited duration, temporary employees in budget positions, and certain at-will employees, including those in elected official offices. Who somewhere simply worked 180 consecutive calendar days. The city paid parental leave will run concurrently with the parental leave under the federal family medical leave act and the Oregon family leave act. As commissioner Fritz mentioned, the research is very clear. That parental leave, and, and, has a positive impact on parents bonding with their children, and we are -- our goal by providing six weeks of paid parental leave, would be to ensure that parents, at a minimum are able to take that amount of time off. The research shows that fathers who take parental leave are more involved with their children, and this change is not keeping with the city's goal to become an employer of choice. We have instituted many programs and initiatives, under our umbrella becoming an employer of choice, and paid parental leave is an important component of that. Paid parental leave, will assist the city in attracting and retaining new employees, attracting new employees is becoming increasingly important, as our retirements continue to increase over the next few years, so replacing those, who leave is critical. For some bureaus, paid parental leave will also be a key recruitment tool, in recruiting women to jobs, traditionally held by men, particularly, the police chief, has mentioned, that this will be the key for him in recruiting women to become police officers. Under the policy, the paid parental leave, may be taken once a year, in one six-week period, it does not carry over, if it's not used. For any remainder of a parental leave because state and federal laws do go to 12 weeks, and employees will be able to access their crude leave, sick and vacation, and the other accrued leave that they have. But, by having the first six weeks of paid, we hope that this will assist employees in taking that full 12 weeks, and we'll make that affordable to them. So, I am asking you to authorize this policy change, and to implement the policy. It also has a provision for the human resources bureau director to make an exception in what we believe is an unlikely event that there could be two events in a calendars year but that could happen. So, the policy as written is one, six-week period a year, but also, allows myself to make that exception in the event that there are two events in the calendar year. I have discussed --

Saltzman: Those cover adoptions, also?

Kanwit: Yes.

Kanwit: Yes. Adoptions, placement of foster child and birth, exactly. I have spoken with most of the Labor leaders, about this policy, all are in favor, and in fact, rob wheaton from afscme 189, he and I are in a grievance procedure, wanted me to let you know but, for that grievance, he would be here. The details are in the policy document and there is also frequently asked questions that we prepared which will help the employees to understand how the program operates. Finally, there is a cost to the proposal. We looked at it, measuring the difference between unpaid leave hours that parents took, versus converting those to paid. So, that cost is approximately 217,000, and it is somewhat difficult to provide accurate costing. There is an additional cost for those bureaus where employees have to be replaced. And that, again, is an estimate range between 195,000 and

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285,000. The last thing that I wanted to mention, although it is not part of this particular ordinance, as part of the overall proposed revisions to the human resources administrative rules which are out for notice and comment now, we have recommended adding a provision that would allow employees to donate up to 40 hours of sick leave, to those employees who have a catastrophic illness of their own or a dependent. This particular provision will also assist, for example, mothers who are experiencing pregnancy related disability and are on unpaid time, so it is somewhat related to the paid parental leave provisions, so I wanted to note that. And that -- those provisions will probably be going into effect in January. Thank you. I have no other --

Fritz: Questions for Anna before she heads back to the grievances? Ok. Thank you very much.

Kanwit: Thanks.

Fritz: We have two panelists, Larry from Portland state university and Courtney and Sara from the City Mamas affinity group.

Kanwit: I will stay if there are any other questions.

Fritz: Thank you.

Lawrence Wallack: I am Lawrence Wallack, and I bring more than 40 years of experience working to advance the public self to my testimony today. The proposal to provide paid parental leave for city workers is good public policy, and it's good public health policy. I have reviewed a body of U.S. and international research on this topic, and found the evidence of positive impact to be strong. The proposed parental leave policies good public policy, because research indicates that it produces a number of very positive social outcomes. This policy promotes equity because it takes an opportunity that is now enjoyed by relatively few, and extends it to others. So some of the specific outcomes established through the research include increased amount of leave that both new mothers and fathers take. This is not taken for granted, when policies exist people don't take the leave even though the policy exists. The paid policy shows there is an increase in the amount of leave that's taken. It increases the amount of time that the father spends caring for the child, and it increases the economic and employment security for families, critically important, and when women do return to work, they see an increase in the wages and also numbers of hours worked. It promotes gender equality by better sharing workload, and roles and responsibilities, and very interesting international work on a long-term study in Norway showed that it reduced high school drop-out rates by 2% and increased wages at age 30. It was a 30-year study, by 5%, but importantly, it had a great impact for children, whose mother had fewer than ten years of education. This is a significant equity finding. Finally, increased equity is greater at benefits overall, accrued to those in lower quality jobs, unmarried or single mothers, and women of color and those who suffer disadvantage in general, and this is reported in the international studies and in the U.S. Research that we have. It is good public policy, it is good public health policy in large part because it's directed to the development 58 stage of life that is most critical for future health and wellbeing. What is known as the first thousand days. And evidence suggests that job protected paid leave is associated with better mental and physical health, for the mother, both short and long-term, and better health for the baby and reduction this is low birth weight and infant mortality, and low birth weight is one of the most significant factors that we have in our society, for understanding the health of the larger population. To -- the positive benefits are linked to reductions in maternal and family stress through increased social support and financial stability, and increased available money to invest in the needs of a new baby, and increased time available for

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well-baby visits and immunizations, and very important, increased duration of breastfeeding. A few things to keep in mind, number one, the availability of job protected leave likely allows women to use sick or vacation leave, if available, during pregnancy, which might provide benefits to the developing baby, that influenced birth weight and infant mortality, this is leave that otherwise might have to be saved for post, for the post-delivery period. All studies show that longer leaves result in increased positive outcomes. The few paid leave programs that exist in the United States, and the one that you are proposing, are far below the average of 18 weeks paid leave provided by our competitor, OECD countries, a duration of 6 weeks will equal positive benefits but will be far beyond what we should aspire to as a caring community. The California experience, which is implemented in 2004, showed that a paid family leave program for the general population, could be implemented in a way that provided positive outcomes for small businesses, and none of the adverse consequences predicted by the business lobbies when the policy was being debated, thus business could be an important ally in expanding this benefit to the non-governmental sector in Portland. In conclusion, this modest but productive, very important policy would put the city of Portland in the forefront of investing in its workers, in caring for the next generation. This is, indeed, an important step but still needs to be considered as part of a much needed longer journey. Thank you.

Courtney Duke: Thank you, council and Commissioner Fritz. I am Courtney Duke, here today in my role as the co-founder, past chair and board member of PDX City Mama. Where the cities working mom affinity group under the auspices of Deep, which is the diverse and empower employees of Portland. We have been one of the most active groups since we started in 2007. Moms can multi-task quite a bit. Our mission is to create a supportive environment to exchange information, ideas and challenges for the city of Portland working parents. Our group partners at the city to add advocate on behalf of working parents, to help attract, support, and retain working parents. This ordinance fully supports. Sara Schooley and other PDX mom member are representing 100 parents to give our support of this ordinance and paid leave, with that, I will turn it over to Sara.

Sara Schooley: Good morning. This is a very different topic than I usually get to talk with you about, so kind of excited about that this morning. Wanted to set some frame, as to the discussion on what was going on around the country, so I will go through a list of different companies and how much paid leave that they give to their new parents. So, Netflix, probably the gold star, gives unlimited paid leave for one year. Facebook, gets 17 weeks. Adobe, is 16 weeks. Twitter is ten weeks. Google is 12 weeks, and Bank of America, is 12 weeks. As for our fellow governmental counterparts, in San Francisco, they have 12 weeks. Multnomah County, just put together six weeks, which is exciting. That we're trying to get in line with our other commissioners across the river. King County, up in the Seattle area, is 12 weeks. Kansas City, Missouri, is six. So seeing these numbers it's really exciting that Portland is stepping up to bat here and seeing the benefits that have been approved in research that we are ready for the next step, but as a personal professional who worked for the city for five years, I can testify that I have never worked with a government structure, that it has had such dedicated, smart, and talented employees. Working for the city, is not necessarily a glamorous position. As many of you know. We are constantly trying to please an unpleasable the public, we'll probably never make the equivalent of what we can make in the private sector, and in most cases, we have very little negotiation power to balance the work with outside life choices. That said, we still work for the city. I think that most of us work for the city because we truly love this place, and are OK making some professional sacrifices, knowing that we are making

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Portland a better place for our friends and family to live. It's the non-monetary bonus that keeps us here. As we think about how to keep the staff here and recruit the best minds in the workforce, we must understand that the benefits such as paid parental leave, are used to decide whether a job and an employer had similar values and is worth spending 40 plus hours a week with. Moving the city standard from unpaid to paid, would open up this choice not only to people that have the privilege of making this decision, but also, to individuals that represent those that are working on a tighter budget to pay for high rents, daycare costs, college education, and the care of their parents. As commissioner Fritz also has stated this is also an opportunity for the city to set an example and provide Leadership for employers throughout the city. Hopefully this could be the first step in encouraging more family friendly policies city-wide. Lastly, many of us, myself included, are tasked with making the city better in the years to come. There is nothing that guarantees having passion about making a city great in 25 to 30 years, as having a child that will be growing up in that world. And with the ulterior motive of keeping our children nearby. Although, don't tell them that. They will move away right away. Making sure that we have a system that supports keeping these parents in the workplace, and is attractive to the future caregivers, and ensures that the shared vision and goal is planning for a bright future will be the status quo. Thank you for introducing this assessment, Commissioner Fritz.

Fritz: Thank you very much, the next panel is liz thompson, travis powell, and allen ferschweiler.

Travis Powell, Portland Fire and Rescues: Commissioners, thank you very much it, for allowing us to be here today to visit with you and for entertaining this opportunity that is going to be of great help to your employees. Also, thank you for allowing us to entertain you and enlighten you on what's going on here with this, I will try to be quick about it but coming from my heart in the capacity it is, I have never delivered anything in three minutes from my heart so I will go at it so hang on. For the record, I am Travis Powell, I am is a firefighter With Portland and fire and rescue, and more importantly, I am is a new dad. As of three months ago, my wife and I were blessed with a little baby girl, and for this 40-year-old frame there is a 20-year-old inside, so we look forward to the days ahead but I want to share with you I was a new daddy I was a step-dad a lot of years ago, but at that time, things were not the same as now, and as a matter of fact, it was on a time where although it was priority for me to be a great step-dad and help out with these little ones, I was called away and not able to be there with them, called to combat. Unfortunately called away on three deployments, and not your problem, something I was proud to do, however, I learned some things that I want to share about why this is so good what we have the opportunity to now. When away, I was tired. I was beat. I was ready to relax and coming back to home and say, good to be done. But I wasn't. I missed out on a bunch. I can't recapture and there was only so much bonding I could do on skype sessions. However, when I got back home, there was not rest and relaxation because I had to get to being a daddy and I was worn out. I didn't get leave from family first. It was come home and go right at it. So, is that apples and oranges to our job now? Absolutely not. The tour duty that we have is in a year and a time, only 24 hours, sometimes 48 that we are called upon. However, when we get home, I am tired. I am beat up. And the mind and my heart was spent from what may have happened for the last session, yesterday it is demanded to get right at us when we get home and you are not there. The heart is all willing, however the mind and the body is weak. And I am not as good of a spouse as I can be or daddy as I can be, and I am not getting to have that bonding

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experience that I missed what took place in the last 24 hours. So, there being supportive for my wife is not there. I need to let you know as an employee although it is my choice and my fault, during that time, I came to work and I was not 100%. I was not there. I was beat and tired, because of the recovery time was sometimes more demanding than what happened on the job because you can only do so much, and it just wears you down after a while. But you know what, I would do it all over again, but I want to speak to you today is for the next person behind me, although this won't do too much for my situation, the ones behind me, it absolutely will. And if you would afford that to your city employees, that employee's time, comes about when they are blessed with that baby, and you tell them, go home and bond with the baby, with your spouse, do well at it. Start this thing here that's going to last for the rest of their lives and come back to work ready to go to work. And I am telling you, it will pay dividends. You will have your employee come back rested, ready to serve, and also something not too much you hear a lot, is I am excited to come back to work because I am ready for it. And I am telling you, around different roll calls and other bureaus if you think about it, when we have receive that daily literature in the day telling us what's going on, when we hear the city does something, one of the few things, all right, what bolt are they tightening now or taking away, but for the first time in my little career, when this notice came about, you know what I heard around the table? About the city? Awesome. I can't believe it. And a smile came afterwards, not I can't believe it, a smile afterwards, people just could not believe that this might be something that they could take away, so I ask you to please consider it. Know this is a good thing. The right thing to do for our parents. After me, going to be something else following up so if you have any questions or you want to debate this, do so with me because the next firefighter is a mommy, and you are not going to win that one. That's a higher calling than a dad. So, thank you very much.

Elizabeth Thompson: Thank you, Travis. I am Elizabeth Thompson. And I am a firefighter with Portland fire for 15 years. I also am young at heart, although the frame, like Travis said, might not tell you -- tell you otherwise. I have an 18-month-old running around at home. It's a challenge to leave, of course, it pulls at your heart strings, but this six weeks paid leave is beneficial to the help of the, to the health of families. I am speaking as new mom of a biological child, not as a foster or adoptive, has its own set of challenges, also. But, the transition into new parenting is challenging, and it can easily burn all your accrued vacation and sick leave. I think that we probably carry a lot of leave, due to our job that, the hazards of it, and the things that we have to do on the job, that accounts for some other leave, so having a child definitely can burn through that leave, six weeks, of paid leave will allow for the healing and, and as Travis stated, bonding in a big way. And moms always prepare for a perfect, healthy delivery. We read about the ones that, you know, can go wrong or sideways but we don't expect it to happen to us. I thought that I was as prepared as I could be. But, I am fit and healthy, obviously. My doctor was very excited for me to have a smooth delivery. We got into the room, hard contractions started and my baby's heart rate stopped. They don't mess around when that happens. So, wield on all fours out to an operating room with the straggling husband. Bewildered behind with the nurse trying to get gowns on him, when it was an unexpected c-section. 30% of u.s. Deliveries are unexpected C-sections. It is a lot -- it takes more recovery. It is an abdominal major surgery. It was even being fit and healthy, it was a lot of challenging mornings just trying to get my head up off of the pillow to nurse. You are not supposed to lift more that long eight to ten pounds in the first six weeks. That's your child. So, it takes a considerably longer time to heal. The six weeks paid would definitely

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have a positive impact in that area for one account. Healthy nursing is also a challenging transition. Let alone a baby or a mom who have any kind of troubles. It is a physically taxing and emotionally taxing event. In just a healthy way. Moms and babies can both struggle in that area, and that is -- can have a negative impact. It's like a big snowball that you stress about how much can -- the baby can get and then it's just goes downhill. So, that six weeks paid can alleviate some of that. Everybody expects parenting to go well, but it often doesn't, and many parents have to take unpaid sick leave to address childcare issues. Going back to work, is -- can be challenging for a nursing mother, also. But, again, the six weeks would help to begin to alleviate some of that stress, and so when we do get back to work, like Travis said, we are prepared. In the u.s., 25% of women either quit their jobs or are terminated when a new child arrives, so I know that you know the effects of losing a veteran employee and helping to try and train. It's a big cost. It has impacts. We can alleviate some of that with this new ordinance. Those who stay in their careers and come back to work, often take unpaid leave, and a third of families, working families also go through their savings to accommodate that loss. My husband also took his leave. He burned through all of his accrual, and took unpaid leave, which is a financial stress. We felt that that was the balance that we needed was that bonding time because of my unique job shift, 24 hours, he needs to be able to feel comfortable with a baby, with our daughter for 24 hours. And to find the solutions that problems often arise.

Alan Ferschweiler: Thank you for the record I'm Alan Ferschweiler with the Portland fire fighter association. I want to give you some examples of who you are going to help, I have some insider information because of just working with the union and we have a special policy it's a long term disability policy that we have outside of our benefits package with the city. You know the past 10 years since I've been a part of the union we've had almost 10 people use that long term disability for non-paid time after they've had a child and so those are people that we've had that have no accrual they have no time they have no sick leave or vacation and they move forward and have to get disability because they have no accruals. Those are some of the employees that you all can help, in the 2010 or 12 contract I can't remember which one it was we also moved forward and asked for a small amount of leave to be held afterwards. We can hold 120 hours of vacation leave and comp leave I believe for after the birth of the child and people go on nonpaid leave up until then. Second trigger that you will be able to do is allow those mothers and fathers to be able to have that leave, and not have to take that non-paid leave and then just leave a couple of hours on the books for when their child is sick and those type of events. Again, a great benefit. Another example I would like to share with you, a single mother that did an adoption about five years ago. She is ready to adopt again. Unfortunately, right now, single mother, she is a single household, and her income, and she doesn't have the accruals to be off for that second adoption. Not only is she trying to save enough money to be able to do that adoption, but this ordinance with six weeks is going to help her get that accrual leave in sooner to be able to get to that point. So, again, three very tangible examples of what this ordinance would do for the firefighters in the bureau. Health and wellness, getting people to the doctor every year. This type of investment, having the family at home and bonding, that is an investment in society as a whole, especially for the future. Again, I appreciate you letting us discuss this and testify. And would be happy to answer any questions but appreciate this ordinance.

