



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF APRIL, 2016** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and Jason King and Mike Miller, Sergeants at Arms.

Item Nos. 351 and 358 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
341	Request of Sarah Hobbs to address Council regarding Vista Bridge safety and suicide concerns (Communication)	PLACED ON FILE
342	Request of Charles Johnson to address Council regarding tax equity and fairness (Communication)	PLACED ON FILE
343	Request of Craig Rogers to address Council regarding zoning (Communication)	PLACED ON FILE
344	Request of Crystal Elinski to address Council regarding taxes, loans and grants (Communication)	PLACED ON FILE
345	Request of Shawn Sullivan to address Council regarding Title 11 concerns with Portland Bureau of Transportation and Bureau of Development Services (Communication)	PLACED ON FILE
TIMES CERTAIN		
346	TIME CERTAIN: 9:45 AM – Proclaim April 2016 Fair Housing Month in Portland (Proclamation introduced by Mayor Hales and Commissioner Saltzman) 15 minutes requested	PLACED ON FILE
347	TIME CERTAIN: 10:00 AM – Presentation from the Navy League of the United States Portland Council on the Commissioning of the USS Portland (Presentation introduced by Mayor Hales) 20 minutes requested	PLACED ON FILE

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<p>348</p>	<p>TIME CERTAIN: 10:20 AM – Accept Portland Bureau of Transportation 2015 Traffic Safety Report (Report introduced by Commissioner Novick) 20 minutes requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-5)</p>	<p>ACCEPTED</p>
<p>349</p>	<p>TIME CERTAIN: 10:40 AM – Proclaim April 10-16, 2016 to be National Public Safety Telecommunicators Week in Portland (Proclamation introduced by Mayor Hales and Commissioner Novick) 15 minutes requested</p>	<p>PLACED ON FILE</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Charlie Hales</p> <p>Office of Management and Finance</p>		
<p>*350</p>	<p>Pay claims of Phaedra Dibala and Rebecca Dibala in the sum of \$32,669 involving Bureau of Human Resources (Ordinance) (Y-5)</p>	<p>187668</p>
<p>*351</p>	<p>Pay claim of Cevero Gonzalez in the sum of \$25,000 involving the Mayor's Office (Ordinance) (Y-5)</p>	<p>187676</p>
<p>*352</p>	<p>Pay claim of Jefferson Holding LLC in the sum of \$11,718 involving the Bureau of Environmental Services (Ordinance) (Y-5)</p>	<p>187669</p>
<p>*353</p>	<p>Pay claim of McKinney Vehicle Services in the sum of \$23,397 involving the Bureau of Environmental Services (Ordinance) (Y-5)</p>	<p>187670</p>
<p>*354</p>	<p>Pay claim of Christina Munro in the sum of \$7,063 involving the Bureau of Transportation (Ordinance) (Y-5)</p>	<p>187671</p>
<p>Commissioner Nick Fish</p>		
<p>355</p>	<p>Authorize grant agreement with Oregon Nikkei Endowment in the amount of \$25,000 to support the renovation and repair of the Japanese American Historical Plaza in the Governor Tom McCall Waterfront Park (Ordinance)</p>	<p>PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</p>
<p>Bureau of Environmental Services</p>		
<p>356</p>	<p>Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for the Beaverton-Hillsdale Hwy Drainage Retrofits for Water Quality Project through the exercise of the City's Eminent Domain Authority (Ordinance)</p>	<p>PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</p>
<p>357</p>	<p>Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites to conduct environmental monitoring (Second Reading Agenda 326) (Y-5)</p>	<p>187672</p>

<p>Commissioner Dan Saltzman Portland Housing Bureau</p>		
<p>*358</p>	<p>Authorize contract with David Paul Rosen and Associates for \$169,025 for services in support of the development of a comprehensive inclusionary housing program structure for the City (Ordinance) (Y-5)</p>	<p>187677</p>
<p>*359</p>	<p>Amend Intergovernmental Agreement with Multnomah County for additional County funds in the amount of \$32,500 for an emergency shelter for homeless veterans (Ordinance; amend Contract No. 30002899) (Y-5)</p>	<p>187673</p>
<p>Commissioner Steve Novick Bureau of Transportation</p>		
<p>*360</p>	<p>Authorize a contract with the lowest responsible bidder for the 2015 Signal Rebuild Projects located at NE 42nd Ave and Fremont St, SE Cesar Chavez Blvd and Belmont St and new pedestrian hybrid signal at SE Division St and 157th Ave (Ordinance) (Y-5)</p>	<p>187674</p>
<p>REGULAR AGENDA</p>		
<p>361</p>	<p>Suspend systems development charges for Parks and Recreation, Environmental Services, Transportation and Water for the construction of accessory dwelling units or the conversion of structures to accessory dwelling units until July 31, 2018 (Resolution introduced by Mayor Hales and Commissioner Saltzman) 20 minutes requested Motion to amend to change the effective timeline from 2019 to 2018: Moved by Novick and seconded by Fritz. (Y-5) Motion to change date for Bureaus to return to Council with code, rate ordinance and policy changes necessary to implement this resolution to May 18, 2016: Moved by Hales and seconded by Saltzman. (Y-5) (Y-5)</p>	<p>37201 AS AMENDED</p>
<p>362</p>	<p>Strengthen regulations for tree preservation in development situations (Second Reading 328; Ordinance introduced by Commissioners Fritz and Saltzman; amend Code Chapter 11.50) (Y-4; N-1 Novick)</p>	<p>187675 AS AMENDED</p>
<p>Mayor Charlie Hales</p>		
<p>363</p>	<p>Amend Code Removing Barriers to Employment to clarify the exemption of volunteers (Second Reading Agenda 330; amend Code Section 23.10.020) (Y-5)</p>	<p>187678</p>
<p>Office of Management and Finance</p>		

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<p>364</p>	<p>Accept bid of Wildish Standard Paving Co. for the SE Bybee – Glenwood Culvert Replacement Project for \$2,198,623 (Procurement Report - Bid No. 00000222) Motion to accept the report: Moved by Fritz and seconded by Novick. (Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
<p>365</p>	<p>Authorize a grant agreement with Elders in Action for Arts Education and Access Income Tax outreach in an amount not to exceed \$25,000 (Second Reading Agenda 323) (Y-5)</p>	<p>187679</p>
<p style="text-align: center;">Commissioner Nick Fish Bureau of Environmental Services</p>		<p style="text-align: center;">PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</p>
<p>366</p>	<p>Authorize contract with Black and Veatch Corporation to provide engineering services for the Tryon Creek Wastewater Treatment Plant Influent Pump Station, Headworks, Primary Clarifer, and Odor Control Improvements project not to exceed \$6,687,914 (Ordinance) 10 minutes requested</p>	<p style="text-align: center;">Water Bureau</p>
<p>367</p>	<p>Authorize a Cost Recovery Agreement for \$24,237 to fund an environmental analysis to renew an easement with the U.S. Forest Service for continued operation of Water Bureau facilities at Bull Run Lake (Second Reading Agenda 332) (Y-5)</p>	<p>187680</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p>		<p style="text-align: center;">37202</p>
<p>368</p>	<p>Direct the Bureau of Human Resources to evaluate existing workforce data and determine whether, and how, gender impacts types of appointments, pay at appointment, progression through the pay range and promotional opportunities (Resolution) 15 minutes requested (Y-5)</p>	<p style="text-align: center;">Commissioner Steve Novick Bureau of Transportation</p>
<p>369</p>	<p>Create a Local Transportation Infrastructure Charge to fund improvements to unimproved streets (Second Reading 339; amend Code Chapter 17.88) (Y-5)</p>	<p>187681 AS AMENDED</p>
<p>*370</p>	<p>Amend contract with Eco Northwest for additional implementation work for the Local Transportation Infrastructure Charge project Phase III not to exceed \$340,000 (Previous Agenda 340; amend Contract No. 30004500) Motion to amend contract, page 5 to clarify outreach activities for the next phase of the project: Moved by Fish and seconded by Novick. (Y-5) (Y-5)</p>	<p>187682 AS AMENDED</p>
<p style="text-align: center;">FOUR-FIFTHS AGENDA</p>		

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370-1

Declare City Council opposition to Mississippi's so-called Protecting Freedom of Conscience from Government Discrimination Act, and temporarily suspend the authorization of using any city funds for travel by city employees to the State of Mississippi (Resolution introduced by Mayor Hales and Commissioners Fish, Fritz Novick and Saltzman)

Rescheduled to April 13, 2016 at 2:00 pm.

Motion to add "so-called" to the name of the Act: Moved by Novick and seconded by Hales. Approved without objection.

(Y-5)

37203

AS AMENDED

At 1:10 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13TH DAY OF APRIL, 2016 AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:09 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Deputy City Attorney; and John Paolazzi and Mike Miller, Sergeants at Arms.

The meeting recessed at 2:43 p.m. and reconvened at 2:49 p.m.