Fish: If I could make a comment. First I want to thank both of you for sharing personal family stories. It is actually the most effective testimony to tell a personal story, and I just want to share a story with you. Seven years ago, I had the honor briefly of being the

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commissioner in charge of the fire bureau. And the learning curve was pretty steep. And, so, one of the things that we decided to do as a family schedule every Sunday night at a different station to meet with rank and file firefighters, and my then four-year-old son thought that was the coolest thing ever. In fact, a lot of times we would have a dinner, there would be a run or something where he could go along or watch. And I met a lot of firefighters in a very warm and welcoming setting. The only challenge I had was convincing the then chief not to send a deputy chief to supervise me while I was -- occasionally when he still do that, my wife was the secret weapon, she would sit with my son and get the skinny while I was at a different table. Fast forward seven years later, I was in a grocery store the other day buying flowers for a couple that invited me for dinner. A young man, relatively young man came up to me and said, missed seeing you for dinner and he walked out and walked on. The checkout person looked at me and I looked at her and I, you know, at 57, i'm not as quick on the uptake as I used to be, had absolutely no idea what he was talking about, because he was in uniform, and it was a nice comment. And then the light went on in my head. He was at the grocery store buying food for a station and he remembers seven years ago the time that my son and I and my wife came and had a dinner. It was a very touching moment and it reminded me of the connection we have beyond just being city employees and command structures and other things, just the common connections that we have as members of a big family. Thank you for your service and thank you for your testimony today.

Thompson: Thank you for your time.

Fritz: Thank you very much. Anybody signed up to testify?

Moore-Love: One more person.

Megan Dirks, Portland Parks and Recreation: Hi, I work for Portland parks and recreation and I want to thank Commissioner Fritz for bringing this important issue forward. And I want to thank the city council for listening today and for your time. I am a working mother with a five-year-old son and daughter who will be one year old this Saturday. But I am not here to talk about the -- my experience as a working mother, and i'm not here to talk about my experience as a city employee or the time over the past year. I trust that, you know, those experiences have been shared and you have listened. I'm not here to talk about the importance of continuing to receive a paycheck during a sensitive time after the birth of a child. And i'm not here to talk about the number of female head of households in Portland, in Oregon, or nationwide. I know that you have done your research, you have policy advisors who are very smart and I know that you have heard the arguments today. What I would like to talk to you about is the very idea of talking about parental leave as a benefit. One that is very true, will make the city of Portland a preferred employer, an employer of choice. But we should also be thinking about this as far as leading the city and leading the nation and thinking about parental leave as a right that should be afforded not to just people in society, but to all people in the society, all parents. When we talk about public education, we very rarely hear it considered a benefit. We think of it more in terms of something that benefits all members of society. Some people will get public education as a means to pay it forward recognizing that if you read and write that someone taught you how to read and write. That if you think critically, you had teachers along the way that supported that. Similarly, we were all babies and if you have done the research, which I trust you have, you know that the best thing for babies is to be able to have that time to bond with their parents, their mother and father. So, I would urge you to think about our own experiences as babies, if you ever were sick, fell down, and you were able to bury your head into your mother or father's chest, recognizing that

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as an important value that we should have in our society that we would push forward and be a leader on. And so I urge you to vote in favor of this policy. Thank you.

Fritz: Emergency ordinance, call the roll.

Novick: Colleagues I'm extremely grateful to Commissioner Fritz for bringing this before us. I agree that we have a responsibility as a major employer to set the standard for the kinds of benefits that should be available for all Portlanders. Parental leave isn't just nice to have, it is a necessity in a civilized society. Providing six weeks of paid parental leave ensures that all employees can take at least the six weeks regardless of whether they have accrued -- I'm committed to this ordinance I want to flag a concern I have, one of my bureaus, a general concern to which this will contribute in a small way. The bureau of emergency communications struggles to maintain adequate staffing, and for some time now, we have been forcing a lot of people to take overtime. At the bureau of emergency communications, we have to staff the operations floor with a certain number of people, if an employee is out on parental leave, we have to replace them with someone we're paying overtime. Increased overtime, potential to burn out staff because the bureau is not able to find volunteers they must force to have employees work overtime. We use management -- to staff the operations floor, management team will rise to the challenge, but I have to say that the mayor has asked all general fund bureaus to prepare a five percent budget cut. Boac cannot take a 5% budget cut. We are in trouble now. The parental leave policy will add a small amount to our trouble staffing the floor, so I just wanted to take this opportunity to say to my colleagues that I'm not going to be able to support that 5% cut proposal for this one public -- critical public safety bureau. Finally, I want to return to the larger point. I believe we should set a standard for the employers, benefits employees -- I'm glad we're following Kansas city and we know everything is up to date in Kansas city but I think I would probably rather follow Sweden if we had the capacity. As some people mentioned, this is particularly important policy for low-wage workers. People so often women and people of color and I hope we as a city can identify strategies for encouraging and requiring other employers to take similar action. Thanks again to Commissioner Fritz and I happily vote aye.

Fish: Switching -- that's right. Commissioner Fritz, rn, thank you for bringing this forward. This is one of a number of initiatives that you have championed during your service, which puts families first and children. I appreciate what dr. Wallack said in his testimony and I went through all of the footnotes to make sure it is all up to date. I appreciate the common sense argument, when he said in essence to paraphrase, good for families and kids and good for employers. And that's good for us. When we can hit that sweet spot. I want to be an employer of choice. I want to recruit and retain the best possible people like the people we have heard from today. Thank you for your testimony and Commissioner Fritz thank you for your leadership. Aye.

Saltzman: I also want to thank Commissioner Fritz for bringing this important policy before us today. I think Dr. Wallack captured the benefits of this very comprehensively and it is fascinating to hear the research done in other countries about how this benefits families. One of the things I have always been about is a family-friendly city. This fits squarely into that agenda. I do think one of my hopes is that perhaps at any given time we have 8,000 kids in foster care in our state, and maybe this will make a dent in that. I think it will encourage parents to maybe take a step towards, biological birth, biological children, their share of blessings and headaches, but the problems associated with adopting foster kids is enormous, and the barriers to successful adoptions are also enormous. I hope this

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will make some dent in that population of foster kids that we have sort of floating around the state. Thank you. Aye.

Fritz: Thanks to all of my colleagues, including mayor haes when I first broached this topic to him, he said of course and he is very supportive. Has been very supportive. Sometimes in employers do the right thing just because it is the right thing. Esteemed union president, this is a gift. Not one in bargaining. It is because the employer wants to do the right thing and be an employer of choice and I really appreciate the support on council for that. To clarify, it starts on January 1st, so the baby cannot be here now. After January 1st, if you have a baby in this time period, and it is a tax deduction rather than a parental leave. We had to have a cut-off at some point. That's what we chose, and it runs by the calendar year. So, chamber of commerce lunch a few weeks ago and there was a panel on supporting women in the workplace and they were -- each was asked what can you do to support women in the workplace. One of the women's answer was for men to take all of their parental leave. So, commented about this being good for women and it is. It's also good for men and if men were to take all of their parental leave, there wouldn't be a discrepancy or worry that you couldn't hire a woman because she might be off having babies because we should all be taking our parental leave and spending time with new children as was so graciously explained by Travis. Thank you for that. I want to at this point thank Dr. George -- ohsu, who insisted that my husband take a week off when our first child was born in 1986. That was pretty avant garde back then. We are not anywhere near European countries where my niece is able to take an entire year off to take care of her newborn, and, still, it's a start. Just like sick time, Anna Kanwit now we're going to allow city employees up to 40 hours of protected sick time to each other in addition to being able to donate vacation time which we have been able to do because of the state law on sick time, which this council helped push, and the state law on sick time specifically says if the employer allows it, that employees may donate sick time to each other. Thanks to family forward for all of your work on that and another great outcome from the sick leave law that we did. I'm hoping that there will be a push for statewide paid parental leave. This is not something that we can mandate to all employers in the city of Portland. In England, at least it is paid for by taxes. It is not paid by the employer, and it should be something that we as a society want to invest in to take care of children when they most need it when they join the family. Thank you very much anna Kanwit and christine in my office, both of whom have worked very, very hard on this. I am very, very proud to vote aye.

Fritz: I don't do the gavel thing by the way so you know. Thank you very much for being here. If you could read the title for 1232 and then it is going to be rescheduled, I believe.

Item 1232.

Fritz: That's being rescheduled. Let's go to the pulled consent items number 1235.

Item 1235.

Fritz: Who pulled this?

Moore-Love: Mr. Lightning.

Fritz: Lightning, would you like to testify?

Lightning: Yes, my name is lightning, I represent lightning watchdog pdx. Sometimes when I pull the items, I would also like to have somebody possibly speak on behalf of this ordinance, but I will present my position on this is that since the company is currently being sold, and the new purchaser, hybrid garbage and recycling is the purchaser, upon the sale, they're also -- will end up with the franchise transfer from the city on their contract. Now, this is where I have a problem on this situation is that when you're selling

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your company and also selling the rights to a city contract, there is a lot of things that take place when you do that, obviously. The city has to come back and approve it. And there is going to be a lot of administration time put into that. And I think there should be a clause, if you sell your company, and also transfer the city contract, there should be a fee implemented at that time to cover those administration costs. And I don't see anything on this ordinance because to me that would be an obvious thing to have in some agreement that states if you sell the company, and you transfer the agreement with the city, there should be a cost to cover administration costs and/or a transfer, franchise transfer fee implemented by the city upon the sale. The reason why I say that is that a certain company could start trying to acquire certain city contracts and just sell that company within about a year based upon the value added by having these type of contracts in place. And I want to make sure that doesn't happen. I don't know how long and that's why I wanted to have a speaker come in and possibly speak on this. I don't know how long this franchise has been held, and I wanted to have a little bit more clarification on this, but i'm surprised there is not some type of administration fee to recoup the time and the effort from the city on the transfer of sale and the transfer of this franchise. And that kind of surprises me that it is not in this ordinance. Thank you.

Fritz: Thank you. Anybody else want to speak on this? Questions from council? Pass this to second reading. And then 1241, please.

Item 1241.

Fritz: Mr. Fish.

Fish: The person who pulled it no longer wishes to pursue it. We will just go to a second reading.

Fritz: Questions or comments from council? It will go on to second reading. Thank you. Does anybody want to speak on this? Thank you. Moves to second reading. I think we're back to the regular agenda or on to the regular agenda, item 1244 please.

Item 1244.

Fritz: Mayor hales item.

Alisa Kane, Bureau of Planning and Sustainability: Thank you, Commissioner Fritz and good morning commissioners. I am with the bureau of planning and sustainability and we're here to seek your approval to pursue a grant from the Oregon department of environmental quality to continue the city's work to promote deconstruction as an alternative to traditional demolition. It will allow us to learn more about the barriers and opportunities of deconstruction, as well as inform the policies that we are considering. I'm joined here with my colleague, Shawn Wood to talk a little more and provide some background and detail the grant.

Shawn Wood, Bureau of Planning and Sustainability: Good morning, commissioners. I'm Shawn Wood with bureau of planning and sustainability. Construction waste specialist for the bureau. And just to start off a little background, I have a slide show here if we could get that up. Back in February, you all were considering changes to the demolition delay code, and as part of that recognize that deconstruction was an important issue related to demolitions and asked -- the mayor asked bps to convene a group of stakeholders and experts to consider ways to increase deconstruction as an alternative to mechanical demolition. And, so, in April of 2015, we had selected our members for the advisory group, and began meeting and came back to city council in June of 2015, with recommendations on how to advance deconstruction, and that primary recommendation was to start first off with a voluntary incentive-based approach and establish a deconstruction grant program. City council unanimously supported establishing that grant

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program, as well as \$50,000 in funding for it. Our deconstruction advisory group consists of salvage and deconstruction experts from both the for profit and nonprofit world, as well as salvage retailers. We have a material recovery facility operator that handles construction debris, recycling, as well as home builders and commercial developers. We have representatives from historic preservation advocates, namely restore Oregon and historic landmarks commission. We have a neighborhood representation, including neighborhoods for a forum. Members from the development review advisory committee, bureau of development services staff and metro staff. We spent the summer essentially establishing the grant program and developed a number of primary goals, which include learning so using the projects that we fund to gather data and share that information, both here at city council and then with others that are interested in advancing deconstruction. Also to grow the industry, existing industry to expand that and encourage innovation, ways to reduce costs and reduce time associated with deconstruction, and then promote the industry in general, as well as the folks that are working on it. We established a unique url, or web site for the program. Explore decon.com that being short for deconstruction and not rat poison. Permit center, advertise the grant program as well as posters and yard signs which I will show you in a minute. We began accepting applications in early September. And established a maximum award amount of \$2,500. We received 10 applications so far and have allocated \$13,000 to date. This is an example of one of the yard signs in front of an active deconstruction site. One way to promote deconstruction in general as well as the contractor that is doing the work. This is usually out front, along with one of their signs, and whenever anybody is participating in the program, this is a requirement that we ask them to do. So, looking forward, our advisory group will continue to meet and develop strategies to increase deconstruction activity. We have scheduled date in late January to come back to you with any additional updates on the grant program, and as well as recommendations for next steps. In the meantime, we have identified an opportunity to further supplement our existing grant program, Oregon deq, or department of environmental quality has a current grant program, where they're funding projects to recover or reuse solid waste or materials. That is what deconstruction does. Recovers those materials from a demolition site and preserves them for salvage and reuse on another project. The grants are solely for local governments. We're also one of those. We see this as an exciting opportunity, and before you today is an ordinance asking for the authority to apply for one of these deq grants. The funds will supplement our existing program. It could help in a number of ways. We could fund additional projects. We could increase the duration of the grant program and/or we could increase the grant amount. As I mentioned earlier, we have a max award of \$2,500. There was some interest in having that award amount be greater, but that would be at the expense of how many projects that we could fund and what we could learn through the efforts. So, having additional funds where you would request \$50,000 from deq, and that would -- it's basically a local match. We have a match of \$50,000 that we have already dedicated to the program, and we would be asking for an additional \$50 from deq. Application is due December 14th, emergency ordinance.

Saltzman: Give us an example of a grant that was made. What it was for.

Wood: Sure, there is a couple I am especially proud of if I can say that. One a demolition of an older house to make way for affordable housing. And then we -- one of the things we tried to encourage. We have different criteria for the applications, and one of them is how are you being innovative? What are you doing to save time and reduce costs?

Deconstruction does take longer than demolition typically and does typically cost more

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because there is more labor involved. One of the local deconstruction contractors has put forward a proposal to use, called a grade-all, basically a forklift on a telescopic arm. They will rent one of those to help them in disassembling the house. Hopefully that will lead to a quicker disassembly and reduce costs as well. They are taking a risk, and we're helping to offset that risk with a grant program.

Saltzman: Thank you.

Fritz: Does anybody want to testify on this item? One person signed up but I think she left.

Fritz: We will wait for commissioner Fish to come back in so that we can vote on it and return to this in just a couple of minutes. Thank you very much.

Wood: Thank you.

Fritz: There will be a slight pause while we find commissioner Fish. Thank you very much. Call the roll.

Novick: I don't think of deconstruction primarily of as a mode of literary criticism -- an important and laudable way of taking down a building. Pleased that you are continuing these efforts in asking for this grant. Aye.

Fish: I've always wondered actually how to pronounce that last name. Thank you.

Novick: I can't guarantee we are doing it right.

Fish: We will double check the videotape on that. Thanks for the good work. I apologize for being absent for most of your presentation. I enthusiastically support this matter, aye.

Saltzman: Aye.

Fritz: Thank you for the update on what the program has been doing and going after this grant. Aye.

Fritz: 1245, please.

Item 1245.

Lt. Wendy Steinbronn, Portland Police Bureau: Good morning. I'm currently the acting captain of the family services division for the Portland police bureau. Annie Neal would like to be here today but she is currently on a -- at a conference in Washington, d.c. She sends her regrets. This request is an ask for \$50,000 over five years. It is a continuation of 37% of salary as the family violence coordinator, basically in a nutshell, her job is in the Portland police bureau, domestic violence -- one community partner in the vast array of partners and -- Annie's job is to get with all of the different agencies to contribute to the domestic violence units and domestic violence response, and she runs the family violence coordinating team, she supervises the coordinator that works in her office that supervises the advocates. And that's the request. Questions?

Fritz: Anybody want to testify on this? Emergency ordinance, call the roll.

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

Saltzman: Pleased to support annie neal, she is doing a great job. Aye.

Fritz: Thank you. Aye.

Item 1246.

Fritz: Next item, please.

Fritz: Good morning. You look like you're ready to present.

Sgt. Bret Barnum, Portland Police Bureau: Good morning council. Police sergeant in the traffic division. I have come before you in years' past for the same grant. This is just a continuing grant that we have had for probably anywhere between 11 and 12 years. This grant is provided by Oregon impact, one of our community partners helping to provide education, whether child safety seats, education, share the road safety classes and so forth throughout the Multnomah County, city of Portland, as well as provide funds for

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overtime dui enforcement. Last year, grant year, we arrested 435 duis on this overtime grant. We originally, I believe, given in an amount of \$80,000 with an additional \$25,000 extension. We spent \$106,000 of those dollars, and as the grant manager the year before that, we had 350 duis on the overtime grant. 24% increase in arrests solely because of this grant. Without this grant, we are going to have to pay additional moneys from the general fund budget to pay for late overages for officers who arrest somebody, say at 3:00 in the morning when their shift ends and they have to stay until 4:00, 5:00 in the morning to finish the reports. This grant helps to augment the costs. It helps the city with some savings, as we all know in this time facing 5% cuts throughout general fund bureaus, this grant certainly does provide a significant impact to the traffic division to allow us to have those resources available. I know commissioner Fritz last year, year before, you expressed concerns about folks working too much. I have been the grant manager for this grant for four years, and I, too, am concerned about that as well. We have that grant, as kind of an open-ended ability for officers to come in. There are some specific time frames that we have to work to meet the grant requirements, but we allow folks to be able to fit this in a little bit into their schedules, and also like I say, it helps augment some of the funds that are used at the end of a shift, which otherwise would have been paid for out of the general fund. And that is all a part of the grant and it is a part of the rules. We try to use the grant as appropriately as possible, and it does provide a significant impact to community safety will the city of Portland.

Fritz: Thank you for remembering my concern and giving me an update on the use of the funds. Appreciate that very much.

Fish: One question. I have noticed an explosion of distracted driving generally in our community, and I think it is largely cell phones and just people not paying attention. What are the prime time hours you are seeing, making arrests for dui?

Barnum: Most of the dui arrests occur between 10:00 p.m. And 2:00 a.m. In the morning. And really they don't take on any particular day of the week. The highest dui day for -- across the nation, my understanding is -- we just had it here -- is the thanksgiving day holiday, in that time frame, but certainly I believe that Oregonians as a part of this grant, we put out press releases through our feeds and whatnot, but those high drinking holidays like St. Patrick's day, memorial day, labor day, some of the other high-drinking type and festivity-type holidays, folks are getting smart about this. And they're using uber, lyft, using cabs, and finding designated drivers home and we are finding on those typically high-drinking holidays, our stats are pretty low. So, it is the average folks who go out some middle of the week night that end up having a little too much. As far as the distracted driving part of it, some of these grants that we have in the traffic division allow us to augment and use some of those funds to help with distracted driving as more of a secondary type of tool. And we have to keep our primary focus.

Fish: If we could stop every car on Broadway, where I have coffee every morning, a simple test that I use, I just watch at the intersection all of the heads that go down at the light. And this is one of commissioner Saltzman's pet peeves. People think it is a safe harbor at a stop light. All of the heads go down and they start looking at their phone and of course they don't. Thank you very much.

Barnum: Thank you.

Fritz: Anybody want to testify on this? Emergency, please call the roll.

Novick: Aye.

Fish: Anything we can do to discourage people from drinking and driving we should do and more, and I wish we had more tools to bring the restaurant and bar industry more

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dynamically into this conversation. More often than not these are people being served excessive amounts of alcohol and getting in a car and going out and harming others. I appreciate this ordinance, aye.

Saltzman: I appreciate the work you do and your other colleagues and I appreciate -- bolster a point I made earlier this morning when I voted to support uber and lyft permanent regulations -- I have heard a lot of evidence of how people coming out of bars using uber and lyft. I -- thank you. Aye.

Fritz: Thank you for making sure our officers are safe by not working too much overtime as well, aye.

Fritz: Second reading for 1247.

Item 1247.

Fritz: Roll call, please.

Novick: Aye. **Fish:** Aye. **Saltzman:** This is great. Aye. **Fritz:** Aye.

Fritz: 1248, please.

Item 1248.

Fritz: Ms. Moody

Christine Moody, Procurement Services: Good morning, commissioners. Procurement report recommending a contract award to Stellar J august 4th, 2015, three bids were received, and stellar j was the low bidder. The city identified five divisions of work potential minority women and emerging small business subcontracting opportunities. Mwsb subcontracting on this project is at 46%, areas of tracking and traffic control. I will turn this back over to council if you have any questions.

Fritz: Questions? Thank you very much. Anybody want to testify on this?

Fish: I move the report.

Saltzman: Second.

Fritz: Roll call, please.

Novick: Aye.

Fish: Thanks for your good work, Christine. It's always nice to see a bid come in below the estimate and also to see the subcontracting mwsb numbers as high as this. Aye.

Saltzman: Aye.

Fritz: Thank you, aye. 1249, please.

Item 1249.

Moody: Christine moody, procurement services. Titan utilities, engineer's estimate on the project, \$592,000. September 29th, 2015, four bids were received and titan utilities is the low bidder at \$582,000. The city identified eight divisions of work for potential minority, women, and emerging small business subcontracting opportunities. Mwsb subcontracting participation on this project is at 57%, overall mwsb participation at 92%. I will turn this back over to council if you have any questions.

Fish: I have learned at my peril not to regularly contradict you. I think you got the numbers reversed. It's -- the estimate was 582 and bid was 592. But still very close.

Moody: That's correct. It was a little late when I was putting this together.

Fritz: Anybody want to testify on this item? Motion.

Saltzman: Move the report.

Fish: Second.

Fritz: Roll call, please.

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

Saltzman: Appreciate your good work. Aye.

Fritz: Thank you, aye. 1250, please.

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Item 1250.

Fritz: She has pulled in re-enforcements. Go for it.

Moody: Christine moody City code 5.33220 allows the city to enter into a direct contract with a manufacturer without a competitive solicitation if the costs from the manufacturer is the same or less than the cost the manufacturer charges to distributors. In the case of this price agreement, hitachi offered very aggressive pricing for storage area network hardware, software, and services to the city. Taking advantage of this offer, is anticipated to save the city hundreds of thousands of dollars over the life of the contract. The action you have before you is to accept the recommendation to enter into a five-year price agreement with hitachi data systems for not to exceed an amount of \$7.5 million. I will turn this over to carolyn glass and jeff baher from the bureau of technology services for further comments.

Carolyn Glass, Bureau of Technology Services: This is a routine multi-year agreement that allows us to buy products during the five-year time frame up to the not to exceed amount. Products used to meet the city's growing storage needs. The contract helps us prepare and plan for the Portland building renovation and the data center move projects. I would be happy to answer any questions that you may have.

Fritz: Questions from council?

Saltzman: Yeah, you mentioned the Portland building renovation. And I flagged when we had an earlier presentation the rather astounding number that was tossed about, about \$4 to \$5 million to move the data center. Is this part of that large number or is that on top of that? We're still talking four to \$5 million to move a data center?

Glass: The data center move numbers would be separate from this amount. This is to provide over the next five years for the city's storage growth needs and refresh of that equipment that provides that storage.

Saltzman: These are two separate items. I'm still astounded at that number of four to \$5 million. Hope somebody, looking at you Jeff, will get me some information on how it costs that much. You don't have to tell me now. Give it to us all. I think we're all curious about that.

*******:** Will do.

Fritz: Questions? Does anybody want to testify on this? Emergency, please call the roll.

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

Fritz: Thank you, aye. 1252, please.

Item 1252.

Fritz: Commissioner novick.

Novick: Can you explain what we're doing here?

Kathryn Levine, Portland Bureau of Transportation: Good morning. I'm Kathryn Levine, Portland transportation. The item before you relates to repair work done on the Broadway Bridge decking as part of the east side loop streetcar project that opened in 2012. We replaced the center decking on the Broadway Bridge with frp, fiber re-enforced polymer light weight decking. Some of the screws were seen rising up, which was indicative of a need for repair. Multnomah County was really terrific as our partner, as you know, they had an issue on Morrison Bridge that was much more severe. They recognized that we needed a repair. We were able to contact our original construction team, they came back, and together accomplished a repair on the decking. Our original contract, although closed out, had provided that the contractor provide us with a five-year warranty related to the decking. So, at least half of the work was strictly warranty work. We are not paying for that. But in the course of making the repair, we chose to make

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some betterments, specifically to help Multnomah County's repair work on some adjacent decking on the same bridge. This ordinance is to authorize payment to stacy and witbeck, original prime contractor, and their subcontractor, hamilton who came back and accomplished the repair work. Thank you.

Fritz: Questions council? Anybody want to testify? Emergency, please call the roll.

Novick: Thank you Kathryn, aye.

Fish: Aye. **Saltzman:** Aye.

Fritz: Thank you, aye. 1253.

Item 1253.

Fritz: Is this contract amendment will complete the Portland tennis center bubble that will allow year-round indoor play at four additional tennis courts. We opened it recently and it is lovely. This contract increases the contract amendment to 30% which is why it is at council and Lauren McGuire will provide the details.

Lauren McGuire, Portland Parks and Recreation: Thank you. Put up the PowerPoint. Thank you. Thank you, Commissioner Fritz and members of the council. My name is Lauren McGuire, capital project team manager for Portland parks and recreation. With me is Susan, capital project manager for this project, reed Blanchard, construction manager. We are here to request council authorization to execute a change order to skyward construction, inc, contract, for an additional sum of \$38,874.40 for additional items of work necessary to complete improvements for the Portland tennis center. The Portland tennis center located at 324 northeast 12th avenue in Portland was acquired by Portland parks and recreation in 1973. Adjacent to buckman field and benson high school in northeast Portland. Tennis center originally included four indoor courts and eight outdoor courts and there was a demand for additional indoor courts in Portland. A capital project was funded in the amount of \$672,672, to enclose four outdoor courts, in 2012. Also included in the project was an ada ramp, required to provide accessible path to the newly-covered court area elevated above street level. New tennis center bubble provides more courts for indoor play. Construction of the air support structure commenced in November of 2014, and was completed in june of 2015 by skyward construction. During excavation, project team discovered an existing in-ground electrical feed was in conflict with the ada ramp. As a result of the conflict, pge required insulation of the new power service to the tennis center. The design, permitting, construction of the new electrical feed extended the project completion date and increased the cost associated with the project. Most of the costs were reconciled in previous change order. This change order in the amount of \$38,874.40 will bring the total amount of all change orders in the project to \$205,621.55, or 30% of the original contract amount. The chief procurement officer has the authority to approve change orders only up to 25%. So, this change order now exceeds 25% of the original contract amount and requires council approval. The approval of the ordinance provides the authority to the chief procurement officer, the total value of the contract will be \$878,293. System development charge funding request will cover the cost of the change order so there is no additional fiscal impact. So, to conclude, we are asking council to authorize the procurement officer to amends the contract for skyward construction, \$38,874.40 for the additional scope of work on the Portland tennis center project, council declare that an emergency exists in order to further avoid delays in the completion and close out of the project. Thank you. Questions.

Fish: Just a comment. I love this project almost as much as I love the work commissioner Fritz has done to put turf fields and lights -- we are creating an opportunity for year-round use, and, of course, the problem with the outdoor courts was during the winter, there were

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periods of time they couldn't be used. So this not only expands the services that we can offer to our customers, but through that expansion gives us additional revenue stream to help offset the costs. So, I, as a recovering tennis player in my youth, I am hugely supportive of this effort and thank you for your good work.

Fritz: Thank you. Anybody want to testify on this item? Emergency, please call the roll.

Novick: Thank you for the crisp presentation. Aye.

Fish: I don't want to date myself, but the last racket that I used competitively was the arthur asch racket and there was a bit of a gap. Thank you for a very nice and succinct presentation as well, aye.

Saltzman: Aye.

Fritz: Commissioner Fish, taking a leaf out of your book on the presentations of -- thank you very much for this presentation and for all of your work and thank you commissioner Fish for initiating this project which as you said will not only increase playability but also bring in additional revenue. Aye.

McGuire: Thank you.

Item 1254.

Fritz: Re-enforcements, please go ahead.

Travis Ruybal, Portland Parks and Recreation: Thank you. My name is travis ruybal, project manager for Portland parks as well as for this particular project. We are here to seek your approval to move forward with competitive solicitation and contracting -- phase two. The improvements that the golf course include right of way frontage improvements. These improvements, incorporate a -- street trees, lighting, and provide for increased public safety. We will be decommissioning two existing septic systems on the property, and connecting both the clubhouse and maintenance facility to a sanitary sewer, city sanitary sewer. This will have real environmental benefits to the groundwater along the slew and it has been supported by our colleagues at bes. We will redevelop the existing parking lot in a way that provides increased accessibility as well as updating the parking lot to meet current code requirements. Project incorporates a new outdoor gathering area, driving range facility that we hope will help to provide increased revenues that will help parks pay back the acquisition costs for the property. The project budget, total project budget is \$2.8 million, \$400,000 of which provided to the golf fund. The schedule is -- we would like to go out to bid immediately. It is a new business that we're trying to foster and so we want to impact the business as minimally as possible by getting construction done over the winter. And so in summary, I will thank you for allowing me to present the good work we are doing on this property and we respectfully ask for your approval to move forward with bidding and procurement of construction services to complete these proposed improvements.

Fritz: Questions from council?

Saltzman: What's the new business that we're impacting?

Ruybal: So, as part of a larger land division that happened approximately a year ago, parks took over the southern piece of the golf course as you are aware, and the business that we're really talking about is the golf course itself. Phase one included the reconfiguration of the golf course from a 18 to 9 hole golf course and the next phase to come in and do the infrastructure improvements.

Fritz: Thank you. Anybody want to testify on this? Emergency ordinance, calling the roll.

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

Fritz: Very exciting what's happening at col wood and cully in general. Thank you for bringing this ordinance. Aye.

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Item 1255.

Fish: Commissioner Fish.

Fish: I will turn this over to Jonas. Welcome.

Jonas Biery, Bureau of Environmental Services: Thank you, commissioners, business services manager with the bureau of environmental services. Authorizes an agreement lloyd district llc, on site waste water treatment facility. The onsite facility will treat and reuse wastewater generated by building tenants resulting in a reduced waste water flows to the city's publicly owned treatment system. In early 2013, discussions began between bes and the developer to create a pilot arrangement that adjusted for the expectation of reduced flow to the city's system. Agreement and ordinance before you today memorializes the results of that discussion. The agreement authorizes the city to reimburse aat for a portion of the development charges that were paid by aat by -- this will result in approximately \$1.5 million being returned, and that is equivalent to 61% of the wastewater sdc related to that specific development. Hassalo and eighth will maintain a connection to the -- city will review discharges to the city systems and will discharge accordingly if the monthly limit is exceeded. This adjustment was included in the fiscal '15-16 fall bump, along with a recommendation from the city budget office that the city further explore policy considerations to guide decisions for any similar future requests.

Saltzman: Is this similar to what we did on south waterfront, center for health and healing? They have a bioreactor also that --

Biery: Ohsu arrangement a little different, ohsu did not pay sdcs -- similar concept, but a much different arrangement.

Saltzman: What's pilot about it, I guess, if it is getting done --

Fish: Pilot in the sense that it is a one-off that we are evaluating and based on the -- our overall assessment of this project, we could come back to council with some policy recommendations.

Saltzman: I guess I would like at some point an update on how the bioreactor at ohsu is working.

Biery: We can provide that.

Fish: Happy to.

Fritz: Anybody to testify? Please call the roll.

Novick: Aye.

Fish: Thank you, Jonas. Thanks to our partners on this. We hope that the developer who has sort of branded this phase of the development as eco-friendly is wildly successful. It will be good for our city and good for the lloyd district as well. Aye.

Saltzman: Aye.

Fritz: Thank you, aye. 1256, please.

Item 1256.

Fritz: Commissioner Fish.

Fish: I will turn this over -- excuse me, who are you again?

Ty Kovatch, Water Bureau: Maintenance construction for the water bureau.

Fish: You look familiar. I will turn it over to ty for a brief overview.

Kovatch: Good afternoon, I guess it is now, commissioners. We're here to ask you for your approval to proceed with the competitive solicitation for aggregate services contract, which is essentially rock that we bring in and backfill the excavations with and also how we dispose of our spoils, which is the soil that we take out of the excavations when we're doing the maintenance of the system throughout the city. So, the request is over five years, it's estimated to be approximately \$10 million, and seven of that is for the Portland

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water bureau, and three in there that would be for pbot and parks and recreation for their procurement of aggregate because they have similar needs as we do, and it benefits the city as a whole to go at that more comprehensively because it makes the bid opportunity more attractive to the potential providers, which means more of them will be involved and -- in the water bureau's world it helps to have more people involved in the competition because we work in different geographic areas throughout the city and our dump trucks have to travel great distances in some cases to get to where our rock and spoils yards are, and, so, this is an important piece of what we do, and it is a foundational element of the maintenance of the system because all of our stuff is in the ground. Almost everything we do, we're digging something up. We backfill with rock to make sure that the pipe is embedded in soil that is not corrosive and to be sure when we compact it and put the street that it doesn't sink there. This is a -- an ongoing thing that we have and if you have questions, I would be happy to answer any of them.

Fritz: A partnership between the different bureaus previously?

Kovatch: I think this is something in particular purchasing takes a good eye for when they see one bureau coming forward with something that is a common need among the bureaus. They are pretty good about linking those up. So I think that is a great service that they provide and a benefit of the centralized service that sometimes we in the city don't necessarily take a moment to celebrate.

Fritz: Terrific. Thank you for bringing that to our attention. Other questions? Thank you.

Kovatch: Thank you.

Fritz: Anybody want to testify on this? Nonemergency, moves to second reading.

Fish: Thank you, ty.

Fritz: 1257 please.

Item 1257.

Saltzman: You can read 1258 and 1259 as well. We will do them all as one.

Item 1258.

Item 1259.

Fritz: Commissioner Saltzman.

Saltzman: Thank you, madam president. These three ordinances are the first projects under the multiple unit limited tax exemption program recently revised by the city council and Multnomah county commission. The changes were intended to maximize the ability of this program to create more affordable units in private market developments. Also providing more accessible units and opportunities for minority, women, and emerging small business contractors. These three projects reflect a total of 409 units, 20% of which will be affordable units. 27 will be affordable to households at 60% of median family income. And 55 affordable to households below 80% of median family income. These projects are also located in amenity rich areas of the city where we desperately need more affordable housing. Two of the projects are located in the Vancouver Williams corridor, one in the goose hollow neighborhood. In addition to providing affordability, universal design accessibility feature and 5% of the units fully adaptable. Developers of all three proposed projects entered into technical assistance contracts with experts in minority contracting to maximize the utilization and minority and women-owned construction firms in the development of these rental projects. I would like to invite up dory and Andrea from the Portland housing bureau. Tony jones, executive director of the metropolitan contractor improvement partnership, and jeb Jansen, transition projects, inc. You will have to grab another chair.