371 TIME CERTAIN: 2:00 PM – Direct the Portland Bureau of Transportation to develop a Performance based Parking Management program subject to City Council approval (Resolution introduced by Commissioner Novick) 45 minutes requested (Y-5)	Disposition: 37204
372 TIME CERTAIN: 2:45 PM – Proclaim April 13 th , 2016 to be a day to Honor Portland’s First Woman Fire Chief, Erin Janssens in Portland (Proclamation introduced by Mayor Hales and Commissioner Saltzman) 15 minutes requested	PLACED ON FILE
373 TIME CERTAIN: 3:00 PM – Amend Regulation of Lobbying Entities and City Officials to improve administration, clarify requirements and Auditor duties (Ordinance introduced by Auditor Hull Caballero; amend Code Chapter 2.12) 90 minutes requested for items 373 and 374 Motion to amend 2.12.070 D(1) to add to last sentence “except for meetings with city staff other than city officials”: Moved by Fritz and seconded by Novick. Motion to delete 2.12.080 B regarding at-will staff: Moved by Fritz and seconded by Saltzman. Motion to accept Auditor’s amendment to delete 2.12.080 F: Moved by Fritz and seconded by Fish. No votes were taken on the amendments.	CONTINUED TO MAY 11, 2016 AT 9:30 AM
374 Establish reporting requirements for political consultants (Ordinance introduced by Commissioner Fish; add Code Chapter 2.14) Motion to amend 2.14.020 C to add campaign committee language: Moved by Fish and seconded by Saltzman (Y-5) Motion to amend finding #5 and exhibit A 2.14.020 A to add Auditor, and change exhibit A 2.14.070 A to read “A City elected official shall not knowingly utilize a Political Consultant who is in violation of this Chapter”: Moved by Saltzman and seconded by Novick. (Y-5)	PASSED TO SECOND READING AS AMENDED APRIL 20, 2016 AT 9:30 AM

At 4:31 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **14TH DAY OF APRIL, 2016** AT 6:00 P.M.

LOCATION: PORTLAND BUILDING AUDITORIUM, 1120 SW Fifth Ave.

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

Commissioner Fritz arrived at 6:02 p.m. Commissioner Fish left at 8:26 p.m.

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

375 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 51-1; Ordinance introduced by Mayor Hales) 10 minutes requested	Disposition: CONTINUED TO APRIL 20, 2016 AT 2PM TIME CERTAIN
376 Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 51-2; Ordinance introduced by Mayor Hales) 3 hours requested	CONTINUED TO APRIL 20, 2016 AT 2PM TIME CERTAIN

At 9:01 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.

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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.

APRIL 13, 2016 9:30 AM

Hales: Welcome to the April 14th meeting of the Portland city council. Would you please call the roll?

Fish: Here **Saltzman:** Here **Novick:** here **Fritz:** Here **Hales:** Here

Hales: Good morning and welcome. We have communications items up front, followed by four, count them, four time certain items. So, we have a number of presentations, proclamations, and special orders of business this morning. A consent calendar, where I believe that we have had two items pulled to the regular, 351 and 358. Is that right? Anything else? If not, welcome, everyone, if you are here to speak on a council calendar item you need only to let our clerk know that you want to do that, and she will have you on the list. You need only give your name, unless you are a registered lobbyist, and if you don't need to give us your address. If you want to support someone's testimony in the room, feel free to give them a thumbs up or a wave of the hand, or if you disagree with them, give them a thumb's down or some other polite hand gesture but we ask that you reserve the applause here and demonstrations for the special city employees that we're honoring, students that we're welcoming or visiting dignitaries. Welcome, and with that we'll turn to item 341.

Item 341.

Hales: Could everybody have a seat and Come on up, Sarah and we'll welcome this group here this morning.

Sarah Hobbs: For the record, I am Sarah Hobbs. I have been working with friends of the vista bridge since the campaign to get the main reduction barriers up at the bridge started three years ago. There was an ongoing discussion that started again with the goose hollow neighborhood association about the view over the main reduction barriers, so I went to the city archives. Seeing what information that I could learn there. The vista bridge replaced what was known as the ford street bridge in 1926. I have here, a letter dated January 4, 1950, from dr. Strom who was asking that a six-foot wire netting be placed on the pedestrian transit areas of the bridge, and he was concerned about some people looking over and getting dizzy, and also, he was concerned about the suicides happening at the bridge, at the board street bridge even then. And want to address the issue, and am concerned people go up there because of the draw of the view. I have here in my hand, a letter dated April 12, 1926. Jc ainsworth, president of the united states, but was also at the time president of the Portland heights neighborhood association, which was the neighborhood association that requested the ford street bridge be replaced, and they also carried the major tax burden to the building of the bridge because they requested that it be done. Here are their -- the request that attention be drawn to the sidewalks of the Newport bridge opening, out in the center viewpoint with the concrete seats, and the concern being addressing the children, climbing up on the seats, and falling generally, as well. People falling on a whole. The city's response in a letter dated April 12, 1926, is we don't think that the seats on the bridge rail are going to be a problem, and even if they are, we have begun construction of the rail and we don't have the money or staff now. So, what I have here, is a long documented history of the issues at the bridge. Commissioner novick you

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have proven that if there is a will there will be a way found to address the issues. Not only at the bridge, I noticed, odot, completed are putting up the reduction on the problematic side of the tub at the Fremont Bridge, so I see if there is a will, there is a way, but I question where is the will?

Hales: Sarah, thank you very much, I appreciate your research on that, thank you.

Fritz: Thank you, I appreciate commissioner novick's leadership on getting the barricade and the partnership of the neighbor, it was recently brought to my attention by Sheila Hamilton that there has been research done with their barricades were going up, folks said people will just go elsewhere, and the research shows that they don't. That if the suicide is interrupted by a barrier like that, that perhaps, because people's brains are not working well, they are not able to think of another way to hurt themselves and saving someone at a bridge in particular tends to have good outcomes so that was new information that's the common parlance, is --

Hobbs: It is a very common comment on that those of us that work at suicide prevention find frustrating. A great research has been done through the Harvard school of public health in what they call their means, matter study. I encourage people to do that. Can I get one plug in? I know Commissioner Fritz --

Fritz: I was just about to ask you.

Hobbs: 1-800-237-2855, press 1, it is submitted by the department of veterans affairs but you do not have to be affiliated with the Va to access it, the only requirement is that you be a veteran.

Fritz: and Lines for life will answer your call 24/7, they'll answer teenagers texts 24/7 and so please be aware that there are community resources thank you very much for coming today.

Hales: Thank you so much. Why don't you read the next item and Charles is queued up for you.

Item 342.

Hales: Good morning.

Charles Johnson: Good morning, madam parks commissioner and fellow counselors, today, is a, I think, we'll talk about the day first, in politics, news, before we get into the equity and the fairness. I will say that we have just celebrated, I think, I can't remember what it was called, the national pay equity day so I hope that we're working forward to a time when you don't have to get elected to office to get equal pay with men. It is a tragedy while we're giving rich people of any gender, tax breaks, working class women, are experiencing pay and inequity. I know that the city has taken some initiatives on that matter, but it is still not time for us to let up. Rather historically, our junior state senator has said, it's not quite time for a woman to break the glass ceiling into the white house. The first sitting United States senator to endorse Bernie sanders, for president, is Oregon's Mr. Jeff merkley. I think that we have sanders' enthusiasts among people running for election right up there, among with the five of you so we look forward to vigorous voter turnout, the balance will be mailed soon, and they are due in on May 17. As to other issues that are happening in our community, I have to address the police commissioner. There seems to have been a communications breakdown on how our brave, well trained, Portland police can boldly go into areas of the city, whether they are infested with armed gangs, or whether it's a business meeting of the citizen's review committee, reviewing the decisions of the independent police review. I hope that there will be better communication between the police commissioner and the chief of police about what real safety for citizens means so that we won't continue to see articles in the Oregonian saying that the Portland police system, according to the United States department of justice, is still infected with the adversarial militarized culture. I have never seen mayor hales magic wand, I guess it's not

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working because I know that he would like to have improved the police community relations, mutual respect on both sides, and effectiveness, so I look forward to a public session where perhaps, Constantine Severe, the mayor, the auditor you, the chief of police day, can clarify About how vigorously the Portland police department is going to work on exceeding the standards set when the united states of America sue the city of Portland because of problems with the policing. Thank you all.

Hales: Thank you.

Hales: Ok, next person, please.

Item 343.

Hales: Good morning, Craig, welcome.

Hales: By the way, if you are talking about the comp plan you have to wait for the comp plan hearing. That's the law, not my idea.

Craig Rogers: Craig rogers, Portland resident. I would first like to thank commissioner novick for being in the business of saving lives, I think of you every time I come across the flashing crosswalks. And I would also like to mention noel, with the Oregon walks, and Michael, with the bicycling community, that those people really are making a positive difference in the city. With regards to the zoning, whether we're talking about high-rises on the waterfront, that block the light of day, or a residential lot, in east Moreland, that would be split, I have a sentence that I want you to ponder, kind of as a test, before you rezone things. It's from a famous book, and it is simply, all animals are equal, but some animals are more equal than other animals. I want you to ponder that, before you make the zoning changes. It's come to my attention with regard the auditor's office, with a short-fall funding with governor brown, a year ago, she said that transparent and accountable are really important, and I agree. And I believe that the auditor's office is one of the most productive offices in the city of Portland, and I think that they should be rewarded for doing a good job. And I really encourage you to fully fund that office, and I hope it's a 5-0 vote with regards to the lobbyist issue that's coming up, also. You look at all the work that the auditor's office has done, and as an example, of what an auditor's office can make a difference, is just google Allentown Pennsylvania and fbi. The fbi has gone in there and grabbed the computers, and it's a pay to play situation, and it's really very serious. Right now, New York City, mayor de Blasio, just check that out, this is even more current. And I encourage you to really give the auditors, office, the attention that it deserves in funding. Yesterday, Mr. Obama said, president Obama, forgive me, that's the thing about America, we are a work in progress. That's happening right here, right now, and it's really something to be proud of.

Hales: Thank you, Craig, thanks very much.

Hales: Next one, please, 344.

Item 344.

Moore-Love: Request of crystal elinski, to address the council regarding the taxes, loans, and grants.

Hales: Crystal, are you here? Ok, let's move to 345.

Item 345.

Shawn Sullivan: I was here a month ago for title 11. I am back again. I want to say that I think that something is wrong at the development services and with pbot. And it's impacting us -- I need to get these on. In two different ways, financial damages, and it's being inconsiderate of the general public. I had spok the last time I was here about title 11 and the delays that working through that process, with cause to my project, the Jewish home, and currently, that same project has been waiting for its public works and improvement permit, and we surpassed one year in the process. We are about ready to complete our phase 1 of the project which is supposed to take occupancy in two months.

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We still do not have our public works permit. I think that we will, as you know, there is a continuing care facility, and we have to go through dhs, department of human services inspections, and there is a good chance that we may have a completed building and not be able to occupy it, which will, at that time, stop the project and cause yet another delay. I find that the servicing the public questions, especially when it comes to pbot, I have got a couple of examples on my project. One is, for instance we went to pbot and we asked that the two parking spaces that are at the east end of the project, and there is street improvements to be eliminated so that we could go ahead and taper the curb back to the line with the existing neighborhood to the east. Their driveway, or their street. That was rejected because the standard is, for those parking spaces, to be there. I pointed out that those parking, two parking space, in this project, were only accessible coming from the neighborhood side. Couldn't we just eliminate them, and plant that area so that we would then discourage the traffic from going to the neighborhood, and they said no, it's not our standard. You have to put in the spaces. But, we can sign those parking spaces, no parking. That seems counter intuitive. Another example is that since we have closed down half of the sidewalk area, along one of the frontages, we offered to pbot, to install a sidewalk on the opposite street that matched up with the existing one, and they said, we certainly could as long as we put it into their standard. Their standard was a planting strip, a wider sidewalk and a buffer zone so all we need to do is remove the trees and go to the landowners and get a dedication of the land which was taken months. So I asked if I couldn't put in -- the asphalt sidewalk and the answer was no, and they said you know, this is going to be sold to people in wheelchairs riding down the street.

Hales: We appreciate you raising these issues. I guess I want to let you know that there has been follow-up by members of the council, with bureaus, based on the earlier Comments, so sorry that you had these delays, but it's not gone unnoticed.

Rogers: Thank you.

Hales: Not there yet, but you've been heard. Thank you. Thank you all, let's move to the consent calendar, again, we have two items pulled, 351 and 358, and unless there are any others who vote on the balance of the consent calendar, please.

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

Hales: Ok. Item 346.

Item 346.

Hales: Commissioner Saltzman.

Saltzman: Thank you, mayor. I think as my colleagues know April is fair housing month, and the city of Portland is recognizing the federal and local fair housing laws, to reaffirm our commitment to make housing available to everyone. Portland's theme for this year is fair housing opens doors. And the national theme is a shared opportunity in every community. Housing is a critical component of our lives, to our lives. It opens the doors to health, prosperity, and community. The doors are not open for everyone. The housing crisis is more than evident. It affects every person, every institution, and it rips apart the basis of the community. When relationships are broken by displacement. This council has put in place measures to catch people in crisis by increasing the time of notice for rent increases and no cause evictions. This coming year we will need to maintain a proactive approach. The council will continue to need to address the long-term solutions that prevent homelessness and increase the housing options available to individuals, and in turn, open doors of opportunity to our most economically vulnerable community members. This year, we will work on policies that create shared opportunity in every community. It may mean more affordable housing in a public transportation rich area, and/or more public transportation in an infrastructure poor area. The approach is to share the benefits and burdens and employ partnerships and actions across all of our bureaus. Here to talk more

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about the fair housing month we have Betty Dominguez, Home Forward's director of policy and equity, and she will speak to us, and we also have Alan Lazo, the new director of the fair housing council of Oregon. And he will introduce our very talented Portland students that are here today to be honored for their fair housing, for the housing artwork. We'll start with you.

Betty Dominguez: Thank you, commissioner Saltzman and good morning, mayor and council. So, as you mentioned I am the director of policy and equity at Home Forward, I am also a member of the Portland housing advisory committee, as well as a member of the fair housing Advocacy committee. Fair housing opens doors as Oregon's fair housing theme for the month. Through our poster contest you will see -- through our poster contest, winners we see, what opening doors means to the youth of Portland. I really messed that up. The various organizations I represent understand how policies such as red lining have historically and currently led to the fundamentally unfair landscape of racial segregation, displacement and the creation of barriers to opportunity, to undo the legacy of unfair housing practices. We need policies that are inclusive and serve to open the doors that we know are closed to the opportunity. In addition to some of the suggestions you made, commissioner Saltzman, around policies and programs, there are other policies that we might suggest or consider. Those would be encouraging the city to work with landlords around educating them about their obligations to accept applications for consideration from renters. With the section 8 voucher, and test and enforce the law when broken. House bill 2639, which went into effect in July of 2014 has opened doors by making discrimination based on source of income, or housing assistance commonly known as section 8 illegal, however, despite that action even section 8 voucher holders are finding it difficult to maintain and find housing in today's environment of rapidly rising rents. I think I need more coffee. Maybe it's my allergies. So this is fair housing month, and throughout the month, we've been conducting a sort of a, a, hundreds of renters, preliminary results show that 11% of those hundreds of renters surveyed reported having to move recently against their wishes, of that group, the most common reason for those who were forced to move was that the rental housing was either sold by the owner, 21% and the second most common was eviction with no cause, 26% reported that. And 17% of the respondents said that they had to move because of a rent increase. The final results of the fair housing problem will be available later this fall and we'll be happy to share that with you. So, again, additional policies that might be helpful in addressing some of these housing crisis issues that we're experiencing right now in addition to educating the landlords, would be to implement inclusionary zoning, which I know the city is working on, and to consider rent control and other incentive programs to include more affordable housing and high opportunities, and you could consider instituting a landlord licensing program in order to consistently train all landlords and tenant landlord rights and responsibilities. The city could also consider creating a mandatory rental inspection program to be sure our families do not delay in asking for needed repairs that often improve health consequences for their family and children. They neglect to do this because they are afraid of eviction and rent increases. So, at the time, I will stop here, at the time it's my great pleasure to introduce Allan Lazo, the executive director of the fair housing council of Oregon, and Allan has owned Lazo tax service, a local small business since 2002. He's participated on a variety of commissions and committees in Portland, and Gresham, including Portland's human rights' commission for the past five years. And one of those years, he was the commission chairman. During his tenure, he has been a supporter on issues around fair housing. Alan, please take it away.

Hales: Good morning.

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Allan Lazo: Good morning you all. Thank you, Betty and good morning, Mayor and Commissioners, it's a fantastic, it's fantastic to be back here this morning, and it's an honor and a pleasure this morning to represent the Fair Housing Council of Oregon and introduce the talented artists that we have with us here this morning. We all take great pride in welcoming these up and coming members of our community, who have conveyed through their art and understanding of how important it is to open doors to opportunity for the work being done in fair housing. Among those in the community, and those here in partnership. I, as well as the talented staff, volunteers, and board at the Fair Housing Council of Oregon look forward to continuing our partnership with you at the city, and working to end the discrimination in housing and ensure that all members of our community have opened doors and equal access to all that our fine city of Portland offers. This morning is about these inspiring poster artists. Our annual fair housing poster contest raises awareness among various students and their families about fair housing and provides a visual reminder of the theme fair housing open doors throughout the entire year. Copies of these posters depicting the work of this morning's grand prize artist are distributed as part of our education and outreach work throughout the state of Oregon. We distributed them in government offices, in social service agencies, out at libraries and housing complexes and in other venues where we provide education and outreach about fair housing. Such as on our bus tour of historic discrimination and displacement here in Portland, which I know that some of you will be joining us for on Friday morning. So without further ado before I introduce these young artists I want to say I've been here several times to talk and one of the first times I came here which was probably 4 or 5 years ago. And I mentioned that it was the very first time that I had ever been here to city council and I've lived here for many years. And now we have folks here are maybe 40, 45 years younger than I am and I hope this is an introduction to this process and city participation for them and that they'll come here many more times too. So just another fantastic outcome from the work that's being done.

Dominguez: I will just say that we have many talented students in this city, it was very difficult to narrow down choices. So I just want to recognize that there was participation very wide by kids in the community.

Lazo: So with further ado let me introduce this morning's fair housing poster contest award recipients and they are right here so I'll have them come up as I read their names and a little information about them. So for grades one through 3 our first prize reward recipient is Rachel Clay from Chief Josephs and Oakley Green.

Hales: Come on up Rachel.

Lazo: So Rachel we heard that you love reading and you have an older brother named Liam and loves animals. Don't we all. And when she grows up she wants to be a veterinarian. So congratulations Rachel. Our next award recipient for grades 4 through 5 is Faith Culpepper. Faith come on up. From Innovative Housing and Futures School. You can stay.

Fish: We'll bring another chair.

Lazo: We have plenty of chairs.

Lazo: All right, Faith is very interested in drawing, and her favorite subject is science, that's a great combination. She has one brother and one sister, and I am going to move over, she practices Tae Kwon Do. Our next recipient is, for grades 6-8, Lydia Hall from Irvington Elementary, and Lydia.

Hales: Come on up.

Hales: Good morning.

Lazo: So, Lydia does tumbling at Irvington and likes dancing and gymnastics. She also likes reading and writing and takes many trips to the area libraries. She loves drawing and

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fashion design, and she recently received a sewing machine and uses it to sew her own clothing designs. And finally, a grand prize award recipient is Alexandria. Come on up. So, Alexandria is a lovely gymnast and trains about 16 to 18 hours a week. She's been involved in that sport since she was seven. She's also passionate about running, reading and creative writing and has an older sister, and a younger brother, and most importantly, a new 4-month-old puppy. So congratulations on all those things. So thank you all for the work you did on the posters, and we have got a couple versions of the poster here hanging up and we're going to take photos. So congratulations to all of you.

Hales: Let's hear it for the artists. [applause]

Saltzman: Why don't we have everybody come up and hold the posters and get a picture.