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Dory Van Bockel, Portland Housing Bureau: Thank you, commissioner. Program coordinator with the Portland housing bureau working on the multi-programs. You introduced them very well. There is not a lot more detail I wanted to give other than the fact that after making the changes to the program, we started to take applications again at the end of september so we're excited to have three right off the bat taking advantage of the program, and we also have others in line to hopefully fully utilize the cap that we have for the 2015 calendar year.

Andrea Matthiessen, Portland Housing Bureau: Andrea, housing program manager at the Portland housing bureau. We just wanted to provide the opportunity for you to ask questions about the three specific projects. I know that you've got the individual project right up -- attached as exhibits to the ordinances. Just wanted to know if there were any specific questions.

Fish: Two questions. One is, it looks like the chart that we have been given, all of the units are 16 below, is that correct?

Matthiessen: That's not actually correct. A portion of the units are available at 60%, affordable at 60% and below, and some are affordable at 80% and below.

Fish: How do we make the -- when we administer the program, how do we make that distinction between 60 and 80%?

Matthiessen: It depends on the market of the particular neighborhood that a project comes in, their application and the rents that are currently being charged in that neighborhood.

Fish: Under the revised guidelines, do we have a formal or informal mechanism to extend -- to seek an extension of an additional 10 years for this program? Any unit that is covered under this ordinance, do we have a formal, informal process for coming back in --

Matthiessen: We do have a formal process. That process has been utilized previously by several nonprofit partners and we also are in the process of formalizing something for projects that are private market developments as well.

Fish: For example, if in 10 years we were operating below whatever the then cap was and there was someone willing to consider an extension that is an example where we could -- with council and county approval, we could extend beyond 10 years and still stay under the \$3 million cap.

Matthiessen: That's correct. The forgone revenue, however, for any project that would have an extension would count against the cap at this point in time.

Fish: The last question I had is, i've read some nonsense from some developers who blamed the old program for why we have such a miserable track record of generating affordable units in private sector development. One of the things most of the commentary glossed over was we used to have a \$1 million cap on forgone revenue. There just weren't that many units that we were going to be able to award in any event. But under commissioner Saltzman's leadership, we have revised a program to make it more developer friendly, and I would be curious to hear from you now that we have this new set of rules in place what do you think was the most significant change that benefited this program having more people taking advantage of it? Originally we were told that the competitive nature of the old program created timing and certainty problems. Obviously we are operating with a \$1 million cap before which limited overall the number of units. We had a cap on profits and other things. From your experience in this round, what change or changes is making a difference in developers taking advantage of it?

Matthiessen: I think you already mentioned the difference in how projects can apply for the program. It's -- they're able now to come in, not just in a defined period of time, but

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whenever they're ready in a more appropriate development time line, but I think in addition to that, we're also looking at a scenario where we have taken away the restriction on the rate of return for the projects, and I think that that is obviously rather compelling for a number of our development partners. And then I think we did hear from our development partners as well, private market that the lack of predictability around the cap, and the availability of awards that could be made under the \$1 million cap was a deterrent from using the program. To have a \$3 million cap where there is more room and they have more certainty, that there might be room for their projects as well is appealing.

Fish: The original changes we made four, five years ago had in the underlying ordinance a requirement that the bureau annually review the program to see if there are further refinements that make it more effective. Is that your intent following one year of experience with these new guidelines to do a review and come back to us with any suggestions that you might have for refinement?

Matthiessen: That's correct. I think in this market, in particular, it's very critical that we are constantly monitoring the effectiveness of not just the multi-program but all of our affordable housing programs and if there is opportunity for revisions or tweaks that we're aware of those and tracking that possibility.

Fish: Thank you.

Saltzman: Mr. Jones. Press the button at the base of the microphone.

Tony Jones: Good afternoon, commissioners. My name is tony jones, executive director of metropolitan contractor improvement partnership and we are here in support of the applications for the multi-program. We are working directly with marathon developers on the North Vancouver Avenue, shaver street project, Mississippi Avenue and Albina project. We want to say, I know it is very early on, that, you know, the strategy in terms of engaging with organizations like ours, we think is helpful. We think it works. One of the biggest challenges that I think small businesses face is getting information about opportunities in a timely manner where they can plan for that opportunity and maybe have a chance to actively participate. What's great about this, you know, aaron has been very proactive. Immediately reached out to us. We are working closely with them. We have a draft memorandum of understanding of our scope of services that we're going to provide to outreach, identify minority and women contractors to participate in these developments and different ways to approach in breaking down the work so minority and women contractors can maximize their opportunity to participate. We think the program has made some improvements that it is really going to provide more opportunities for folks, for businesses to get to work and in particular connect to private sector opportunities which I think is great.

Saltzman: Thank you.

Jeb Janson: Jeb Jansen, housing case manager for transition project. I worked with marathon property management recently with their development. I had -- I worked with the disabled vets, and it was -- I -- they reached out to transition projects and I was able to get one of our vets on the waiting list, and -- he was afforded an opportunity he otherwise wouldn't have been able to get. He's, you know, thrilled to be living in a place where the services he needs to access are close, like he doesn't have to, you know, travel very far to get services. And working with -- having a place that gives, that's priority, and just having access to that affordable housing piece is huge. Especially to our organization, that works with people who are all under that.

Saltzman: Thank you. That completes the invited testimony.

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Fritz: Thank you. Questions? Does anybody want to testify on any of these three ordinances? Yes, please come forward.

Moore-Love: I have one more person signed up. Stephen Gomez.

Fritz: Good afternoon.

Stephen Gomez: Good afternoon, commissioners, Stephen Gomez.

Saltzman: Push the button.

Gomez: Good afternoon, commissioners. Resident of the Boise neighborhood and a member of the board of directors for the Boise neighborhood association and in that capacity I chair the land use and transportation committee. I'm here to speak to the bna support of marathon development multiunit limited tax exemption grant application for two projects in our neighborhood. The Boise neighborhood, part of the historic Albina community, has seen tremendous change in forms of both displacement and development. In 1990, 68% of Boise's residents were African American. By 2010, that number had fallen to 24%. Contributing to the trend, 40% of residents in Boise own their homes. Low income renters easily displaced particularly when vacancies are low and rents rapidly rise. Predominant trend today is development. Currently along Williams, Vancouver, Mississippi, main streets, we know of 1,200 units of mixed-use apartment units in various stages of planning, permitting, or construction. Exactly 15 apartments, or one percent, classified as affordable by city of Portland housing affordability guidelines, 15 units, marathon project, Wilmore also funded by a multi-grant. In April of this year, Boise neighborhood association, adopted a housing affordability statement sent to the housing bureau and commissioner Saltzman's office underscoring our neighborhood support for a broad range of housing affordability programs to be focused on our neighborhood, as well as citywide. We believe that lower and moderate income residents deserve to benefit from attributes, market rate development brings to the neighborhood. Improved transportation infrastructure, social amenities, enhanced public safety and improving schools. Programs providing housing options for lower income residents to stay or return to Boise are a high priority with us. We have worked closely with marathon development, on their four mixed use projects, apartments they will begin to build in 2016. They have been responsive to many of our requests and they will be an asset to the neighborhood. Awarding the multi-grant marathon has applied for, is a concrete action that the city can take now which will provide 57 affordable housing units in Boise. We recognize the need for and support significant investment in a variety of affordable housing types in Boise and citywide, including single family home ownership, home repair, housing for families, veterans, and seniors, and assistance for first-time moderate income home buyers. We urge the council to vote in support of marathon development's multi-grant application. Thank you.

Saltzman: Thank you.

Fritz: Thank you very much for taking the time to be here.

Gomez: You're welcome.

Fish: Would you mind emailing your statement of principles on housing to all of the councilmembers.

Gomez: Absolutely. I would love to, thank you.

Fritz: These are all nonemergency ordinance and they move to second reading which finishes up the morning agenda. Do we need to read the afternoon titles? Title 1260.

Item 1260.

Fritz: This is rescheduled, but we don't have a time yet, is that correct?

Novick: Returned to my office and we will reschedule it.

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Fish: May I ask a question. In the absence of the mayor, will we have all four members of council tomorrow at 2:00 for the presentation on the Willamette river crossing?

Fritz: Is anybody scheduled to be out?

Hales: Only the mayor.

Fish: Thank you.

Fritz: Tomorrow afternoon, we have a presentation, and tomorrow evening at 6:00, we will be taking testimony on the comprehensive plan proposal. That's it. So until tomorrow at 2:00, we are adjourned.

At 12:20 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 3, 2015 2:00 PM

Fritz: Good Afternoon everybody and welcome to the Thursday December 3rd portion of the city council. Please call the roll. [Roll Taken]

Fritz: I believe commissioner Saltzman is joining us this afternoon we'll see. We have two items on the agenda today. Do you want them read together? Please read the items.

Item 1261.

Item 1262.

Fritz: Commissioner Fish.

Fish: Thank you, madam president. It is a great honor for the water bureau today to present the Willamette River crossing to the council and to seek our collective approval for moving forward. We're joined today by the director, Michael stuhr. Chief engineer, Teresa Elliott, and the chief procurement officer for the city of Portland.

Michael Stuhr, Director, Water Bureau: Madam President and commissioners. First thank you for agreeing to spend part of your afternoon with us. We look forward to talking about this very important project for the city. I frame this project primarily in terms of seismic resilience. As you know, and Teresa will explain in more detail, our various crossings that we have across the river right now that -- central downtown are not likely to survive an earthquake. We desperately need to be able to provide water on the west side of the river, and that is the purpose of this project. There are some 130,000 Portlanders that live on the west side of the river, and we also supply whole sale contractors on the west side of the river. This project is extremely important. I'm joined by Teresa Elliott, bureau's new chief engineer, and Christine moody, and I'm going to turn the presentation over to Teresa.

Teresa Elliot, Water Bureau: Good afternoon. Portland water bureau serves over 32,000 services on the west side of the Willamette river, which is about 20% of all of our services that we provide, including in there is three of our major hospital complexes, ohsu, good samaritan, and veterans administration. It is also the hub of all of the government services in the Portland metro area, and to us, the west side is extremely important and essential in normal-day activities as well as immediately following an earthquake. Economically, we generate in the Portland metro area on the west side of town alone, \$8.2 billion. Getting water to cross the river is extremely important to us. But our biggest risk is the Cascadia subduction zone earthquake. We figured it at about 15%. We have a 15% chance of a Cascadia subduction zone earthquake occurring within the next 50 years. And then we have another 33% chance of a 6.0 magnitude earthquake occurring from one of the local faults in the next 50 years. Soils are extremely liquefiable material along both sides of the river. We currently have seven pipes that cross the river. And none of those have been designed for earthquakes. They have all been designed prior to us knowing that we had an earthquake risk on -- in the Portland area, let alone in Oregon. Based on talking to o-dot, we figure we will lose all of the bridges in the downtown core area, taking three of the crossings from liquefaction and damage the rest of those from bridges falling as well.

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What we're proposing to do is replace one good solid line crossing line underneath the Willamette River. About 4,000 feet long, which is about eight of the big pink buildings laid on their side in terms of distance. 42-inch diameter pipe, and we're planning to use horizontal directional drilling is the method that we're using. People call it a relatively new technology. It's an innovative way of doing it so that you can drill under the river with minimal impacts to the environment and to the property owners adjacent to it.

Unfortunately, it requires a very highly technical qualified contractor and very specialized equipment. Our preferred alignment is generally going from just north of the marquam bridge on the east side over to the west side. And the reason we say it is a preferred alignment or potential alignment is that until we actually hire the design build contractor, the actual termination points on each side are unknowns and we still have to work with the property owners to verify that we can do it and to minimize the impacts to the commerce and -- on both sides. The proposed alignment does go underneath the liquefiable soils on both sides. Shallow trenches, less than three feet deep. New proposed line will be about 80 feet deep, going through the more competent soil underneath. We have a project budget of \$57 million. \$40 million of it is for the proposed design/build contractors, \$4 million of it is for an owner's rep contract and the rest is for internal staffing permits, easements, and property acquisition stuff that we have to do. The project is actually in -- in the five year cip capital improvement project budget and it is in planning phase so it has a low confidence rating according to the city council's resolution, with a 50% contingency. Both contracts will be meeting the city's mwesb goals for participation. Owners rep project, rfp, request for proposal will include the goals and corporate responsibility evaluation criteria. The design build request for proposal will include the mwesb goals, construction work, and we will ask the contractor to actually provide us with a plan with how he would meet those goals. [inaudible]

Elliot: Corporate responsibility is the way procurement uses it.

Saltzman: Why not have that in the design/build contract?

Elliot: I believe it is. It is just worded differently. Sorry. We put it in all of our solicitations.

Fritz: Is something going to go into more detail about the use of minority --

Elliot: Christine is.

Christine Moody, procurement Services: I can answer any questions you might have right now. As far as commissioner Saltzman's question, both rfps will have the corporate responsibility evaluative criteria. One is a construction project and one is a professional services contract.

Elliot: We are asking for two actions. The first ordinance is for you to authorize the alternative findings, and to authorize exemption of the competitive bidding requirements, and to allow us to use the design/build method as the alternative procurement and authorize payment for construction. The second ordinance is to authorize solicitation for the owner's rep project, service contract, using the traditional qualifications based on selection and rfp process. Design/build, we hire one contractor for -- that provides both the design and the construction, and we hire them up front immediately after planning and then they work with us to design the project and we need to start building it and they can start doing their designs, or their construction as soon as pieces of the contract are designed and ready to go and permitted. What that compares to a traditional project, what we normally do, design bid build or low-bid contract, that's where we take the project all of the way through design with one consultant or in house and then we bid -- we advertise the project for bidding and we open the bids at the end of that phase and we award a contract to the lowest responsible contractor based on dollars. Okay. With the -- what the

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design/build does, rfp, short list of three to five firms, and then you decide of those three to five firms that you want to get more information from, that they have met the qualifications, and then you get their proposal and the proposal is what includes how are they going to design it? What's the schedule look like? What does the price commitments look like and what is their subcontracting plan and we make a selection based on the best value. And the best qualifications. One of the benefits -- one of the big benefits, it allows us to cut a lot of project time out of the -- out of it so that we can get a seismic crossing a lot sooner. If you consider the traditional bid builds, you're going through your design and then you are going through your bidding and then through the construction. With the design/build, I can start construction while i'm still doing some of the design. Some of my other benefits of a design/build is that I have earlier integration between the designer and the contractor, and working with my project teams. The design is actually tailored to the contractor and to their equipment and their expertise. Whereas a design bid build, designing to the average contractor and I don't know what equipment they have, and, so, at the end of the design, I may end up having to be -- once I start construction, I might have to redo some of the design. We have a much more certainty of cost earlier in the project, and it is a better way of managing our risks to reduce the cost to the city. Industry has also comparisons between design build and design bid builds and generally they're saying that the project delivery is much faster and your -- you have less growth in your contract and less growth in your dollars by doing the design build, which is one of the reasons why we chose this method. As I mentioned earlier, we're looking for -- today we're looking for the first reading of these two. And in two weeks, we will come back for the second reading and your approval of both ordinances, and in 2016 and 2017, we will be coming back with reports to council to accept the two projects, the two contracts, and then hopefully in 2019, we will be done with the project and report to council accepting the project as complete.

Stuhr: And that concludes our presentation subject to your questions.

Fritz: Could you go into more detail on the minority involvement and then i'm wondering why there is no discussion of a community benefit agreement for a project of this size.

Stuhr: Do you want to address the minority first?

Moody: That's correct. The actions before you today, as Teresa mentioned, are two separate solicitations. And the first one is the owner's rep rfp, which will be a professional services. It will have our city policy of a 20% mwesb participation, corporate responsibility, evaluative criteria that takes into consideration the prime level subcontractor dollars to certified firms, diversity community involvement and sustainable business practices. That's the first action. The second action solicitation is an rfp for the design builder, and that will have the corporate responsibility, it will also have our standard construction, 35% subcontracting dollars to construction firms as the design has an element of professional services in it because there is some design going on there. We have an opportunity to ask for participation from professional services firms in that rfp as well. Our hope is that we actually have participation at both levels because we can put different goals on the two different pieces of the project as they're combined under one. And then ultimately at the end we will have a subcontractor and supplier plan that is negotiated with the general contractor that then becomes part of their contract, and where they are, you know, committing to the city and meeting certain goals through the contract design phase and the construction phase.

Fritz: How is that weighted when you are evaluating the best value?

Moody: Generally that's 20% of the points for the corporate responsibility criteria.

Fritz: Does corporate responsibility involve more than just minority contracting?

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Moody: It has the sustainable business practices and work force and community involvement as well in there.

Fritz: What about the issue of community benefits?

Stuhr: When we thought about the community benefits agreement, we decided that this wasn't really an appropriate contract vehicle, and let me explain a little bit about that. The number is large, and the reason the number is large is we have a long pipe that goes underneath the river. And the work is largely done some place between 90 and 95% of the work is actually done by the prime contractor. If you can imagine two holes on both sides of the river, and a small number of people working in both holes, that's what you see. So, the bulk of this work will not be subcontracted out. It will be done by the specialty prime contractor. When you looked at something like the interstate contract, there is probably hundreds of different trades involved, dozens of subcontractors and a huge percentage of the dollars are not necessarily performed by the prime contractor. They're performed by all of the subs. There is lots of opportunity for apprenticeships and so on, which is, in my mind, at least, one of the larger benefits, community benefits agreement. That won't exist on this contract. 98, 95% of the work is going to be done by the prime contractor. It is just the nature of the work.