Hales: Yeah.

*****: Commissioners, we would like you to come down and sign the posters, and we also have the first prize winners here to sign, and then they have already signed this for you. We'll gather everybody for a, for this.

Hales: Excellent work and thanks for supporting an important issue in our community, thank you very much.

Hales: We have another celebration this morning, something wonderful is happening, thanks to the United States navy. I will have Karla read the item, and we'll proceed.

Item 347.

Hales: Good morning, we are very pleased to have the navy league here, this is an exciting thing for our city, that the uss Portland is getting its finishing touches, and more to come, as these gentlemen know, this one is personal for me, not only is it wonderful to have a ship of the united states navy named after our city, but I have a special connection with the navy myself, Although never having served there, since my father spent his whole career working for the navy department, as did my brother. And since my uncle boats, my only uncle in the world, spent his whole life working in the Pascagoula shipyard where the uss Portland has been built, so this is sweet for me, and we appreciate this opportunity, and your advocacy for what comes next, so good morning and welcome.

*****: Thank you. Mayor, it's too bad that you are not able to go down there, and it is interesting how the news media has mixed up both of these events.

Hales: You can straighten that out for us this morning.

Gary Piercy: Good morning, mayor, and commissioners. I am Gary, and this is mike and Ken, we are all navy veterans. We are from the navy league, of the United States, and civilian group that's, that supports all of our services, and the navy, marine corps, coast guard, and merchant marines. The navy league is over 100 years old, consist of almost 50,000 members nation-wide, and our councils have 250 members. One of our founders was Theodore Roosevelt, who, in 1904, also believed in a strong navy. As some of you know, if we can get it to change, yes.

Hales: There we go.

Piercy: The navy is building a large ship, to be name after our city, and on Monday, we got the confirmation, the secretary of the navy that the commissioning of the uss Portland will be in Portland in late 2017. What a great time for all Portlanders to celebrate our maritime heritage, and show our appreciation for today's sailors. This is the first navy ship to be named exclusively for our city. The famous uss Portland, during world war ii, was named after the main city, shown here, passing it, passing the St. John's bridge in the 1930s when it visited Portland, and the more recent ship of the 1970s, was named after both cities, a most unusual occurrence. She was based on the east coast, so she never visited here. There have been other ships, ships named after other Oregon cities, for example, Eugene, Oregon city, Astoria had two ships named after them, and Salem had three ships named after them. But, no Portland, Oregon. Now, the navy has made a ship

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for our city, even though both senators from Maine complained that they were over-ruled. Shown here, is ray mavis, in the navy ceremony in late 2014. We've been honored for the maritime heritage as a major ship building center in Baltimore, world war I and world war ii, and as well as being a major sea-born commerce center since the beginning. We are still in the preliminary stages of forming our committee, but we already have many supporters as you can see. We are asking for your public support to help make this ship and crew a part of Portland's heritage. We are not asking for any funding even though the navy does not pay for any activity except the commissioning ceremony on a Saturday morning. Our committee will be soliciting donations, we would like to form a joint committee with you or for city officials to become part of our committee to coordinate activities over the next 18 months. As I mentioned the commission will be here late in 2017 later ken will tell you more about what a commissioning is. We expect this to be a large public ceremony 4 to 5000 people attending. What a great opportunity this is to make this great Portland ship. Now here's Mike to tell you more about the ship itself.

Mike Hewlett: Mayor hailes and commissioners, when you first heard that the navy honored our fair city Portland by naming a ship the USS Portland, lpd 27 you probably wondered what kind of ship is that. Let's take the next few minutes to become better acquainted with the importance of the future USS Portland. It was a little over a year before this naming ceremony that the keel of the USS Portland was laid at the ingles shipyard past Pascagoula, Mississippi with a target date of spring 2016 for the launch and the commissioning and the not commissioning, but the christening tis the first of it. Here is a picture of our sister ship the USS New York you may recognize her from what you've seen on tv, part of her ship is from the steel of the twin towers. It's a large ship, very large ship, its 684 ft. long. It's two thirds the length of an aircraft carrier, it's over 100 ft. longer than the longest ships---the cruisers we've had here for the rose festival, it's very large. And to get a better sense of the size of it lets zoom into to see if we can see the people that are manning the rail, point is it's quite large. Here's a few of the San Antonio class lpd of which the USS Portland will be the 11 ship in that class, the class sister ships formed the backbone for navy and marine corps amphibious operations, and what's unique about the lpd class, is the fact that it can house 500 to 800 of marines, and the real big deal is all their equipment, including all of the vehicles necessary for a land assault.

Fritz: Does lpd stand for something?

Hewlett: Lpd stands for landing platform dock, and it's easy to forget, so we will now refer to it as the secretary of the navy did, always, as an amphibious transport. Thanks for the question. The large flight deck is capable of handling a four top roader ospreys, and here's a cross-section of the -- oops. Of the amphibious transport. You can see in the bays, a lot of the different equipment that's carried aboard, takes 370 plus navy sailors to accommodate the three to five to 800 marines embarked. You will notice that the stern of the ship, the doors are open, that's to flood the well deck so that the launch craft can carry -- can launch into the water. Also, note that the medical -- there are 24 hospital wards, two operating rooms for medical, and two for the operating for dental the doors of the well deck are open, incomes a utility vehicle, here's a landing craft, that really is the work horse, does the heavy lifting, and it is called the -- the landing craft air cushion, and here are two of them in the well deck, loaded up, and notice the heavy equipment that's on that, ready to be launched to the beach. Probably the most visible and type of, type of mission, is, actually, unplanned, it's the humanitarian relief. You probably have read about the humanitarian relief on the Haiti earthquake, on the tsunami for japan, and, of course, for Katrina. Supplying and offloading then and bringing the supplies. We've been talking about the size of the ship and the hardware of the ship. The real key is, it's all about the crew. None of this crew has been on the ship before because it is just being built. So,

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there is a major training effort that needs to go in place, and shakedown cruises, take a year to a year and a half, to get the ship fully ready, to deploy, and ready to conduct their amphibious operations, flawlessly, and flight operations, prepared to meet many challenges, long, enduring bridge watches. Finally, ready for duty, ready, everybody is trained. The ship is 100%, it's now time for a major celebration. Much larger than the christening, is the commissioning. A large public event showcasing both ship and city, and at this point, I would like to turn it to Ken Bray, who will be describing to you what happens during the commissioning.

Ken Voedel: Thank you, Mike. The commission will see an influx of national and local government officials, navy and Marine Corps flag officers, distinguished visitors and dignitaries, and honored guests, and associated with the ship. The ship builder angles itself and their industry guests as well as family of the crew members. It will be an event and time for Portland to roll out the red carpet. You can see from this picture, from the podium of the new York, that you have the Mayor Bloomberg, and so you know at that time, the Admiral and the General of the Marine Corps, the General Conway, as well as Senator Clinton, and she was the main speaker at this, at this commissioning. A story of the commissioning, I lived in San Antonio, and I was privileged to be invited to the commissioning of the first ship, the USS San Antonio. It was quite an event. Let me share some highlights. First, what is a commissioning? It is, actually, the acceptance of the navy of the ship, ready for service. It is a culmination of the construction cycle from keel launch, christening, will happen on, scheduled to happen on May 21st, Saturday, on the Armed Forces Day, down in Pascagoula and finally commissioning. It is both a -- commissioning is a formal and solemn ceremony at the same time that it is festive and jubilant, it places the ship and service in the navy, includes you set the first watch, and first logbook entry is made, and the meeting of the auditors, and the ship is formally transferred to the new commanding officer, the chief of the naval operations, or his representative. There will be a commemorative speech, the ship's commissioning pennant, and all this is climaxed by the ship's sponsor, Our ship's sponsor is, is Bonnie Amos, wife of the Marine Corps, previous, General Amos, and she will say, man our ship and bring her to life. And what happens at that time, the crew has been on the shore side, on the dock side, and now, it is tradition is they run up, and man the rails. It's quite a stirring event. There is a navy -- the music is playing, and the anchors away and all of that is going on, and it was a sight that promises to arouse patriotic feelings, and all who see it, a promise. This concludes the formal ceremonies, which are generally followed by the tours of the ship and lunch with the crew. Ok, that's the event. Now, we have the ship, now what do we have to do? Hosting the commissioning is a two-way street. In the months ahead, the ship's officers, crew will seek to learn, to learn more about Portland, our history, our customs, and if not, our personality, if not, our weirdness, while we return, Portland needs to define, organize, and support meaningful community activities, perhaps, those that showcase the best of Portland. As well as support the traditional events befitting such a commissioning, and you can see on this list there are a number of, of typical and formal events and receptions. Activities may include community service, and we have been in contact with the perspective commanding officer, and he's asking us how can his officers and crew be of service to the City. Maybe the athletic competitions, both internally among the ship, and, perhaps, a friendly Portland challenge may be dragon boat races or something like that. Social events, for not only the sailors but their family, as well, here's a reception onboard the flight deck. I will try to speed it up a bit.

Fish: Just a question, is it, by tradition, does the secretary of the navy try to attend each of these commissions or is that too far up the food chain?

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Voedel: No, he tries to come but, doesn't always make it, but Gary do you want to answer that better than I?

Piercy: Well, quite often and depends on his schedule, the secretary of defense, just depends. At various levels, I don't think there is anything set. There is many national leaders that will be here, yes.

Hales: Secretary Davis, our current secretary has been, has had a great relationship with Portland, he has been here a couple times. He's been very active in the building of this partnership.

Hewlett: This is something close to his heart.

Voedel: We've been dragged here, part of this is, is to a good feeling between the crew and the city of Portland, and our relationship with this plank owner crew, and that's what they are called, the first crew is the plank owners, and the sailors take high pride in that, but what the future sailors will provide a boost for the morale, while reinforcing their sense of value, in the Crucial role of the defending 6 our nation. Indeed, the rose festival has a ship to call its own, and she will only deepen our pride assess she accomplishes her missions around the world. Perhaps, some day in the future, some years in the future, it's going to be a very special day to see the uss Portland lead the rose festival fleet up the Columbia to the Willamette, and that will be a great thing. Our mission is clear upon us. Provide a commissioning that will leave a strong imprint on all that is good about Portland to the sailors of the uss Portland, for years to come. Leave no doubt in Portland's resolve to support the sailors, as they are willing to go in harm's way, all the while, enduring long, separations from family. Let's make Portland's commissioning all about her sailors and their family. Thank you.

Piercy: Thanks again. Do we have the video? We have a nice time lapsed video of the launching of the ship from about two months ago. It came from the ship yard and yea it does work. She's in the water now.

*****: This is how we go her to the water.

[video playing]

Hales: They made that look easy.

Piercy: So you can see that's the launching. It take place over a number of days. The christening with the bottle of champagne, that's on May 21st, coming up. And then, almost a year and a half later, through all the training and the installing and things like that, and the commissioning here, which is when the ship is, actually, legally accepted as part of the active complete. Thank you very much for your time, any questions?

Saltzman: Does the crew, you said the crew spends a year and a half in the preparation? Is that --

Piercy: Yes. The commanding officer, was just appointed weeks ago, and in fact, things got a little mixed up here on this whole -- usually they wait longer to announce the city, but the secretary of the navy was very proactive, and some of the active navy people hadn't checked off some of the approvals. And anyway, we do have the approval now, so, there is a few officers and a few of the crew now, over the next few months, they will be forming the crew and they have to go through the training, and off the ship, and on the ship. It takes a year and a half, it's amazing how much preparation goes into this.

Saltzman: Ok. Thanks

Hales: We thank you very much for this presentation this morning, it's really, really both great information, and a lot of excitement that you bring to this work, and we know that it's a big commitment on your part and the navy league's part, to do this. We really are proud of the work that you have done already, to position us for this wonderful thing, and it's going to be a great thing for Portland. We need your help.

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Piercy: We want to make it Portland's ship. This is not going to be a navy league thing, we want to make it a Portland ship and get as many of the public involved, and excited about this as we are because this is, this has been a long time coming, and it's going to be a fun affair all the way around.

Fish: I wanted to acknowledge my dad was in the navy and spent a lot of time with a mop and bucket. I am not sure he was very high up in the command structure but that's where he served, so it is a proud moment for Portland.

Fritz: If somebody wants to get involved who has been watching this on cable how would they get involved in participating in the preparations?

Hales: Give us your name.

Voedel: We have a website, brochures being passed out right now.

Hales: Ok.

Fritz: That's www.ussPortlandlpd27.org.

Hales: There we go. We will get it up and running. So that's a way for people to get in touch, and we appreciate you very much, let's hear it for the uss Portland. [applause] thank you.

Hales: That is going to be fun. Well, thank you all very much. That's going to be a great day for our city and this is really a proud moment for our community. So, we are looking forward to having lots of great interaction between the crew of the uss Portland and the people of the city. It will be a great experience for everyone. Thank you.

Novick: By the way, mayor, I think it's important to note that both presidents Roosevelt, were assistant secretaries in the navy so as far as I am concerned when they need a bank regulated or park established or trust busted I call the navy. [laughter]

Hales: Always a good idea. Thanks very much. All right. Let's move on, please, then to item 348.

Item 348.

Moore-Love: Accept Portland bureau of transportation, and 2015, traffic safety report.

Hales: Commissioner novick.

Novick: Colleagues and fellow Portlanders, when we hear about a death or a serious injury on the roads, we feel terribly sad, and I think sometimes we feel helpless. When we hear the statistics, and the context, on these crashes, we'll still feel sad, but we'll feel somewhat less helpless. I really appreciate Commissioner Fritz for suggesting that we have a formal presentation at council, and of the traffic safety report, and I think that it's important to look at the data, and to realize, for example, that we do better than most cities. We do better than we did 30 years ago at avoiding fatal or traffic crashes, and crashes that involve serious injury. We don't do, as well as some cities, and we don't do as well as we should. So, I think that when you hear the data, you will realize that we should be sad, and we should not be satisfied, but we should not feel helpless, and I will turn it over to Margi and Leah.

Leah Treat, Director, Portland Bureau of Transportation: Thank you very much. Leah Treat director of the Portland bureau of transportation, and I am joined by Margi bradway, the division manager for active transportation and safety, and I also would like to point out, and thank the sergeant voepel from the Portland police bureau, who has joined us today, as well. I had talking points that I am going to go over but last night, as I was getting ready for this time certain today, I came across an article that really struck me, and if you will indulge me I would like to read a bit of this article to you. It's from the Atlantic, and they are talking about traffic safety, and roadway fatalities. And it says cars, most dramatic cost. They waste lives. They are one of America's leading causes of avoidable injury and death, especially among the young. Oddly the most immediately devastating consequence of the modern car, the carnage it leaves in its wake seems to generate the

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least public outcry in attention. Jim McNamara with the California highway patrol where officers spend 80% of their time responding to car wrecks believes such public inattention arise whenever a problem is massive but diffuse, and whether it's climate change or car crashes, he says, that the problem doesn't show itself all at once, it is hard to get anyone's attention. Very few people see what he and his colleagues witness daily and up close, but hurdling tons of metal slamming into concrete and brick and trees and one another does to the human body strapped or all too often not strapped within, and in contrast, a roadside wreck is experienced by the vast majority of drivers as a nagging but unavoidable inconvenience, just another source of detours and traffic jams. Increasingly popular and powerful smart-phone traffic apps eliminate the brief close encounters with the roadway body count, routing drivers away from cash related congestion. The typical car wreck is all but invisible to everyone but those killed or maimed and those who job it is to clean it up. Many are aware of troubling numbers of people are injured and die in cars but most are unphased by this knowledge. This disparity and inattention between plane and car crashes cannot be justified by the death tolls, quite the contrary, in the 14 years, following the terrorist attacks of 9/11, there were eight crashes on American soil of passenger planes, operated by international carriers, and the death toll totaled 442 people. That averages out to fewer than three fatalities a month, the death toll on the streets and highways during that same period, since 9/11, was more than 400,000 men, women, and children. The traffic death toll in 2015, exceeded 3,000 a month. When it comes to the number of people who die in car wrecks, America experiences the equivalent of four airline crashes, every week. A normal day on the road then is a catastrophe, and the statistics for the safety council calls it that, and he ought to know, he makes his living crafting the annual statistical compendium of every injury and death in the country. Car crashes are the leading cause of death for Americans between the ages of 1-39. They rank in the top five killers for Americans 65 and under, behind cancer, behind heart disease, and accidental poisoning and suicide, and the direct economic costs alone, the medical bills and emergency cost reflect ready in taxes and insurance payments, represented the taxes of 784 on every man, woman, and child living in the united states. The numbers are so huge, that they are not easily graphed and so are the best understood by a simple comparison. If the u.s. roads were a war zone, they would be the most dangerous battlefield the American military has ever encountered. Seriously, annual u.s. highway fatalities outnumber the war dead during each Vietnam, Korea, Iraq, and Afghanistan, and the war of 1812 and the American revolution. When all the injuries from car wrecks are taken into account, one year of America driving is more dangerous than all those wars put together.

Hales: Thank you.

Treat: If -- thank you for indulging me on that. I thought it was just said much better on what I wanted to say today than, and, than I could have put together myself, onto the data that we want to present to you today about the city of Portland, and our traffic fatalities, unfortunately, we have lost 37 lives on Portland roadways, last year, that's more tragic than the number of homicides that we saw in the community. This year, the pace of traffic fatalities has been worse. And indeed, it has been a very rough start to the year. We have lost 14 lives in crashes already in 2016, eight of those fatalities are in east Portland. The statistic is sad, but it is not surprising. Did you know that if you live east of 205, you were 2.5 times more likely to die on our roadways? That's why we held a press conference last week thanks to the leadership of commissioner novick and the support of the legislature, and in particular, representative's Fagan and Peterson to highlight the installation of the beacon that's stark at 151st. We are joined by our partners in the police bureau. The beacon installed at stark and 151st was one of 19 rapid flashing beacons paid for by state