Fritz: Prime contractor has to be training employees and having people doing the work.

Elliot: The contractor will have, as part of their corporate responsibility, they have their own mvesb participation that they have to do, but that's separate from the subcontracting opportunity. The subcontracting opportunity, what Mike is talking about, only about a 5% of the project being subcontracted out, and the rest is --

Fritz: I get that. I'm just concerned about the level of minority employment, how do we guarantee the level of minority employment by the prime contractor which we know in some circumstances, usual folks who come in and bid on these kinds of projects, there is not that many minority folks working in those companies, and, secondly, how we are going to use a percentage of this cost to further work force development -- presumably going to be other opportunities to make sure that suppliers and even caterers for the workers and various other things, I'm just surprised that there isn't anything in a \$40 million project earmarked for work force development.

Elliot: We're asking the contractor to put together a plan on how they are going to meet the goals on their subcontracting opportunities.

Moody: And as far as the work force development, so our standard city policy for 20% apprenticeship requirement, and 18% minority and 9% women workers will apply to the prime contract. And any subcontract over \$100,000. So, the work force piece that you're talking about is still going to be incorporated into this contract and the prime contract won't be responsible for that. Mike and Teresa are alluding to, subcontracting opportunities are minimal. Any subcontractors that work on this project, likely over \$100,000, will have the same requirement. It's just that those opportunities are fewer because of the type of work that this is.

Fritz: Is there an opportunity on a project of this magnitude to require or put points in the so -- minority and women participation in the work.

Moody: The good part about using this alternative procurement method, asking for the recommendation method, rfp, we are going to say what the standard city goals are. Our desire is that you exceed that. They get evaluated on that. And any contractor that will come in with trying to exceed the standard goals most likely will then get a higher score in that area.

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Fritz: I think we're getting close to what i'm trying to get to here, and that is why don't we specify -- why aren't we specifying in this ordinance what those higher goals should be given doing that we are not doing the standard one percent community benefit agreement?

Fish: We don't have a standard one percent agreement. And second, in this -- this project simply doesn't apply. That is why we briefed each commissioner's office through their chief of staff that is why we have gone through Fred miller, through the city's committee. It actually doesn't fit. We have another project in the queue which is more likely to fit which is the reservoir project. Because the cba doesn't fit, we go back to the other values baked into our contracting, which we're going to be very aggressive on, but its apples and oranges. This project -- it is a square peg in a round hole. And, therefore, judgment is to say that the cba does not apply to this contract, but will likely apply to the next contract in the queue.

Fritz: My question though was why isn't there a specific target above and beyond the minimums that we require any contractor to do in this very large project?

Fish: That's not existing city policy. Do you want to go one off for this particular project in setting the standards? I mean, we have -- we have existing contract standards. We haven't raised that in the context of other capital projects for the water bureau and other bureaus. I'm happy, as a member of the council, i'm happy to have that conversation more generally. I don't know that it is necessarily appropriate to do it as with one off for this project.

Fritz: We have a city policy for large projects over \$15 million, that there is a community benefits agreement.

Fish: That is not actually what the policy says. We have a policy that says we -- on this one, we have made a considered judgment that it is not appropriate. We have briefed your office and every other office, we have gone through -- we can have Fred come up and describe it. We've had actually no one on the second floor who has descended from the view that doesn't apply. If you have a different view, we're more than happy to have that conversation.

Fritz: It doesn't sound like you are. You said we can't have that conversation.

Fish: We had an extensive briefing about your office and --

Fritz: I said -- has the commission weighed in on this?

Fish: Why don't you come forward and give us an update.

Fred Miller, Director, Office of Management and Finance: Fred miller, omf. What's the question for me?

Fritz: Has the commission weighed in on this --

Miller: I briefed the ecpc, equitable contracting procurement committee on -- I started off with briefing on the Portland building saying that we have put aside one percent, and that how that will be used. In -- at the same time, I said the city has done a number of things related to community benefits. There is the parks community benefit plan, the two modified agreements on water projects, bes has done a community benefit opportunities. There are lots of ideas there. And this one I said about what mike had said, this doesn't seem applicable when there is a pipeline through a community, there is a neighborhood. There is no neighbor here. It is a very technical project. So I think -- and the other thing is that council will, prior to my arriving, basically looked at the model community benefit agreement, and said try these two water projects, evaluate them and come back and report. The evaluation is not yet done. I think that is intended for January. So, i'm reluctant from a Portland view, before we see if there is a payoff for that to apply a community

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benefits agreement in this project. It just seems like the arguments have been made make sense, and I did say that to the ecpc.

Fritz: Did they agree?

Miller: They -- there was no vote. Someone got back to me email sure we wouldn't apply it to that one.

Fritz: Thank you.

Fish: I want to be very clear though that the issues that Commissioner Fritz is raising about creating opportunity, about the spirit of the cba, we take very seriously. In fact, the water bureau I think has been the poster bureau for putting them into place. And we have a reservoir project in the queue that is going to create I think substantial opportunities. It was the considered view for some time that this project didn't fit within that framework. And we have been -- as transparent as possible with our partners in discussing that, and that is, again, the judgment of all of the professionals that I rely on.

Saltzman: I did have a question about the owner's representative and the \$4 million. So, owner's representative a firm or an individual typically?

Elliot: It can be an individual or a firm. More likely it will be a firm. It could also be a joint venture firm. Most likely an engineering firm -- that would provide us some project management expertise and writing the rfp for the design-build and -- it is a contractor, consultant that is familiar with the design-build, and helping us work through the process of designing and construction.

Stuhr: It is a technique that we used on the sandy river crossing which we also did design-build, and not only do they help you with the design-build documents and so on themselves, partly hire them for their expertise in this case in horizontal directional drilling. I think they make a valuable contribution to a project, and, as you can imagine on a project of this size, there is a huge administrative burden that goes along with it. It worked very well for us on the sandy river crossing.

Elliot: Some of the other tasks that we are going to have them do is work with us on going through the permitting requirements and on the public involvement aspects. Those are also subcontracting opportunities, by the way.

Saltzman: Are you going to do this for the reservoir also?

Stuhr: The reservoir is being procured under cmgc. We don't have an owner's rep for that, and frankly we feel we have expertise in building reservoirs.

Saltzman: Thanks.

Novick: I wanted to say thank you for observing in the presentation that we don't just have the Cascadia subduction zone earthquake to work about, all sorts of other --

Stuhr: Primarily magnitude six capable earthquake, which we're sitting very near.

Fritz: Do you have others to present?

Stuhr: No, ma'am. We're here to answer any questions that come up through the public testimony.

Fritz: Thank you. Do we have a sign up sheet?

Moore-Love: Yes, we have three people signed up. Come on up. Steve donovan, jeremy king, and lightning, watchdog pdx.

Fritz: Come on up.

Moore-Love: The first two do not want to testify.

Fish: Does that mean you got all of your questions answered through the presentation? You have a copy of the handout? Thank you. Thank you for joining us. Lightning, you have the entire floor.

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Lightning: My name is lightning, I represent lightning watchdog pdx. I do agree with the project itself on the seismic situation here. One of the concerns that I have is that I noticed that on the Ross Island, you had twin 24-inch steel pipes going across that bridge. My understanding you will do a 42-inch diameter underneath the river. Now, correct me if I am wrong. We have had a couple of new bridges currently built, which my understanding would be up to seismic standards. Now, using a 42-inch diameter pipe, could we not run that pipe along one of these bridges? Now, the reason why I ask that is that you're talking a depth of 85, and I think I read up to 150 feet below, but one of the concerns I have is that when you have a pipe at that distance below the river, what happens if something does go wrong with that pipe, what are the possibilities of repairing that pipe at say 85 to 150 feet below the river? Very difficult, and that's one of my biggest concerns here. And that's why I prefer to have, if we could run a pipe above, maybe along a bridge, obviously would be my first choice to have access to work on it in the events of a problem. Now, I understand you have numerous pipes that run at the river bottom currently, and I know that would be very difficult to repair also. So, I guess, I guess from my position, i'm just looking at it from a repair standpoint of this new pipe and an understanding of why we could not run a 42-inch diameter pipe along one of the newer bridges, and also have an understanding that if the other pipes fail and i'm just calculating say three pipes at 90-inch diameter total, 42-inch diameter capacity obviously isn't going to be able to do probably everything we need to do if I am correct, if we have a serious problem like this. But I see this as a -- as a back-up plan, if i'm correct or will this also be currently hooked up upon completion and be used at the same time? I just have some questions that I maybe throughout here and maybe something could answer that.

Fish: Lightning, as usual, very thoughtful. We will bring up the chief engineer and director to answer them directly.

Lightning: Thank you.

Fish: Mike and Teresa, while you're getting settled. Question number one, why not run the new pipe along an existing bridge, which I assume would have the advantage of being less expensive? If the other pipes fail, what is the capacity of this pipe and what's our assumption there? And number three, if there is some kind of seismic event, how do we make repairs given that it goes to a depth of 100 something feet?

Elliot: Okay.

Stuhr: Let me start with the first one. And you will note I brought up Dave peters, who ran until two days ago our design section. We actually did talk to trimet. We can't add a big pipe to an existing bridge. I don't pretend to be an expert in bridge design, but a pipe, water pipe full is considered a dead load, means it's there all of the time. Traffic is -- it's much lighter than a water pipe. So, if we were to put our pipe on a new bridge, can't just add it to an older bridge. The way that works and we worked with trimet when we were looking at putting it on the pretty new bridge that they've got, they look at dead load and they assign cost of basically what your load contribution is to the construction of the bridge. Which is fair in their lights. Not only would we get to pay for our water pipe, we would also have to pay a very, very large share of the cost of the bridge design, and if you need more detail than that, Dave can talk about it, but we actually looked at it, it is more cost effective for us to build our own line.

Fish: That's a very succinct and clear answer. Let's go to his second question about capacity in the events of a system failure.

Elliot: So, it actually -- 42-inch pipe has the capacity of 180 gallons, which means our average day demand, and so on the west side, as well as within the city. We feel that

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during a seismic event, we could live with the one line during average day. Not during the summer peak, but during average day we could. Having multiple pipes provides us with the redundancy and reliability. Having one good seismically hardened line provides that same reliability. It just don't provide the redundancy.

Fish: Mike, remind me, on a fairly below average day we're about 27 million gallons? Sometimes during the hot summer months we peak out at 150, 160 --

Stuhr: For the whole city.

Fish: Thank you. And then --

Saltzman: I think the question, are all six of the pipes in service at the same time or do we rotate them?

Elliot: All six of the pipes are in service.

Saltzman: They're all providing some combination to get 100 million a day.

Stuhr: It is very complicated to actually analyze this. We have been building what we call the west side header to move water from north to south on the west side of the river. Until then, our pipe system grew basically as the city grew, and that's how come we end up with basically six pipes, five crossings in the central business area. And right now, they're all running. We have a couple that are problematic, and as soon as we get the 42 inch done, we will deactivate them.

Saltzman: Deactivate the remaining --

Stuhr: In particular, one to talk about, you recall last spring or fall, we had a leak on the clay street crossing. It is one of the oldest crossings and it is wearing out, and as soon as we get the 42-inch done, we will deactivate that line. But ultimately, water utilities like to have loops and multiple sources. We will hopefully never be at the point where there is only one line. Maybe after this earthquake, we will be in that position, but we will be looking at ways to get another line there because we like being redundant and having multiple feeds to this particular area.

Fish: How do we -- if there is some kind of seismic event, are there some challenges we will face in making repairs to a pipe given that it is buried 100 something feet below --

Elliot: It will probably be welded steel pipe. And that's actually a fairly easy pipe -- at 42 inch diameter, you can send the diver down through the pipe, which is what we did on Clay Street and make repairs from inside. You can also send them -- well, actually in this case, you can't send them outside, but you can do repairs from inside and also slip a new pipe it inside the 42 inch.

Stuhr: But on the whole, a pipe that is in rock at that depth, there is so much pressure around it and pipes may sound kind of counterintuitive, but they're actually flexible under high pressure, and they perform very, very well in seismic events.

Saltzman: Another reason why it is a good place to be a pipe.

Stuhr: Yes, it is.

Fish: Colleagues, Teresa and mike work long and hard on this PowerPoint presentation. And it is a dry, fairly dry presentation, a lot of technical information. And I want to compliment them for the way they presented the information. We did want to spice it up at the end. We buried some treasure in this PowerPoint. Steve, you are not allowed to -- excuse me, you are not allowed to go through it. If any of you can identify where the treasure was buried, there is from swag from the water bureau that we will present to you.

Saltzman: Can't look at it?

Fish: I will give you a hint. If you look at the geologic cross-section slide -- we buried some treasure.

Fritz: Desperate for entertainment.

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Fish: Testing a thesis about whether when you hand out a powerpoint whether people actually read them. We put some buried treasure in one of the slides. We have one other housekeeping matter, madam president. I will be gone next week.

Fritz: Let me close this public hearing, if you don't mind. Move to second reading. Thank you very much for the good presentation.

Stuhr: Thank you for your time.

Fritz: Commissioner Fish, I will recognize you for the next --

Fish: Housekeeping matter, I will not be here next week, we have asked for the second read occur on December 16th.

Fritz: This will move to second reading the week after next. Commissioner Saltzman, I understand you will not be at the public hearing tonight?

Saltzman: Correct.

Fritz: Commissioner Fish and novick we will not able to take any breaks in the session tonight so be sure to go to the bathroom before we do. We have a public hearing tonight at 6:00, 6651 southwest capital highway for the purpose of hearing the supporting documents for the updated Portland comprehensive plan and the comprehensive plan. Sign-ins will be taken in order of the people signing up and the sign-up sheet will be available an hour ahead of time. So, we are adjourned until 6:00. [gavel pounded]

At 2:42 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 3, 2015 6:00 PM

[Location Jewish Mittleman Center. Broadcast technical problem at start of meeting. Caption file begins at 6:08.]

Jeff Cole: My name is Jeff Cole I live in Sunnyside this is regarding the growth scenario report which I feel is pretty much an excellent document. There a couple thing I think deserve a little more attention. In specific figure two population and employment trends for Portland from the year 2000 to 2025, there are two charts in this figure, the left chart shows the population trend for Portland and that's pretty much a steady rise. The past and into the future. Now, the employment trend for Portland 2035 is very different. From the year 2000 to the year 2013, the actual employment data is basically flat, the same number of jobs in the city as we head in the year 2000. And yet a steady incline matching the population growth is shown in this figure in the future. So I have a lot of questions about the background and justifying one trend when we see a past trend that's very different. To me, this suggests a great deal of the employment growth may be outside city boundaries. The other area I would like to see addressed in more detail is the nexus between residential and neighborhood activities and employment. For instance, the report defines a 60-minute transit trip as a good commute, again suggesting that most people are going to be traveling well outside their neighborhoods and yet a great deal of emphasis is spent on a complete neighborhood, the idea that most services and things are in a close walkable area. So to me there's a little bit of a contradiction in saying the employment, the 60-minute transit trip is good for employment and yet we put a lot of emphasis on having everything else in a complete neighborhood, and I think this is important when assessing where growth needs to go and the justification for having growth in certain neighborhoods if employment is actually growing in other areas. This is important to me because Sunnyside has 19 residents per acre. Thank you.

Fritz: Thank you so much and do we have to push the buttons off to turn them off at the end as well? They just work better that way so thank you very much everybody for playing musical buttons with us. If you want to push yours, thank you.

Rob Mathers: Hi, I'm Rob Mathers, board member of the working waterfront coalition here to talk about the cargo forecast for the eoa. I work for a company and with many others that depend upon a viable working harbor. As currently targeted, the city's low cargo forecast in the eoa is dismissive of the working harbor's contribution to the economic prosperity of the city, state and region. It's discouraging of investment in the working harbor, and it's disrespectful to many low barrier to entry living wage workers who are supporting their families -- to demonstrate and testify or mount a campaign. The eoa cargo forecast matters. Among other things, it establishes a foundation in the comprehensive plan for attracting investment in the working harbor to support and help achieve many of the aspirations and goals included in the plan. A low cargo forecast is wholly inconsistent with every other high-aiming aspect of the city's plan. It's factually

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incorrect, technically flawed and just plain wrong. Unless the city's intentionally trying to send a message that Portland's no longer interested in heavy industry, traded sector activities and jobs for people who as a friend describes it shower after work rather than before work, the council should send the eoa and low cargo forecast back to bps for appropriate, corrective, objective action means that the original forecast should be reinstated. Thank you.

Fritz: Thank you very much.

Leigh McIlvaine: Thank you for the opportunity to speak with you today happy and commissioners. I am here on behalf of Oregon tradeswomen where I'm employed as a workforce project manager. I want to speak with you about the low growth forecast for the Portland harbor in the draft comprehensive plan and what that means to our students and to the communities that we serve. For those of you that aren't familiar with the work of Oregon tradeswomen, we are a small nonprofit organization that recruits and trains approximately 100 low-income diverse women annually. We reach out to women in marginalized communities of Portland, women who cannot afford a college education, single mothers that need jobs that provide family-supporting wages and women reentering the workforce after economic displacement or incarceration. Graduates of our trades and manufacturing programs learn job skills, such as carpentry and welding and receive job placement assistance. Many of our women have gone to work in high-scale, high-wage careers with Portland harbor businesses, such as Gunderson and viggar and 20% of the harbor's workforce comes from communities of color in Portland. At present, 22 of our graduating women have been able to lift themselves out of poverty through jobs in the Portland harbor. For example, before Catherine came to Oregon tradeswomen, she was making minimum wage, earning less than \$19,000 per year. In her career with Gunderson, she's currently earning \$19 an hour doing skilled and meaningful work, first as a welder, and now as a crane operator. For our graduates, low-income residents and people of color who rely on these jobs, the Portland harbor is a pathway out of poverty. Residents like Catherine need employment alternatives to low wage, low skill service sector jobs. Industrial manufacturing and trades careers provide exactly the kind of middle class economic opportunities that we are all working to support through a range of other policy priorities.

Fritz: Thank you.

McIlvaine: And our land use plan should be no exception to that.

Fritz: Thank you. [reading names] and that's all who signed up for item 1263.

Fritz: If anybody else wants to speak on 1263 only, please come on up.

John Gibbon: My name is john gibbon, I am here tonight to support the adoption of the recommended citywide systems plan and specifically to speak on the storm water projects included in the citywide systems plan. I unfortunately missed the Halloween flood. I was out elk hunting and I think that that event made it obvious that the storm water improvements proposed and to be produced by the citywide plan, specifically the maintenance and reliability improvements as well as the pumping and plant system improvements are necessary to accommodate the growth we have in the city right now and in the future. Specifically for southwest Portland I have to say that if we don't implement the plan, we won't even be handling the storm water, let alone managing it. We do not have a storm water system in southwest Portland right now and the proposals that we have in the citywide systems plan, the ini program and the watershed improvement project plans really will only get us to maybe management and I'm not sure that there will be a system even then. Important projects that were not mentioned in the

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citywide systems plan that the city has undertaken since also need to be implemented, specifically the Stephens Creek plan and Stephens Street by Street plan. They are simply necessary to remedy numerous community deficiencies, 25% of our streets and properties lack approvable discharge points and they are absolutely essential to make whatever density the council chooses and finds feasible in this area, make it possible to have that kind of density. It will not be sustainable without such implementation. Thank you.

Alan Sprott: I'm with the working waterfront coalition, we had the shipyard on Swan Island. I'm speaking to the low cargo forecast. We feel that it's just way, too, pessimistic and relying only on growth in automobile imports over the next few decades is just really unrealistic and undercuts the potential of the harbor. I think it's unfortunate that the planning is happening at a time when the port is having trouble with T6 because I think that that biases some of the thinking about the opportunities in the future but I would just point out that the shipyard in the early 1990s where I work was a ghost town and near closure and thanks to the strategic planning and execution of that plan by the port of Portland, two decades later, it is now a thriving facility, Oregon company based in Portland with 10 facilities now in three states employing a couple thousand people at middle and high-income jobs, we have many welders that are making over \$100,000 a year at our facility. So there's tremendous opportunity ahead for the Portland harbor and we just really need to plan for it. There are many emerging opportunities in both global trade and shipping that Oregon is well positioned to take advantage of and we need to be well prepared for those opportunities. Thank you.

Joe Esmonde: Good evening. I'm Joe Esmonde. I represent 4,400 members of the IBW local 48 here in Portland, Oregon, southwest Washington -- and we've met before. I'm just speaking for working people who need places to go. You have CTE programs, trade schools, you have Swan Island, you've got a welding place. Not everybody is going to go to college, okay? These are good jobs. And by restricting this, another signal from the city of Portland says we're open for business but only certain kinds of business. It's okay to work with your hands. It's okay to manufacture things. That is what it says on the side of the city cars and trucks, the city that works so I think you should go back and look at some of your information here and you're forecasting. This is the last big city on the west coast. We have opportunities to have more manufacturing here, more growth, and a future, a career for some of these young people. I started out in the trades, I managed to support a wife and two children with health insurance and benefits. Thank you for your time.

Lee Stevenson: Good evening. I'm Lee Stevenson, a small business owner. I have a landscape company. Majority of our work is in the Portland harbor area. We're concerned with the low growth forecast. We do work for people like Far West Steel, International Paper, Peterson Cat, Tar Fuel Distribution and River Gate LLC. And it's been a viable job for our company, we do about \$2 million a year and would like to continue and appreciate your consideration in that direction. Thank you.

Fritz: Now, we'll move to the sign-in sheet for the other item.

Moore-Love: The first four people are... [reading names]

Fritz: Mr. Bridger, welcome, please start.

Fritz: Click that button.

Glenn Bridger: I am here speaking on behalf of the public involvement advisory council for the city. I want to focus my comments on chapter two. I strongly support, we strongly support the wording changes that have been made in chapter two and think it does a very good job on setting forth a good community involvement process. There are a couple of

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fine tuning items in there that I would like to see refined. First, when we talk about the coverage of the comprehensive plan, there are several different phrases that are used at different locations. Planning and investment decisions is the most commonly used phrase but there are other references that talk about land use decisions and use other variations on the wording. We need to be consistent in the wording that we use so that people don't make unwarranted assumptions on the variations in what is covered in this document. We need to cover community involvement exactly what is covered in the comprehensive plan. No more and no less. The second item I wanted to address is we requested that a statement be included in here that adequate funding be included in the programs for all community involvement activities. This is a requirement of state law. And we wanted the provision in state law repeated in this document. Now, I understand and respect that such direction can possibly be used against the city in litigation or may be considered as overriding council's requirement to make decisions. But it is in state law and so repeating what is in state law cannot do either one of these things because state law already will prevail in any of these decisions whether it's included in the comprehensive plan or not. Including it in the comprehensive plan better informs the administrators and the managers of their responsibility to adequately manage the resources and public involvement so that they do proper public involvement.

Fritz: Thank you. Could you please e-mail us the state law that you're referencing?

Bridger: Yes, ma'am.

Fritz: Hi, welcome.

Donna Bestwick: Hi, I'm donna bestwick and I've loved Multnomah village for 30 years. It's grown and changed over time but I'm afraid that your comprehensive plan recommendations will ruin the village. The accompanying traffic congestion and lack of parking, we are here to head off the problems being experienced on division and other parts of down. Division has constant traffic congestion and the residents are stuck. There's no going back. In a yearlong survey the residents of that area expressed their discontent with parking, lack of affordable housing and boxy modern buildings that seem to rise up from the street. We can't allow that to happen in the village. Your parking policies are unattainable and preposterous. Zero parking spaces for 30 units? .2 parking spaces for 31 to 40 and .25 for 41 to 50. Even San Francisco requires one parking space per one bedroom unit and parking spaces for guests. Steve lives in the southeast neighborhood and is retired from the city of Portland transportation and planning bureaus. He says the city's transportation strategy has been built around the approach of not accommodating cars since the '70s. Seriously. Any project, any science experiment that hasn't worked in 45 years should be scrapped. When a concert hall or restaurant is full, the fire marshal doesn't allow any more people in because of the comfort and safety of the people who are already there. We have to find a way to allow people to live here and welcoming those who want to come here and that means that some may not be able to move here until housing is available. That's not a bad thing. We can do that. Judge Judy wrote a book some years ago. Stop peaking on my leg and telling me it's raining. The parking doesn't work, people.

Bethany Imhoff: Hi, I'm Bethany imhoff. I'm here to testify about the temporary shelter at the sears armory. First read about it in the Portland mercury in September.

Fritz: That's not part of this project. It's not zoned for anything other than a temporary use. You're welcome to send in some comments about that otherwise. Thank you.

Sermin Yesilada: My family and I moved to Multnomah village last December. I also recently graduated from the University of Oregon's architecture program. I'm also

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concerned about the cm2 designation proposed for Multnomah village. I'm concerned that this will encourage the small shops and historic buildings along capitol highway to be demolished to make room for the larger developments and I'm also concerned that it will dwarf the street. It's a narrow two lane street along the village and I'm concerned about losing the light and views that we currently enjoy in this walkable neighborhood. I would support a neighborhood corridor and cm1 classification to encourage an in between level of development that is in keeping with the scale of the street and neighboring buildings. These would include townhouses and row houses, three story apartments and condos with ground floor retail, pocket neighborhood development with duplexes, small single family homes and walkups on smaller lots with a network of open spaces and buildings oriented to the street. I think we can accommodate a population increase in a sensitive manner and I would point to the stephens creek crossing complex as a great example of affordable housing, density and community that contributes positively to the neighborhood. Thank you.

Fritz: So thank you for giving us your testimony in writing, that's very helpful.

Moore-Love: The next four are number five, six, seven, and eight. [reading names]

Fritz: Who would like to go first?

Daniel Pirofsky: Is that on? I live at 2173 northeast Multnomah street and I speak for 94 residents of sullivan's gulch who have endorsed my written testimony which concerns one specific proposal affecting an area on the south side -- please review my written testimony for details I cannot present now especially how the planning process arrived at this proposal without any clear rationale, other than comments made by unnamed stakeholders. I opposed this proposal to change the land use designation for the area to mixed use urban center with proposed zoning as commercial mixed use level three. I urge you to retain the current designation as high-density multi dwelling and current zoning as high-density residential. I oppose mixed use especially at the large-scale intense level of cm3 zoning but support high-density residential use. First, this area has no current commercial properties. The nearest commercial property is the Marriott residence inn which blends nicely into the residential character of the neighborhood. Second, this area is not part of any civic corridor and does not satisfy max or bus service criteria for this designation. Third, sullivan's gulch is a residential neighborhood blessed with close walking access, five to 12 blocks at most to commercial areas on all sides. We don't need access to commercial activity within our neighborhood. Fourth, traffic and parking issues have already increased significantly so commercial activity will only create additional pressure along Multnomah, a local service street and 21st avenue and critical access south over the banfield freeway. Fifth there is already an elegant transition from the commercial Lloyd district through the residence inn into this residential area, allowing cm3 zoning would create a step up, not a step down, for building heights, mass and intensity of use. Based on these facts, applying the mixed use concept to this area is inappropriate, unnecessary and potentially harmful to livability. I urge you to not allow commercial development outside existing civic corridors or within existing residential neighborhoods as stated in the plan objectives.

Fritz: Thank you.

Pirofsky: Thank you.

Jean Claude Paris: Madam president, I recommend that the draft comp plan goals be edited for clarity. It is a rambling document that is difficult to interpret. The language is often poetic and lacks specifics. The wording leaves it open to vague interpretation. Unlike the current comp plan, the recommended draft first lists all the chapter's goals, and

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then all the policies grouped together. I recommend that each policy be listed under the goal that it best addresses. This is the format of the current comp plan and it provides context for the policies. This would add clarity. I also recommend that excess verbiage be removed. The document is too important. Its meaning should be clear. This could be accomplished by removing ambiguous language and by either defining or removing undefined terms. It may be necessary to hire an editor for this task. I find the most troubling example of vague and ambiguous language in chapter two. The concept appears noble and providing the rights and protection written in the u.s. Constitution. But the devil is in the details. For example, I'm concerned about the use of the term partner, which is used extensively and not defined in the glossary. I recommend -- [inaudible] maintain and publish the list of partners who are included in planning and investment decisions. Include the selection process for including the partners in the list, their contact information, who and how many people each partner represents, how the partners' positions are determined and financial interests or conflicts of interest the partner has and how the spokespeople are chosen. I advise the city council to make sure that a lawyer reviews chapter two so that it does not have unintended consequences. Thank you.

Katherine Christiansen: Hello, I live in the Multnomah neighborhood. Recently, I was fortunate to bike through France and Spain with over 20 days of riding I never was threatened by a vehicle. Combining mass transportation with riding allowed us to reach any destination. Here in Portland, I cannot ride for one day without feeling scared. In many cases, this doesn't even involve an angry or impatient driver but situations where we are thrown in each other's paths and unprotected bike riders are at severe risk. The plan and its codes are treating all neighborhoods alike. Yes in Multnomah, we could eventually be a southwest pearl. But how do you increase density without stomping on the people who already live here? We must get people out of their cars and on buses, bikes and walking. You can't build enough roads and parking spaces. This isn't sustainable. Bus service in Multnomah is not adequate to get people out of their cars. There is some service to downtown Portland but Multnomah is closer to Beaverton, Tigard, and Tualatin but it takes over an hour to reach these destinations and our roads cannot support more traffic. As I mentioned, biking is frightening. Next challenge is service. Our closest grocery store is over a mile away, too far to walk with bags of groceries and there are few jobs in Multnomah so most residents commute to work. At least initially, people will move here and the town might be able to absorb the first development but what happens when there are five? There won't be parking for local businesses or existing families, long-range planners would say this is a normal part of growth and people will give up their cars. Eventually, this may be true but remember the people we don't want to stomp on. Just recently my neighbor asked if his daughter could park in front of my house. He has four cars parked in our area. One in his spot. With our narrow streets and often unpaved streets, many cars are parked in the streets. There must be solutions to these serious infrastructure problems before the comp plan can be approved. Thank you.

Simeon Hyde: I own and live in a home in Multnomah village. I have heard the term livable neighborhoods. What does this mean? Livable neighborhoods are characterized by human-scale design, residents can walk, bike or take public transportation to shops, services, and cultural resources. Even walking to a bus stop and then walking when the destination has been reached encourages physical activity. Walking and biking result in reduced traffic and better health. Livable neighborhoods are mixed use in nature. Small parks or seating areas along with wide sidewalks encourage residents and store customers to linger. Sidewalk cafes and restaurants add to this desire to stop and enjoy

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the day. Portland's north Mississippi avenue business district does a good job of inviting residents and visitors to more fully enjoy their experience. Coffee shops and restaurants provide seating and service and extra wide sidewalks and courtyards. However, at the top of the hill on Mississippi Avenue, city planning appears to have gone awry. Apartment buildings have been built adjacent and south of existing bungalow homes. Natural light at all times here has been blocked. Views and sight lines have been destroyed. Apartment dwellers peer down on bungalow owners as they work in their backyards. The livability and privacy of these homes has been destroyed. Multnomah village's neighbors are mostly low density while new developments are high-density which leads to a conflict when they are sited next to low density area. Access along with views are seriously compromised. Portland southwest barber boulevard is the next transportation corridor to be developed. This will be a major rebuilding project to provide high-capacity transit. Many people have begun to think that since barber boulevard will be a major construction project, why not develop both sides of the new corridor into a high-density neighborhood? Many of the buildings south of Fred Meyer on barber are old single level structures, which is not good use for such valuable real estate. Might this area be a better choice for meeting the high-density needs of Portland? In conclusion Multnomah village has a neighborhood identity. Residents is a sense of place. It should be mandated that new buildings blend with the existing architectural styles and size and contribute to neighborhood livability. I want to share six photos.

Fritz: We're done. Do you have more photographs that you were going to display?

Hyde: They were going to be on the screen.

Fritz: If you're still here at the end and there's time we would be happy to look at them then but we need to let other people have a turn at this point. Thank you.

Moore-Love: The next four are nine, 10, 11, 12. [reading names]

Fritz: Who's first?

Michael Milineci: Madam President, city council members. I have lived in Multnomah village all my life. I have seen the village evolve into a vibrant place where there is a balance between neighborhood livability and business activities. Presently I believe the village is at a tipping point and currently under siege, by developers hoping to capitalize on the vibrancy of the village without any concern about the character of the village and the livability of the neighborhood. I'm not going to repeat some of the things that have been previously said because I had them in my statement. But what I have heard is that three four story buildings are being considered in the village. In the near future, anyone walking and driving through the village could experience the feeling of being in a canyon or a tunnel with multiple four story buildings towering over them and towering over the 1950 architecture of the village. Multiply this effect with significant parking problems. The core of Multnomah village consists two of blocks of amazing 1950 to 40 architecture. Buildings on capitol highway is just one lane and one way. There is gridlock every day, cars, trucks and businesses trying to drive through the village. With narrow streets, there are 35 parking spots in the village and 140 parking spots. Policies need to be created which promote an outcome that mandate developers to create housing that is in the context of the neighborhood, promote affordable housing and moderate the density which does not degrade the livability of the neighborhood. Other metropolitan areas within the country have addressed this. Smart people can do it. The city has smart people. Look at the bay area, mill city and Fairfax, California. Thank you so much.

Jeff Cole: Hello, again. Down the road is Multnomah village and though I live east of the river in Sunnyside, two neighborhoods share a common thread. Both were developed

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based on street car access. Over the decades our districts have evolved with distinct attributes. Today, I urge the council to consider that mixed use zoning on Hawthorne Boulevard may diminish that sense of place. Once, Hawthorne was mostly zoned c2, commercial two, three story limit and a maximum three to one floor to area ratio. Residential projects in the c2 zone had to comply with a1 or r1 zoning regulations. In 1991 the cs zone replaced c2 and eliminated the three story limit and also most zoning may be replaced by cm2, mixed use and a five story limit with bonuses. I urge the council to reverse this trend and reinstate the three story limit with a primary focus on commercial and Hawthorne seminal retail district. The mixed use typology which applied to historic properties with constricted lots typically only 100 feet deep like Hawthorne, Belmont, division, can only produce marginal commercial space because so much ground floor space is consumed providing access and mechanicals to the upper residential spaces. This results in expensive configurations with poor layouts ill constituted for activities. The traditional storefront is a warehouse with massive street side glazing. The resulting, space is wide open, flexible and efficient. If you look at the businesses on Hawthorne like red light clothing exchange, Powell's books on Hawthorne, artichoke business, echo theater, gold door jewelry, they all benefit from this clear span design. Like farmland this collection of vintage and storefront commercial on Hawthorne Boulevard represents its own infrastructure that works collectively. Again, I urge the council to restore the three story limit on Hawthorne boulevard. Thank you.