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funding. Since 2012 we improved safety at 34 crossings in east Portland and we are currently working on designing and constructing over a dozen more beacons in east Portland. We also held the press conference to convey our sense of urgency and our commitment to reaching zero traffic fatalities and serious injuries. And it was also a moment for us to recognize chief o'dea and the police bureau for their response to the increase in fatalities. Their increase in traffic patrols focused on traffic safety is exactly the kind of response that we need, and thank you to the police bureau. They have been great partners. So, these are the overall trends in fatalities for, including 2015. 37 people died in crashes in 2015, which it was an increase in fatal crashes compared to 2014, and looking at the history of traffic fatalities for Portland, going back to 1925, we have seen an overall downward trend. However, over the past decade, progress towards reducing the number of fatalities has remained elusive. So, these are our fatalities by mode. In 2015, 20 occupants of cars and trucks were killed in traffic. Which was an increase over the previous year when seven occupants of cars and trucks died in traffic crashes. The motor vehicle trend over the last 20 years has shown a significant decrease in the vehicle fatalities, primarily, because of improvements in vehicle safety technology and seat belt usage. Motorcycle fatalities stayed constant at five, and bicycle fatalities doubled from one to two. And the best news, even if we can say something like that, when discussing the fatalities, was that in 2015, the pedestrian Fatalities were down, with 15 fatalities in 2014, and 10 fatalities in 2015. Unfortunately, only a few months into 2016, we are seeing the pedestrian fatalities go back up again, and out of the 14 who have died on the streets this year, five of them were walking. Overall, among roadway users, people walking are at greatest risk for being seriously injured or killed. Despite making up just 9% of the roadway user's people walking comprise 31% of Portland's traffic deaths. So now I would like to transition to some of the conclusions that we have reached as part of the work on the vision zero task force. Crashes often involve multiple factors, and the factors that we are seeing in 2015 and now in 2016, such as impairment and speed are consistent with the trends of the past ten years. Based on ten years of data, impairment is involved in 56% of the deadly crashes. Impairment includes both drinking and drugs. We do not know yet how the legalization of marijuana is going to impact the trend, but we know that the Portland police, with the leadership of captain sheffer is working towards how to test for marijuana in drivers. The captain believes that it is underreported because law enforcement has not found a reliable test. Second speed is a factor in 47% of the fatal or serious crashes. Speed kills. It is really that simple. We have known for a long time that speed is a contributing factor in many crashes, and that's why I worked with commissioner novick and representative reardon to champion the fixed speed bill and continue to pursue ways to lower speeds on the roads of Portland. Third, people disobeying traffic laws is involved in 51% of fatal crashes or serious injuries, and example of this type of infraction include disregarding the stop sign or traffic signal, and includes all modes, for example, it would include a car driving the wrong way on a road, but also include a bike going through a stop sign. Distracted driving is included in this data, although as we have discovered as part of the work, in the vision zero task force, our data on distracted driving is poor. Oregon does not have a comprehensive distracted driving law. So in other words, police officers in Oregon often cite careless driving as a contributing factor to a crash, whereas there is no place on the crash board to similarly report distracted driving. We know it's a major problem, according to the centers for disease control, over 3,100 people in the u.s. Were killed from distracted driving last year. So, we know that that's a problem. Fourth, based on the data, road design on the high crash network, plays a role in 47% of the fatal crashes in Portland. So, in other words, the high Crash network in Portland makes up for 7% of the center line miles of roads in our city, but accounts for 47% of the fatal crashes.

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This is a map of the high crash network. It is part of the comprehensive vision zero strategy, we have realized we need to move towards a better analysis of those roads that are the most dangerous. We have started to move away from the idea of high crash corridors and are examining the high crash network, we feel this change will give us a more accurate understanding of the problems on the roads. You can see that most of the roadways are multi-lane, higher speed, arterials.

Hales: That number is not rank order, right?

Margi Bradway, Portland Bureau of transportation: It is rank

Hales: It is rank order? Ok. Thank you.

Treat: We have additionally overlaid the high crash network with the communities of concern layer from tri-met's equity index. The dark gray areas on the map. Both the high crash network and the communities of concern layers help pbot and the partners identify the highest priority areas for traffic safety investments of our limited resources, and the next steps on the action plan, I am very honored to be leading the vision zero task force on behalf of the city to develop the zero vision action plan, the city, regional and state partners are planning a multi-pronged approach to make Portland streets safe, and the plan is going to include two and Five-year actions, and the actions under discussion include education, enforcement, policy changes, and infrastructure changes. In May, we are going to convene the executive committee of the vision zero task force, that committee includes mayor hales, commissioner novick, and the committee will have a community listening session, and also, present some of the initial findings of our task force. And we are going to be back to council in the fall for a full briefing on the task force to talk about the next steps on the action plan. That concludes my testimony, thank you very much.

Hales: Thank you both.

Fish: Leah, I want to say that personally of all the things and you commissioner novick have championed, in your brief tenure, how long have you been here?

Treat: 2.5 years.

Fish: I am sorry.

Hales: Time flies when you are having fun.

Fish: In the 2.5 years you've been here I think of the many things that you have done, I think the vision zero thing may be among the most important. And I want to just comment on the gap between our aspirations in terms of the values proposition, and what we're seeing on the streets. It's interesting, no matter how the mayoral election turns out, come next january, I will be the only member of the council living on the east side of Portland. And I can tell you my experience driving on the east side of Portland has not been good lately. While I don't have to go very far, I live in grant park, I have the -- I drive on streets that are really under a lot of strain right now. Particularly, sandy, and Sandy Boulevard. And I recently sent you an email and I appreciated the response that I got, and I sent you an email and I got a response that weekend, and that's about as responsive as you can get, and I am grateful for it, and what I did was I highlighted some of the worst behavior I see routinely. I shared with you that I am trying an experiment as a driver, I am not a saint on the road. I have received parking tickets. I have done other bad things in my life on the roads so I don't presume to be the exemplar of exemplars but I guess having two children and growing older I am more aware of these issues so i've been doing an issue which is following the law to the letter as I drive around. What I have found increasingly is that I am a hazard to others. It's alarming to me, by driving the speed limit on sandy, which is 30 miles per hour, I am a hazard because people angrily go around me and shake their fist at me because it's like I am holding up progress. And most of the time, its people going 50% or more faster than the law allows, in order to get to the next intersection ahead of me. Putting everyone at risk along the way, so I ask you about some of the common things that

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I see, U turns and intersections. People are routinely making u turns in the intersections and most of the time they seem to be on the phone. That's a class b -- that's a class c misdemeanor, which could cost you between \$150 and \$250. Speeding. We have people that I observe routinely going between 10 and 30 miles over the speed limit. In Portland that will get you up to a \$450 ticket. Failure to use turn signals, I think for some people, that is now just has become discretionary. That's a class d, 110. Aggressive, dangerous driving. If you engage in aggressive, dangerous driving, you can be charged and fined up to \$450. If your reckless behavior causes serious injury, its 12,500, you must go into a diversion program and you must appear in court. So, I looked at the stuff that you gave me, and I really appreciated seeing both the statues and the fine schedules, and I guess that the point that I want to make is, because I think what you are doing is so important, I want to volunteer as I am assuming all my colleagues do, to figure out how we can help you achieve this goal. The goal of vision zero is noble. And the statistics you have just given us are stunning because they remind us that most of these are preventable deaths or injuries. If we stopped distracted driving, if we, if we slowed down, just some of the basic common sense things we can save lives. And I often feel powerless when I am around people, egregiously violating the law, what I often do is point to the sign that says 30 miles per hour if someone is going past me at twice the speed. But I have no authority to intervene. I think this is critically important. As there are more cars on the roads and more people kind of stressed out and there is more conflicts between user groups, it makes what you and Steve have said is the goal more important. I want to volunteer for whatever service you need to make this work and it literally drives me crazy to see the reckless and careless and selfish driving that I see on a regular basis on the roads, and my impression is it's getting worse, not better. I am not entirely sure that there is folks that fully understand what the consequences are of their behavior. So whatever it is I want to sign up and I am grateful that you have set this goal for our community and I think that the council over the next few years has an obligation to follow the lead and fund it and make sure that the word gets out, and to do whatever we can to save those lives. Thank you.

Treat: Commissioner Fish, thank you very much for your comments and your support. I will say we are going to need you, need the rest of the council when we come to you in the fall with our action plan, the types of things that we're looking at addressing are going to take changes in law, many at the state level so we will need support at the legislature and we're going to need help insuring not only our sister bureaus are coming to the table and putting all their energy behind the same effort, we're going to need help from Multnomah county, we're going to need help from the private sector, and nonprofit, and we have all those people at the table on our task force. It makes a difference when there is political leadership behind the staff asking for actions to be taken.

Fish: I would be honored to join Steve. I would also -- I have a bunch of ideas that if we could follow up and give you just one because you said you are going to seek legislative changes. I was surprised to learn, and again, in your responsive memo, I was surprised to learn under state law we are so generous in allowing vehicles to stop double parking in places on the road, and there is some language that explains the exceptions and the loopholes, the thing that I have noticed with increasing frequency is vehicles in congested areas double parking at the intersection. And then waving you along as if it is a smart move to go around the vehicle and into oncoming traffic, and at the intersection. I am willing to roll the dice in my life but not going to do that. I think that there is common accepts rules. I think double parking in the mid-block is less dangerous than at the intersection. The one thing welsh you are going blind in the multiple directions. I think there is updates you want to consider and I hope you canvas us for suggestions, and please count me in.

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Hales: Other questions and Steve, do you have any invited speakers? There may be folks that want to speak.

Novick: I don't think so.

Hales: Thank you both very much. We will see if there is anyone signed up to speak.

Moore-Love: We have one person, David Davis.

Hales: Come up.

Hales: Come on up if you want to speak on this item, come on up.

David Davis: Good morning. So I wanted to say, you know, I think it's good to reduce traffic deaths and stuff but I also wanted to point out that the Portland bureau of transportation is directly involved with killing homeless people by having homeless sweeps. Coordinating the homeless sweeps. So, I would like to see the same vision of zero deaths for homeless people, and I think one of the ways that you could do that is by stopping a lot of the sweeps because sweeps are known for killing people, and so, I think that it's kind of a contradictory that motorists and bicyclists and pedestrians are put on this pedestal of safety, but homeless people, basically, are being killed by these same agencies that are supposedly there to stop traffic fatalities and other stuff. So, I don't think that the police and Portland bureau of transportation and odot and all these people should be conducting homeless sweeps and killing people, especially under a homeless state of emergency, and you know, I just see one class of citizens, and all the various groups that get protection but not the homeless. And you know what, the homeless are an all-encompassing group of people which include every race, gender you know, sexual preference, etc., so you know, these homeless sweeps are still going on. They are being coordinated by the same people that are all interested in the safety issues, you know. So, basically, I am, I am wondering if you guys are going to maybe tell pbot to stop sweeping homeless people and killing them because I would like to see the same vision of zero deaths amongst the homeless that -- you guys are free to comment if you want.

Hales: Thanks very much. Mr. Walsh, you are next.