Charles Richard: Madam chairman, members of the council. My name is Charles Richard. One of the main reasons my wife and I bought our house on Pendleton Street is because it was within walking distance of Multnomah village. As a former grape grower and winemaker in northern California, I served for nearly 20 years as an active member of the board of the dry creek valley association which was dedicated to the protection and preservation of agriculture. Often confronting developers who wanted to replace grapevines on prime soils with houses. The tragic mishandling of land use in California that I witnessed I see happening here in Portland. A land use policy must include consideration of the history of the village within the city, its call, which dates back to 1850. The book in my hand Portland's Multnomah village by nancy hamilton provides an accurate and very interesting story of Multnomah village's past. Our city planners need to pass decisions on accommodating growth with the higher awareness of the need to preserve the character and assets of neighborhoods and public green spaces while requiring developers to include adequate parking for multiple dwelling buildings, you've heard that before I'm sure. Buildings are to scale with an existing neighborhood, especially an historically significant one like Multnomah village should not be allowed. It is critically important that the neighborhood corridor designation for Multnomah village be retained. If rampant growth is permitted to continue without consideration of keeping our neighborhoods intact, the very things that make Portland a highly desirable place to live will be destroyed. Thank you.

James Peterson: Hi, my name is James Peterson. The Multnomah neighborhood association put forth a truth in zoning proposal to protect the single family houses. 80 or 90% of the growth is projected in the current plan to occur in mixed use zones. When the southwest community plan was first -- the last community plan to be developed, and after that, the city of Portland changed the development code to achieve -- to achieve infill. The minimum size in the zoning code was reduced in -- for each of the base zones. For example, in r5, the minimum lot size was reduced to 3,000 square feet. Corner lots were changed to duplex lots and later allowed to be divided and if the square footage was less

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than 100 square feet in the r2.5. This worked for a few years but now demolitions are at record levels and the character of neighborhoods is changing and what people value about simply now being destroyed. Over 150 requests for this change have been submitted already. More are soon to come for this truth in zoning proposal to be incorporated in the 2035 comprehensive plan. It will remove the exemption that allows for land divisions to be less than the base zone. With the adoption of the comprehensive plan, the zoning code would then need to be amended to comply. If this language remains, lot sizes and land divisions would be based on the minimum lot size and the zoning code. The base zone and the comprehensive plan would then be meaningless. The comprehensive plan is intended to be the governing document, but the proposed language, the lot size would be governed by the zoning code, which is inconsistent with what the comprehensive plan is supposed to do. The other thing I would -- I would like these boxes to be put into a database so they can be viewed and put to a desire policy that they were intended so that you can review those. Thank you very much.

Moore-Love: The next four are 13, 14, 15, 16. [reading names]

Carol McCarthy: Hello. My name is carol McCarthy. It is my understanding that Oregon municipalities are required by oar 660.015 to have comprehensive plans and that citizen involvement is the statute's goal number one. The current comp plan reflects this with a chapter entitled citizen involvement. I recommend that everyone read it. I was surprised when I discovered that the draft comp plan didn't contain the word citizen so I testified at the first hearing to bring this omission to the attention of the psc. I was perplexed when I searched the recommended draft and again, couldn't find citizen in its goals and policies. Friends told me that the concept of citizen is very 1970s and that it now has some negative connotations. They said that community is the preferred vernacular for the 2015-2035 time frame and that chapter two is entitled community involvement for that reason. They suggested that public involvement might also be acceptable. I recommend that you either incorporate chapter nine citizen involvement of the current comp plan into the recommended draft or that you rename chapter two public involvement. There are logical inconsistencies that result from calling the chapter community involvement since it is used as the name of an entity that contains itself. For example, use of the word community in the title of goal 2a as well as in the enumerated list make one wonder if the other listed items, individuals, neighborhoods, etc. Have the same standing as communities. I think that it could be improved as follows as shown in the box, basically by replacing the word community with public. In short I recommend that you edit chapter two and replace the word community with public whenever possible. Thank you.

Robert Gallagher: Hello, madam president. I'm here tonight representing my sister and I owners of commercial refrigeration. We are located close to the intersection of northeast 66th and glisan. We have occupied this current location for over 30 years. The property is a single tax lot with a glisan side and a flanders side. The map shows the glisan side zoned commercial and the flanders side zoned residential. We are here to request that the entire site be converted to a commercial zone. The owner of the corner property on 60th and glisan is also in favor of a commercial zone. The north tabor neighborhood association agrees that this should all be a commercial area. They are enthusiastic about this approach as it will support the current and long-term vision and goals for this area. Thank you.

Fritz: Does your lot have an actual address?

Gallagher: 5920 northeast glisan.

Fritz: Thank you. Go ahead, thank you.

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Leonard Waggoner: Good afternoon, or good evening. I'm Glen Waggoner. Issues are condemnation, de facto condemnation, eminent domain. I represent a property at 2244 Northwest Overton adjacent to Legacy Good Samaritan hospital. The property is a lot with a far factor of four to one. The property has an 8,000-foot apartment building on it. Under the current code, the property could be improved to 24,000 square feet, which is the four to one factor. The issue here is that if the CI zone which follows the campus institutional, is implied, there will be no ability for the owner of the property to do anything with it other than operate it as a grandfathered two level apartment. This political process really basically is condemnation. The condemnation factor as we understand it with the elements of the eminent domain that it must prove four elements in the fifth amendment, one private property which this is, and the process of taking, must be taken, two for public use, three and with just compensation. Number one obviously, it's private property. Must be taken, the clarification of taken in the constitution is as the taking of property by reducing its value. Number three for public use. Legacy is not a public corporation. Legacy is a privately owned property and for with just compensation. So the issue I have at hand on behalf of my client is we need to be extracted from the comp plan change and from the eventual zone change by this body is that the RH zoning factor stay alive. Otherwise, we wind up in a legal battle.

Fritz: Thank you. It could be an error. The preferred use is the RH, the current zoning, you would like it to stay the current zoning. Thank you for bringing this to our attention.

Waggoner: Yep.

Sam Noble: Good evening, my name is Sam Noble. I own a small depreciated single family house where I lived for nine years. The low structure value guarantees that someone will tear down my house and replace it with a large expensive house for a wealthy buyer. A similar story applies to the other houses on my block. The comp plan proposal re designates my block as R2 but because of the small lot size, it won't allow any additional units on my property. Many of these houses are likely to be demolished and I wouldn't like the city to allow replacements that support housing density that could be affordable to modest income residents by applying an R1 designation to the entire street. This wouldn't be neighborhood altering change because the neighboring streets already support many multiunit buildings from duplexes on up. In fact, all but one of the surrounding blocks are designated R1 or higher. The other block is R2. I further understand that none of the structures on this block are part of the city's historic inventory. Under the comp plan proposal only two properties are actually gaining allowed density and one of these is already effectively a duplex. The proposal for this block provides an effective net increase of just one single unit. The five unit building on the block remains nonconforming as only three units could be built on its lot under the new designation. I think that this block of Southeast 26th Avenue facing Lone Fir Cemetery can support the higher density. There's no housing on the west side of the street and no competition for parking. The 15 bus line provides frequent service at 26th and Belmont several hundred feet away. It is one targeted change based on my knowledge of a specific street. I'm sure that there are many other areas that could also support mild increases in zoning density. I hope you'll consider them all.

Fritz: What are the cross streets you're recommending?

Noble: North of Morrison and south of Washington.

Fritz: Thank you.

Moore-Love: The next four, 17, 18, 19, 20. [reading names]

Fritz: Welcome.

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Dave Johnston: Madam President, commissioners Fish and Novick, I'm Dave Johnston. I'm also a land use chair of the Collinsview neighborhood association and have been for many years. However, the association has not voted on my remarks so they should be considered mine rather than the official position of the association. With regard to the comp plan and the map we like the map. We urge you to adopt it as submitted at least with respect to Collinsview. We are also concerned about the listing of the campus institutional zone and its designation as an employment area, which would allow retail services not for the campus itself but for the surrounding areas. This is in policy 6.59 and 10.20 of the recommended plan. We suggest that policy 10 above the entry institutional campus add the heading education and medical institutions as a separate heading than the employment areas and delete the words "neighborhood serving commercial uses and other services" from policy 10.20 and 6.59. We feel this will better protect the surrounding areas from inconsistent items and we also believe that the educational institutions and medical institutions should focus on education and healthcare, not providing commercial services. Thank you.

Dixie Johnston: Madam President, commissioners, I'm Dixie Johnston. I have partnered with Dave for many years and we're well known in the neighborhood. I do want to reconfirm the comments of Carol McCarthy. I don't know what she was going to say but that's basically my message too, having to do with citizen involvement rather than community involvement for the reasons that she gives. Commissioner Fish, at the last hearing that we had on the comp plan, you and Howard Shapiro, really helped my thinking on what we need to do here and I do appreciate your comments. Howard Shapiro kept using the word citizen, over and over again. And I started thinking about it, the idea of being a citizen of the community but a citizen of the entire world. We are a growing community. We're attracting more and more immigrants. As a child, I spoke a second language better than my first language English because I lived out of the country. I know what it's like to be teased, laughed at, pushed down, that sort of a thing. I also remember a few years later moving to another foreign country, having to learn yet another language, new history, new customs. So I don't want it to sound like I'm going into this political governmental, anti-governmental rant when I'm trying to stand up for people who are new moving here. With all the years I moved around, military brat, married career military, I found that it takes about five years to start feeling at home in a community and it is understandable that it takes a while for people to get used to living there. I want to thank you for considering the terminology and yes, Commissioner Fish, you're right, we are all in this together. Thank you.

Glen Stanfill: My name is Glen Stanfill and I'm talking about a piece of property that I have at 5308 Southeast 118th. Talking about a piece of property that I got at 5308 Southeast 118th, Portland. Right now, it's zoned at low density multiple dwellings, R2. And the thing is that you want to change it to single family R5. And right around me there's two acres and three-acre parcels that are zoned the same right now for medium density at 2,000 square feet per unit. I would like it to stay what it is right now. I've already got some drawing for a fourplex that I would want to put on that property but I wouldn't be able to if you changed the zoning at this particular time. Thank you.

Anne Anderson: Hello, I'm Anne Anderson. I have lived in Multnomah Village since 1984. And love the area. Very much. I think Portland has many special unique areas. Multnomah Village is one of them. And I think it's important to retain the character of the village. It makes Portland all these different unique -- they make Portland a unique draw for other people, which is good for the economy. I realize also that we have an urban

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growth boundary and we need more housing. I think there are appropriate places to do that. Barber boulevard, for example, along barber. The armory area, the sears armory which I know is designated now for eventual development as an emergency area. However, it doesn't have to just be an emergency area. There could be housing as well I think. I think it's important to zone the village commercial mixed use or cm1 and to designate it as a neighborhood corridor. Thank you.

Moore-Love: The next four, number 21, 22, 23, 24. [reading names]

Fritz: Good evening.

Beverly Bokin: Good evening. I am Beverly bookin and I'm here today on behalf of the national college of natural medicine, ncnm which wishes to request the extension of the new campus institutional comp plan designation to its southwest Portland campus. Some of you may not know where it's located but it's a 5.4-acre area on the west side of the Ross island bridge. Currently, the campus has a patchwork of zoning designations including high-density residential, general employment and office commercial. Because colleges and universities are conditional uses in the rh zone the entire campus is treated as a conditional use. Right now, the campus is regulated by a 10-year conditional use master plan adopted in 2012 and fully implemented, the college will have a student body of 800, 310 faculty and staff, and 35,000 projected outpatient visits to its on campus clinic. The extension of the new comprehensive plan designation will make the campus eligible for legislative rezoning for one of the two campus institutional zones. And this ci comp plan designation has already been extended to 15 colleges and medical centers with 10 or more acres but that criterion we hear from the bureau of planning is meant to be just a soft criteria. Simplifying its patchwork of zoning will allow the campus more flexibility in regulation. It can continue to develop under its current conditional use master plan until 2019 but then take advantage of new land use entitlements in the ci zones. So we would appreciate your consideration of this request.

Fritz: Push the button on the microphone in front of you.

Laura Campos: I'm one of those people from the '70s and I wrote a book and on page, the history of the planning commission, on page 33, I proposed that during the '70s we had citizen participation as an antidote to some of the ills of urban renewal and I saw a lot of that but the reason I'm testifying is that I'm one of the few who worked on the current plan. And there was a lot of fine things in it. But we did a grave injustice at north and northeast and I've lived with that guilt for 35 years and it comes to me, it's very fitting that we have this testimony here at Mittleman which acknowledges the holocaust and seeks to have redress for the wrongs and to move forward in a positive way. I would like to reach closure to feel cleansed of the stench of what went wrong in north and northeast in their comp plan. I was 26. Now, I'm 62. I scarcely knew the words to describe the horror of what mayor Goldschmidt proposed to force the current inhabitants out of the city. I knew it was wrong. I tried to warn people but my misfortune was to know the outcome and not be able to prevent it. I saw it in Chicago in the '60s. One of my -- one of my foster dads was the budgeter of Chicago. And he described urban renewal as people go somewhere to die and I've been working with anti-displacement folks. There's 30 groups of people in there. I really urge you to pass some of those policies because I think it can undo some of the wrongs and get us on the right path. I don't know. Maybe the master's tools can't be used -- what is it? The master's house. But, anyway. So help me reach closure. Thank you.

Mark Stromme: Madam President, commissioners. I'm here to request the review of the comprehensive map designation on two individual properties of which I am the owner.

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Fritz: Give us your name, please.

Stromme: My name is mark Stromme. The first property is known as the flanders professional building, 2250 northwest flanders. It's between 22nd and 23rd on flanders abutting williams and sonoma across from kitchen caboodle. It was built there in 1968 so it has almost a 50-year history of contributing to the medical community and the neighborhood. I was unaware of the map process when I was going through so I didn't solicit any input but I did notice it was left out of the mixed use category and was left in the residential rh category. I think it would be logical to knowledge its long-term use and its contribution to the northwest community as a medical asset so that if and when this property is redeveloped it could continue to provide some of those services to the neighborhood. It also is one of the six designated potential structured parking sites within the neighborhood as well so I think it also could benefit from that. 50 seconds left. The second property is one on the corner -- near 56th and sandy in the Hollywood neighborhood. It is right next to the rejuvenated fire station there and behind clyde's prime rib. I have a 13,000-square-foot lot zoned r1 and all of those units are in the north 50 feet of that property leaving an area there that I mow and have for 28 years, always waiting for an opportunity out in the future for planning to accept some higher designation. There is some logic to extending the mixed use lines to pick up my property and the fire station so that it would allow me to add some new residential units on that site. And if I might just add I did go to the neighborhood bodies and received approval from both of them before coming to see you.

Fritz: Which designation are you requesting on sandy?

Stromme: Any higher density residential use would be acceptable to me because that's my intent. Logic would say it would be a mixed use zone for consistency of the map otherwise I'm told it would be spot zoning.

Fritz: So either of them would be all right with you?

Stromme: Thank you.

Moore-Love: The next four are 25, 26, 27, 28. [reading names]

Jim Gardner: I'm Jim Gardner, the land use chair for the South Portland neighborhood association. Our association supports the centers and corridors approach as a very appropriate conceptual tool for planning. However, we believe the planning and sustainability commission was a bit overzealous in how they applied those designations. We therefore request that you make the following changes to the recommended draft before final adoption. Spna requests that the central strip along 1st avenue be designated as a neighborhood corridor rather than a civic corridor. This strip is zoned cn now, and it's proposed to change to the new mixed use cm1. It is an island, a few blocks of commercial zoning, much it still residential in actual use. The south end of 1st avenue dead ends at naito. In no sense is this a corridor with any citywide or area-wide functions. The significant difference between neighborhood corridor and civic corridor is that civic corridor allows additional height and f.a.r. Bonuses. This area is within the South Portland national historic district and it is subject to design guidelines which are even more restrictive than the base zone. The civic corridor designation would simply create confusion and raise false expectations about the level of possible development. Along Macadam Avenue, spna requests that all the commercial area be designated a civic corridor rather than an urban center. Macadam Avenue has no center. It does not function as any kind of focus for the neighborhood. It is a linear heavily used commuting corridor and commercial strip bounded on both sides by residences. Either of these designations would allow macadam a more intense level of commercial development than

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the current zoning, but the urban center's more permissive exceptions and bonuses would allow unsustainably denser commercial development, already worsening macadam's congestion already. A major transit facility improvement, such as the street car to Sellwood Bridge would be necessary before macadam could support that level of development and lastly, in lair hill, spna requests that the ymca site be changed to mixed use cm1 instead of cm2. Everywhere else in southwest and in the city, the cn zone is being converted to cm1. Jumping an extra step to cm2 allows higher building heights and more square footage than cm1. This site is going to become under amour's new headquarters and they may want to add an extra floor.

Fritz: Thank you. If you could turn the rest of it in.

Gardner: A process and not slipped in as part of a citywide comp plan update.

Fritz: Thank you very much.

Steven Bedrick: Good evening and thank you very much for the opportunity to speak. My name is steven bedrick. I'm assistant professor at ohsu and I also live just down the road from here next to gabriel park and i'm a 34-year Portland native. In fact, I was born and live the first few years of my life in Multnomah village and we've already heard a lot about Multnomah village, I just want to second all of that. What I would like to point out is that the existing zoning of Multnomah village is storefront commercial and looking at the definition for that it talks a lot about preserving and enhancing older commercial areas that already have a storefront character and it seems to me that that's doing a good job with the village as it is. Growth -- density and redevelopment are not ends in and of themselves, right? They're means to an end and that end is a flourishing walkable enjoyable street scape neighborhood which the village already has. We've heard a lot about how it's already at capacity for traffic and certainly adding four to five story buildings would not do it any favors in terms of light or walkability or accessibility so I really think that rezoning it to cm2 would be very inappropriate for the area and would cause a lot of damage and one thing that hasn't yet come up, people talked about the parking concern, along the lines of parking, the neighborhood side streets are already shouldering quite a lot of burden for the existing use of the village. You may or may not be aware that many of those streets are unmaintained by the city. A lot of them are actually in a state of disrepair, very narrow, many of them are not paved. Adding a lot of additional use to that will not help anything. And the geography and geology of the area make it very hard to widen these streets so it's a very tight little area that's working very well as it is and I would just proposal that we not rezone it. Thank you.