Joe Walsh: I am Joe Walsh and I represent individuals for justice. Often in my travels, I have to cross an area down by the max station on division. What happens when you cross that main street is you hit a button that wants you to be very careful because the cars may not stop. The problem is, when you are crossing the street, the first lane, is not a problem. You can see them stopped. It's the second lane, the second lane is open. I have almost been hit at least three times by cars going right through, no stop. 30 miles per hour. I mean, I am small, 30 miles per hour, is going to squash me. Another area that I have to cross is when I go to Adventist pavilion, when I get off the max I go to the light and push the button and it changes the light to red, all the cars stop. And including the 15 bus, so it's a very busy area. So the question becomes, why in that area do we stop all the cars, for the person walking across, but on a max, we don't. Why is that? It's very dangerous, and I am very cautious when I cross that area because I've almost been hit three times. Every time I go in that street, I can feel it on the back of my head really getting nervous. So if you want to do something, I say over and over that we do them on the cheap and pay a price for it. And the price of making a decision to do it on the cheap, I just push a button and say be careful crossing. No kidding. If you do it on the cheap, somebody is going to get killed. Sooner or later. Somebody is going to get killed. And I don't know if there is any statistics on that area, but I would be interested to find out. Thank you very much.

Hales: I think they probably are. Thank you. Good morning.

Shedrick Wilkins: I'm Shedrick Wilkins and my own personal opinion about cars is they kill people. My cousin when I was 12, I do not drive because when -- I had a cousin 12, when I was 12, in 1967, he was killed in a car wreck because he did not have his seat belt on. It was a 30 miles per hour crash. His mother was driving him to school, and checked

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in the back seat to see if he had spilled a coke, and crashed into a tree. In 2005, my son, my father was getting old, he should have gimp up his driver's license. On that story my uncle was -- a superintendent for an oil company. It powers the cars I was his only son, in 2005 my father drove, and he was 77. He should have given up his license. This is a comment about older drivers. He lost it on the freeway. He hit the barriers, luckily there were water things taking an exit. My son had his seat belt on, ok, he lived And by the way it was an impact at 30 miles per hour just hitting the back seat that killed my cousin, and there's another sign there that I see cars as killing machines, and probably the number one cause of accidental death, and those are just two traumatized stories, and by the way, because of the experience of the car wreck in 2005, when my son was 10, he does not drive. Like most high school kids want to get a driver's license. It really turned him off.

Hales: Thank you very much.

Hales: I don't drive. Never have.

Lightning: My name is lightning, I represent lightning watchdog pdx. I am really surprised the bureau director walked out. She's learned a lot from you, commissioner novick. Hopefully she'll keep walking out the back door. It's very important that bureau directors said after they do presentations, also listen to the public, whether they like their ideas or don't. It's important that they do and disrespectful just to walk out and have no consideration for what the public has to say. My issue, and hopefully since commissioner novick is here, I would like to have more studies done on the pedestrian deaths. I would like to have more studies done to have an understanding that a lot of people have hand-held devices this day and age from the smart phones to all different types of devices. If you look at that closely, to see if those are tied into these accidents. If we want to look at doing a possible ban on texting while walking, having headphones on, while you are walking. And get a clear understanding on that, if that does equate to pedestrian deaths, the numbers increasing in the last couple of years, and to try to look at this very closely and maybe look at a solution to minimize those type of pedestrian deaths, due to hand-held devices. Thank you.

Hales: Thank you. Thanks very much. Those folks that were signed up to speak?

Moore-Love: That's all I have

Hales: Motion to accept the report

Fritz: Second

Hales: Roll call vote.

Fish: Steve thanks again for framing the issue, for setting audacious pull for leading us [Microphone not on] potentially gonna be one of your most important legacies about educating the public about more rational behavior in the streets. And then coming up with the various legislative and other fixes to make our streets safer and I thank you for your leadership on this. Aye.

Saltzman: Well thank you for this report and I look forward to the report of the taskforce in the fall. I do hope the taskforce mr. Lightning just brought up a good point about should we consider issues around pedestrians in the crosswalks being able to text or have earbuds. I think some cities have actually started to make that illegal and I think that's something we need to look at. I do think all in all we need to be more serious about distracted driving I think we have an ambivalence in our society about it because many of us do it and I think motorist now think it's ok if your at a stop light its ok to be checking your iPhone for texts and messaging, I believe that's still illegal under the law. So I hope and I've mentioned this to the chief, I've mentioned it to the mayor, to the sergeant that we need to be more aggressive. The violations are so rampant, it's easy for the pickings. Post somebody on the corner, in plainclothes, they could be in uniform and still write a lot of tickets. I hope the task force gets serious about this. That's what's on the uptick, distracted driving and

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the consequences are terrible. Thank you again, I look forward to the full report in the fall. Aye.

Novick: I really appreciate Leah's and Margi's and the rest of the bureaus work on this issue I appreciate the service of all those in the vision zero task force and everybody in Portland who's worked to improve traffic safety for years and years. I wanted to talk for a second about the issue of speed because as Leah said, it is literally true that speed kills. Sometimes we take actions to reduce -- it's important to note it's not just the posted speed limit but the shape of the roadway that affects how fast people actually drive. Sometimes we take actions to reduce speeding, which has the effect for some people of increasing the length of their trips, whether they are themselves are speeding or not. I had a conversation yesterday with somebody who was really upset about what we're doing on foster road, going from four lanes to two lanes and turn lane. We know that is going to increase the length of some trips by about three minutes. And some people are upset about that. Three minutes stuck in traffic can seem like a lot. But making that change is going to make it safer, for example, for children in elementary school to walk to school. Part of the culture change we've been talking about that commissioner Fish is saying we need to make is to get people to think differently about steps we're taking to improve traffic safety, and get people to think. For example, spending an extra three minutes on a trip is an investment in the safety of those children early in elementary school. I think if you ask people, would you be willing to take three minutes a day in order to protect people's lives I think they would say yes. We need to get them to think of it that way. Aye.

fritz: Thank you, commissioner novick for your leadership on this, as one of our citizen communicators, you are in the business of saving lives in all three of your bureaus. I particularly appreciate your bringing this report to us, especially on page 5, the list of the people's names killed on Portland streets in 2015. I do notice there is one name missing, a motorcyclist killed on September 20th of 2015. I tried doing google search and I couldn't find it, either. I would encourage you, if somebody's watching who knows the name of that person to let commissioner novick know and to bring a substitute ordinance back on the consent agenda so we can add that name. It's important that we remember the names of the people who died on our streets. Almost every traffic crash is preventable. We need to get much more serious about doing that. It's been 81 weeks since dean Fritz was killed in a traffic crash. I am happy to tell the council that the Oregon transportation commission has added more funding so that all of the barriers for the Fritz-Fairchild act will be installed before the deadline. They have allocated \$22.3 million as a result of your support to getting that bill passed in the 2015 legislature. Every place on interstate highways throughout Oregon where median crash barriers are necessary they will be installed as soon as possible. So I feel certain we can do similar things in Portland that will increase barriers so that people are protected. I note that the mode share of the pedestrians killed is way more than the mode share of pedestrians. We need to be careful not to blame the victims, recognizing that it's vehicles that kill the pedestrians, and that the speed has been noticed is often a factor in that. I drive down to Ashland every year with my daughter to see plays, and I use the gps even though it's quite clear on i-5 how to get down to Ashland. It's remarkable to me how long you have to drive the speed limit to catch up on even a minute in time that you've lost at the beginning, after you've been in a traffic backup. Three minutes is really not that long. I've started looking at the clock in my car and realizing, I have only been there three minutes, that's not that long in the grand scheme of things. We all need to be sharing the road and being more careful in how we do that on bicycles, in cars, as pedestrians. They are our streets and we need to be more careful and we need to do the things that fund the programs, including not on the physical barriers but the training for police officers, especially now with marijuana. We need to be

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able to fund the training that allows them to arrest people who are driving under the influence of marijuana, that's something i'm going to be talking with the council about over the next few months and working with police to make sure we have the annual training. Again thank you so much for bring this report, the report is so important. Aye.

Hales: Thank you, commissioner novick and pbob and sergeant voepel. It takes the classic three e's, for government to have an effect on this crisis. First it has to start with our own hearts and minds. Thinking a little bit about, this is a public health issue, it was once possible to smoke in these chambers. Members of the city council smoked in this chamber. It became understood that's a public health problem and that smoking kills you and you shouldn't do it around other people. Our hearts and our minds changed based on the facts. The facts are here. Leah recounted the dismal factual record of what we lose in our community and our country every year to traffic fatalities and injuries. So first we have to change our hearts and our minds. Then we have to speak really clearly about the issues at hand. One way I try to do that is to remind everyone that driving is not a right, it's a privilege. That's why we issue a license. I don't need a license to exercise my right of free speech. But for the privilege that the community grants me to drive on the public's streets and roads, i'm given a license. That license can and should be revoked when my behavior on that common space is unacceptable to the community. So those words matter. Automotive homicide is homicide. Automotive assault is assault. Negligence, i.e., driving while trying to send a text message, is negligence. Those are crimes. We need to be clear with both our hearts and our words about what's at stake here. That alone won't solve the problem but I think it's the foundation to solving the problem, much as understanding that smoking is inherently dangerous started a trend there in the right direction. Thank you for your work on this issue. The police bureau and I are committed to being effective partners envision zero and we need 600,000 other partners in the hearts and minds and actions of our neighbors and our friends. Thank you very much. Aye.
[gavel pounded]

Hales: We have a time certain item and also commissioner smith from Multnomah county to talk about regular agenda items. I suggest we take 349 and move directly to item 361.

Item 349.

Moore-Love: 349, proclaim April 10-16, 2016, to be national public safety telecommunicators week in Portland.