Lawrence Margolin: I'm Lawrence margolin. 1139 southwest gib street just up the hill from ohsu. I'm a marquam hill property owner. And I'm here to discuss the cm1 zoning area proposed just west of ohsu and up the hill. I support that cm1 mixed use zoning and, in fact, feel it should be extended further up southwest gib street where we can get more services up on the hill. There's a significant lack of services and quality housing up on the ohsu hill for students and employees of ohsu. 3,000 new students arrive each year and need modern, affordable housing on the hill. The apartments built on the hill were constructed in the '40s and '50s. Many of the single family homes have been converted to multiple rental units and the demand for housing and commercial services up above ohsu is quite high. Currently, there's only a plaid pantry and a Thai food cart up there in the cs zoned area. So I'm requesting that the cm1 zoning in the comp plan be extended one block west up the hill on gib street to include my property at 1139 southwest gibs. I've owned this home since 1998 and I am determining the next best use for this property. With this cm1 zoning it would give us more options and ideas for development. The street

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up there does not have sidewalks. The storm water doesn't have drainage so all of this would be included in our project. There are many pedestrians walking up and down the street all day long and the site is within 100 feet of the frequent service trimet number eight bus. So again, the site is ready for development and could begin shortly. I have spoken to the homestead neighborhood association and received support for development on the site.

More-Love: Was there a Jackie berger on 32nd? Okay. We'll go with 29, 30, 31 and 32.
[reading names]

Mike Connors: I'm here on behalf of polissca investments and space age fuel, inc. My clients own and operate several service stations, convenience stores, vehicle repair facilities around the city of Portland. Four of them are proposed to be re designated with mixed use designations as part of the comp plan amendment. We're here to predominantly request that the city council postpone adoption of the comprehensive plan amendments until you have the mixed use zoning project amendments before you. And my client's situation is a poster child for why we believe you need to consider those concurrently. My clients don't have any objection to any of the specific or general policies or the comp plan designations for their property but the devil's in the details and those details are in the mixed use zoning project amendments which are not even currently before the planning and sustainability commission. Part of those amendments based on the draft that we've reviewed is proposing certain mixed use zoning for my client's properties that would prohibit or significantly restrict the very uses that they're using those properties for now, service stations, etc. And so the concern that we have is we're not objecting to the comp plan designation but we do have serious concerns about the mixed use zones and we're concerned that you adopt the designations, and then we come before you and you're somehow restricted because those designations have already been adopted. This is an issue that we have repeated in the planning and sustainability commission as well as other parties. I'm a little bit surprised there aren't more parties that are continuing to echo that during this process but I would urge you to do that. You can't disconnect them and I have yet to hear a compelling reason why they shouldn't be considered concurrently. Thank you for your time.

Martie Sucec: Madam President and commissioners, I agree with him. I think they ought to be concurrent. We're in for a lot of trouble otherwise. I live in Multnomah and I agree with most of the yellow shirts. All of the yellow shirts, actually.

Fritz: State your name for the record, please.

Sucec: Oh, martie sucec. There are some things that do concern me that aren't in the plan, at least I can't find them, they're hard to find at times. And one of the things that is in the plan is the statement that density is going to be focused on downtown and these mixed use corridors and centers. And yet neighbors won't be touched. That's not really true. They're not going to be actively touched but passively our neighborhoods are disappearing. I would like to see some kind of incentive to sustain older houses that are well built, you know, that have old growth forests. Some incentive, I don't know how you do it, I'm not a planner and I would like planners to figure out how you create those incentives to make them more energy efficient, to allow the yards and habitats to remain. It's really difficult to see good old houses demolished, the trees demolished, the habitat demolished. And if they were being replaced by, you know, not a full footprint on the property, that would be something else but those things are going up and they're going all over. And that's, you know -- that doesn't maintain the characteristic. And I would like to see some incentive for smaller houses and clusters of cottages. You say in the plan that

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60%, I think it's that number, of the population is going to be old people and I'm one of those people and I can't afford to live in the studio apartments that are going up and I want a garden, both to grow my own food and to offer habitat, which will protect the farmlands that the urban growth boundary is meant to protect too, we need to the pollinators. Thank you very much.

Brian Campbell: Good evening. I'm Brian Campbell. I'm a resident of the Westmoreland area of Portland. I'm also a planner that has been active in Oregon for 38 years. A member of the national and Oregon boards, the American planning association. I'm here testifying this evening as a citizen of Portland about the importance of well-located and designed density in achieving city goals. So from a planning perspective, Portland has been on a unique path for U.S. cities over the last 40 plus years. We recognized early on that suburbanization of cities was unhealthy and the only practical alternative was to develop more intensely and with greater transportation choices and a reduced reliance on the automobile which became so ubiquitous in postwar America and in following this policy we've created a vibrant thriving inner area of the city. In doing so we intentionally went back to what's worked so well in all of human history before the 20th century which was to build our cities around people and their basic needs, not around a single mode of transportation. It's clear that this vibrancy is not uniformly experienced across the city but has been focused on downtown and many inner neighborhoods but not in east Portland and some other areas. There are significant challenges in determining how to extend the success to the rest of the city. We need strong policies and implementation -- [inaudible] to make sure that Portlanders benefit. It's also clear that to be successful we cannot back away from our policy providing more intensely developed centers and corridors in areas throughout the city. More density is the only way to accommodate more choices though it may take different forms in different neighborhoods, the developed -- [reading] sorry. I read fast.

Ty Wyman: Thank you so much for your time and attention this evening. I'm here tonight as attorney for Dr. Nada Razuli. I gave your assistant -- excellent. It made its way to you. And that aerial depicts the property located at 6141 Southwest Canyon Court. I submitted, I'm testifying tonight really in support of a letter dated November 9th which described a bit more fully the process at the planning and sustainability commission and our response and by response I mean response with expert reports from a traffic -- an engineer specializing in storm drainage, that the site is fully developable at the R2 zone. That is what Dr. Razuli requested. My take on this one when he came to me after the planning and sustainability process was well I'm not sure of R2 but I'm pretty sure that R20 is not appropriate if you simply look at the property. As I said it's quite developable and it is immediately adjacent to the sunset, as you can see. For a little bit of orientation, this location is just west of the Sylvan interchanges, and it's quite close to the westerly boundary of the city. Dr. Razuli is of our community. He has practiced dentistry in the Sylvan area for many, many years, lives now with his wife and their two young children in the city, also in the Sylvan area. I know I'm not supposed to commend Commissioner Fritz but really do express appreciation to you and your staff for their responsiveness and we would just be happy to engage, particularly engage through the experts that we have retained to address any issues that would pertain to rezoning the site.

Moore-Love: The next four are 33, 34, 41 and 42. [reading names]

Fritz: Do you want to read the next?

Moore-Love: How about Jan Wilson?

Fritz: Please go ahead.

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Sheila fink: In any order? I have lived in the southwest neighborhoods for about 20 years in garden home and here in Hillsdale more recently and you said you would get grumpy if we repeat prior testimony and you've had a lot of testimony on anti-displacement provisions. I want to take this opportunity to ask you to just say yes to keep the 28 or so provisions that you put in and to thank you for the public involvement anti-displacement and affordable housing work that's been done on this comp plan. I think that neighborhoods have a great opportunity to learn during the process, and then to follow through with you as it unfolds in the sense that every time a project comes before a neighborhood association there's a robust discussion, and I think the best thing we all can do is familiarize ourselves in advance. Last night, the Hillsdale neighborhoods spent 45 minutes talking about how density could be incorporated in a way that didn't see us losing those things we love about the neighborhood and with Eli spivak it was a great discussion, you've done a lot of working on accessory dwelling and infill units. It isn't all about towering complexes on barber, though those are important and will help. Also want to thank you for getting some people indoors at the armory even if we didn't get permanent housing there it's good to see people being inside at night so thank you. And just say yes.

Jim Karlock: thank you. I'm jim karlock. I live in northeast Portland. I have a question for every member of the city council. Why are you ignoring the wishes of the people? Why are you ignoring the fact that we voted against increasing density in our neighborhoods. Twice? Once in 2002 they came out 2-1 against increasing density in our neighborhoods. The second was last November, a year ago November. Somebody said I wouldn't want you to think I'm a government hater but that's what you're laying the foundation for. This increases the cynicism of people. It's obvious you don't care. Let's move on to affordability. You also claim to care about affordable but your policies are carefully designed to destroy affordable. Let me read you what jason ferman, chairman of the white house council of economic advisors, said in a recent speech, covered in the "wall street journal." restricted supply leads to higher prices and less affordable. We see the association between land use regulation, comp plan how many hundred pages of restrictions and affordable in several dozen u.s. Metro areas. Then he goes on to say they can hit the poorest Americans the hardest. You wonder why we're having displacement. That's why. Admittedly this is that part of the problem is primarily a metro problem. They have decided we're going to increase density and contrary to what plan letters tell you increasing density is almost always related to higher housing costs if you actually cared about affordability you would pressure metro to get rid of their tight urban growth boundary. The decision to build up instead of out is destroying Portland's livability.

Fritz: Thank you.

Karlock: Unless you're calling los Angeles density livable or calcutta or hong kong. Hong kong has a 16-1 ratio of housing costs to people's income.

Fritz: I need you to stop now, please. Thank you.

Aesha Lorenze Al Saeed: My grandfather max lorenz purchased it about 70 years ago as a rental income property. At that time it was approximately five acres. In the 1970s my father sold half of it leaving the remainder one parcel. At one time I agreed with the rest of my family that it would ruin the natural environment to develop it, however, every year I see more people requiring housing in Portland. Prayer led me to reconsider more density of development. Instead of one home and adding a few more, it could actually be possible to build five or even six additional homes besides renewing the original. If we make good use of the good concrete foundations of several original out buildings already on the property which are slightly on the edge of the environmental zone, instead of tearing out

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what is actually more invasive and environmentally destructive. I would like to clarify that we have never experienced erosion or landslides on our property. Water runoff goes down to the creek and we use natural methods. I'm interesting in maintaining as much as possible the natural vegetation's without digging except for the homes, new homes' basements which I think is important in this damp area. For stability of the early as -- earth as much as possible and to support the eco-systems and creatures that make up for that. Our land is a haven for cats, dogs, rabbits, frogs and birds, creatures that like to roam and are intrinsic part of the truly natural environment. Often times the national has creatures are ignored in developments especially semi-rural and have not been provided for. I would like to pioneer this in my planned unit development with a treehouse or two and nesting boxes up high. The name of my project or p.u.d. would be lorenz' piece of patton with peace, which is what we need to be mindful of to cultivate the environment in which we live. I would knee a request to maintain the r-10 designation instead of changing it to r20.

Fritz: Unfortunately your time is up. If you would like to give us your testimony in writing that would be great.

Al Saeed: Okay.

Fritz: Let me check to make sure I have that right. 5920 southwest patton and you want it to stay r10, not r20. Thank you.

Moore-Love; the last two who signed up, 43 and 44.

Fritz: If anyone else wants to testify please sign up with the council clerk.

Jane Wilson: Good evening. I'm Jan Wilson. I'm here representing the bridal mile neighborhood association. I will submit written comments so I am going to just touch on the main point of that. That is that we are asking for the designation of Beaverton Hillsdale highway to be changed from what it's proposed. It's currently proposed as a civic corridor, and we're asking for it to be proposed as a neighborhood corridor. The distinction is different as you have heard we have the same situation as South Portland neighborhood. That is the corridor is already developed as it can be in a very neighborhood oriented way. Commercial businesses, homes there, are all tied into neighborhood. It's not a civic through corridor. Beaverton Hillsdale highway is not the intensity of sandy or Barbur Boulevard. It's just not and can't be. This is the most important thing even if you said the comp plan is what the vision for the future should be, it can't be that intense. That's because it runs along fanno creek. All the development that's along Beaverton Hillsdale highway on the north side is practically falling into fanno creek. Many of the apartment buildings have their foundations eroded bass fanno creek runs under them and crosses understand the street. So there's no way that you could build something like a costco -- the there's no way it can build five-story mixed use development. There are other reasons. We have gone through all the definitions in the comp plan and there's nothing that fits beaverton hillsdale being a civic corridor. Thank you.

Marianne Fitzgerald: Good evening. I'm Marianne Fitzgerald, representing southwest neighborhoods tonight. Sweeney submitted written comments today, so these were more than a dozen specific comments from our land use committee, transportation committee, parks committee. We threaded those three sets of comments into one letter. Since I serve as vice chair of the transportation committee I'm going to highlight that because I know them the best. I watched the city council work session on the transportation systems plan and I really applaud mayor hales' focus on performance measures and focusing on outcomes. I also serve on the bureau of committees and see how tangled they are. So after watching the work session I tried to get the data on the maps and it's very difficult to obtain the data, so I'm asking that the Sweeney is requesting that the transportation

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systems plan establish a clear link between the transportation project evaluation criteria and the performance measures and establish a baseline and goals and allow the public to access the data so we can see it. Too often there's criteria that are indexes and it's too challenging. So the second comment also has to do with centers and corridors but its a little different twist on it. We know that plan focuses on future growth but over the last 25 years we have seen a lot of growth with no infrastructure, no sidewalks, bike paths, storm water systems. So we have a lot of gaps not only in southwest Portland but throughout the city. We're requesting two things. That all the bureaus conduct a study of when you adopt these centers and corridors look at the infrastructure and see is it sufficient to accommodate growth. Right now all we're getting is cars. We need to have the infrastructure so people can walk and take the bus and take their bicycles or whatever to get around. Manage storm water properly. Then identify where those gaps are and put them in the next iteration of the transportation systems plan. The second thing is that when the new developments are built to require that they build the infrastructure. The waivers of remonstrance have created these gaps and too often the bike lanes are left on the cutting floor, the sidewalks. If we really are committed to accommodating growth we have to give citizens the tools we need to help the city meet goals. Thank you.

Doug Klotz: Doug laws. I want to second everything Marianne said about the waivers and lack of sidewalks with development. It's been a large problem for a long time. Sorry, I'm not -- I didn't want to double dip unless we have time. I just wanted to give you a minute about southeast Caruthers between 27th and 38th. -- 37th and 38th. I have what I hope is a clear map of and this is a way to develop the commercial node at division and Chavez in a logical manner. There's already commercial lots back on Caruthers that are being used as commercial. This would be about the least impactful way to allow more development at that node of commercial development.

Fritz: Does anyone else want to testify?

Moore-Love: Rod Merrick signed up.

Fritz: looks like we'll have time for those six photographs if you still want to show those.

Rod Merrick: It appears I came just in time. I'm rod Merrick. Do I need to tell my address, et cetera? Okay. I'm representing the east Moreland neighborhood association.

Undoubtedly you had correspondence from us on a number of subjects on the comprehensive plan. I want to call your attention to that but I particularly want to focus on two areas of the plan that I think need to be addressed. East Moreland applied to have its zoning changed from r5 to r7. We believe that our position was not well represented partly because of the very confusing language in the code by every criteria our neighborhood fits the r7 category as it's currently defined. We're again asking council to take a look at this issue very carefully. We would be happy to meet with you to go over the details but we have also submitted a lot of evidence, and I'll be submitting an additional piece of evidence this evening. The other thing I want to highlight is the -- something that others have brought up, which is that for whatever reason, the single family dwelling code is included in the comprehensive plan. This is a very specific language in an aspirational document. I along with others feel that this should be removed. It's entirely inappropriate to be bringing that language forward. Any questions?

Fritz: Thank you very much. You want to show us some photographs?

Pirofsky: Yes. If we could have the first slide, please. These are six photographs I took up on Mississippi after knew -- avenue right before it takes a bend in the road and becomes Albina. As a take-away I want to share these six photographs. If we could have the next slide, please -- ask yourself the question, would you be happy living in and/or

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owning a bungalow in one of these situations? Next slide, please. Residents of this apartment building will look under construction will look directly into the backyard -- can I have the next slide, please? That is the view down into the neighbor's backyard. Next slide, please. Here's another slide of a four-story building, Mississippi Avenue, with a bungalow right next door, same situation. All the apartments will look -- would look down directly on the backyard and on their house. Are there more slides? One more. Same situation. Four-story apartment building under construction, Mississippi Avenue, single family bungalow in the foreground. You have to be honest with yourself. I would like you to be, and say is this appropriate? It's a question that you have to answer yourself. Thank you. [applause]

Fritz: Does anyone else want to testify? Thank you very much for the very high quality testimony tonight. Thank you also to Portland community media both for the slide show and for covering this entire show which goes out on channel 30 live and also on recording. Thanks to our planning bureau staff and most of all thank you to the Jewish -- mittleman Jewish community center. This hearing is continued until next week, December 10, at 6:00, at park rose high school. If you have already testified it's not necessary to testify again. If you have other issues to bring up or if you just like to come and listen, which I really appreciate everybody who came to listen and didn't necessarily want to testify. This has been a really good process and I think together we'll be able to work toward a great comprehensive plan. Thank you very much. Goodnight.

At 7:47 p.m. Council Adjourned.