Hales: Mr. Novick, would you like to move off.

Novick: Actually, mayor, I think first I'd like to ask Lisa Turley and Laura wolfe to come up and then we'll read the proclamation.

Hales: All right. Good morning.

Lisa Turley, Director, Bureau of Emergency Communication: Good morning, I'm Lisa Turley the director of Boec. With me is Laura Wolfe a senior analyst. I want to say we recognize the efforts of my staff because my staff is also your staff. They are the first people on the scene of many incidents that go on in this city, medical, fire and police. And they are dedicated servants to the goal of providing public safety. And Laura's been working really hard this week on tweeting and retweeting a bunch of information about how our bureau works. I'd like her to speak just a little bit about that.

Laura Wolfe, Bureau of Emergency Communication: Good morning Mayor, commissioners, first of all, I'd like to thank commissioner novick for implementing the idea of tweeting about the work we do every day and recognizing the dispatchers and having a fun time actually taking pictures and all of you who have participated in sending out pictures and supporting boec and the work they do, thank you for attending the banquet we had Sunday evening, commissioners novick and Fritz were there, thank you.

Hales: Great. Thank you.

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Hales: Would you like to read the proclamation, commissioner.

Novick: Thank you very much Lisa and Laura and everybody at boec. It's my great honor to be the commissioner and I get to read this proclamation every year. Whereas dedicated public safety telecommunicators at the bureau of emergency communications serve Portlanders through responding to their request for police, fire and emergency medical services and dispatching the appropriate assistance as quickly as possible 24 hours a day 365 days a year. And whereas, when an emergency occurs the rapid response of police officers and firefighters and paramedics is critical for the protection of life and preservation of property. And whereas, professional public safety telecommunicators are a vital link between responders and victims and they are often the first contact people have with emergency services. And whereas, public safety telecommunicators seek to ensure of safety of the police officers, firefighters and emergency medical personnel by monitoring radio, and providing accurate information for 9-1-1 callers. And whereas the bureau of emergency communicators have contributed substantially to apprehension of criminals, suppression of fires and life-saving treatment of patients experiencing medical emergencies. And whereas, stable, adequate funding of the bureau of emergency communications is critical to support the work of our public safety communicators who often work long hours and arch is an understatement to, ensure the bureau's mission of answering 9-1-1 calls and dispatching help. And whereas telecommunicators exhibit compassion, understanding and professionalism while performing a critically important job as Multnomah county's first responders. I declare national public safety telecommunicators week in Portland and encourage all residents to observe this week.

Haes: Thank you very much, commissioner. And thank you everyone in our wonderful bureau for the great work they do.

Hales: Thank you very much. Keep it up.

Turley: We do our best.

Hales: Thank you both.

Hales: Okay. Let's move on please then to item 361.

Item 361.

Moore-Love: System development charges for parks and recreation, environmental services, transportation of water for the construction of accessory dwelling units or the conversion of structures to accessory dwelling units until July 31, 2019.

Hales: A couple opening comments. This is really a good piece of work in my opinion that we're extending this sdc waiver program for accessory dwelling units in a city growing very rapidly. We're looking for all kind of ways to make that more livable and equitable as we struggle with growth and housing costs and other issues. Adus are a great tool for both livability and affordability. And they give people a lot of flexibility about how they might help meet the housing needs of our city. Providing that incentive was a good idea. Continuing that incentive is a good idea. I'm pleased to bring this resolution forward with our housing commissioner, Mr. Saltzman.

Saltzman: Thank you, mayor. I believe that we should, that we will act to extent the system development charge waiver for accessory dwelling units this will be the third time the council has created an exemption for a three-year period. We've seen the exemption incentivize the construction of this popular housing option and its good public policy. I think we all want to see infill development occur. It's consistent with our growth and our comprehensive plan goals. And of course I recognize that not charging the system development charge fee has an impact on our infrastructure bureaus and council needs to be cognizant of this. But the trade-off is as I said creating infill housing stock and providing property owner's options on how they and their family members use their property I think outweighs this impact. I don't know if we have anybody.

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Hales: I think we have a formal presentation. But we should first call on commissioner smith of Multnomah County.

Fish: I've been looking forward to asking matt some questions under oath.

Hales: Okay, that'll be a pleasure. Good morning and welcome

Commissioner Loretta smith: Good morning. All my friends are in one place.

Hales: Glad you're here.

Smith: Thank you for inviting me.

Novick: We missed you the other day but we know you were doing god's work. Condolences to Roy and his family.

Smith: Thank you, thank you. Good morning, mayor hales and Portland city commissioners. My name is Loretta smith and I am a resident of district 2, as well as a district 2 county commissioner. Today I'd just like to share my support for commissioner Saltzman and mayor hales' efforts to highlight how accessory dwelling units may be used, play a role in the ways we take up and address issues concerning housing affordability in Portland. As you all know housing affordability is a huge, huge issue in Portland. I think we have every level of government who is trying to figure out strategies, you know, and together how we can make this a little less cumbersome for people who can't afford to live in the city at all. As you saw last week, I think both chambers, the county and the city, we were bombarded with a lot of folks who were really, really hurting behind affordability issues. And while there's a common perception that adus are for those people with higher incomes and means, and the Portland area this is an alternative housing option being offered as a solution for building neighborhood density. Portland and the surrounding Multnomah County's identity is woven into the fabric of its neighborhoods. And as a longtime resident whose family roots are -- go back to my grandfather who worked in the Keizer shipyard back in 1942, i've seen firsthand how this place has developed over time, and how the identity of north and northeast Portland, including historically black neighborhoods, have changed. And as a county commissioners I am all too aware of how these same neighborhoods, buildings, adus is difficult due to the high cost and impact on homeowners. So I think what you're proposing today is a huge, huge help to make sure we can do infill and that we're not trying to push out the urban growth boundary. Adus an important part of the conversation about neighborhood identity. There are caregivers and family members. They also benefit homeowners and renters alike. Research has indicated adus offer real potential for comparable, affordable rents and living arrangements here in the Portland area. This resolution being brought forth today extending the sunset on system development charges on adus until 2019 will alleviate the high costs for construction and development of adus. At a time when the cities of Portland, Gresham, Troutdale, Beaverton, and Milwaukie, Oregon, and our regional cities wrestle with the issues of housing afford ability and available ability and seek to offer ways residents can afford the adequate living spaces, it is very clear to me we must promote strategies that offer a means to an end. This is one of the strategies. The use of adus, although not the only answer, presents us with a simple yet effective means to create living units for people who are unable to afford the skyrocketing prices associated with how homeownership and renting. Adus can provide a win-win situation. Homeowners can offer living units with reasonable costs for development, while the region gets increased density without bumping up against urban growth boundaries. I realize this is just one part of a larger narrative about housing access, availability and affordability. And I know many of us, both in a room and beyond, are confronting just how we look at residential security for people we represent here in the city and in the county. But I hope our efforts like these, which lessen the costs and ultimately benefit homeowners and renters, can keep fueling this dialogue. I hope that we can collaborate on this as we remember housing is more than

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just appropriate dwellings. It is also about enabling people to say where they want to live and call home. It is going to take creative solutions and ideas for us to make sure we're helping everyone and I just think this is one of those creative strategic ideas that we need to continue. I want to thank you for your support for the original resolution, and today I hope, I urge everyone to support and vote for the second extension. Thank you.

Hales: Thank you very much.

Fritz: Commissioner, I thank you for being here today I appreciate it. I was following the discussion of property taxes for accessory dwelling units. Can you tell me where the county ended up on that issue?

Smith: We got an interpretation from the department of revenue.

Fritz: I lost track long before that happened. So could you refresh me and others.

Smith: One of the issues I was concerned with is that Multnomah County was assessing the entire property instead of just the adus. There's an interpretation that is underway right now that suggests we should only be doing just the newly built adus. Currently the department of revenue has a task force looking at this, and I think, mayor, they are going to be coming up with an additional assessment on how we should look at it. Just to back up just a bit, we did refund from the county some of those dollars for property taxes. I got so many calls from people who said our taxes went up by \$8,000. They had no idea they would be reassessed for the entire property and not just the 800 square feet they are putting in their garage. Hopefully we'll all get the same interpretation, and that we will be able to add additional density to the urban growth boundaries. The number of adus that have been built are in my district. It is a huge issue. It also offers affordability for seniors who may want to rent out their big homes and move to the adu. Hopefully we'll be able to get a standardized interpretation of, you know, what we should do.

Fritz: For right now it's still pending. If you're thinking of doing it, they should factor that in that they could be assessed a higher property tax

Smith: I suggest they call the Multnomah assessor's office. To see what they're doing today because at the high end if that's what they're doing they need to know what their ultimate costs are going to be, and not assume it's going to be retracted in some way.

Fritz: Thank you, thank you very much.

Hales: We appreciate your advocacy on that.

Smith: I just want to say while I am on the record, mayor and city council, I so appreciate all of you in your support of the summer jobs program by the name of summer work. I know we have systems in the county and city and you all have been so great to continue this program. I don't know what some of our kids would have been able to do without this summer job. It is so important. Just to leave you with a statistic, if you have requests for additional summer jobs, just know we have about 32,000 students from the age was 16 to 24 who have no job and they are not in school. So they are just randomly out here in the Portland region with nothing to do. Summer jobs often an alternative and an additional strategy to try to train some of our youth. I just want to say thank you so much for supporting this for the last five years.

Novick: Loretta, you just said something I think bears repeating. I had a similar conversation with the head of work systems, Inc. On whose board you serve. When I learned there are 30,000 young people we describe and disconnected, going back to what you just said, 30,000 young people between the ages of 16 and 24 that are not in school and that are not employed --

Smith: That's right.

Fish: These are young people at the greatest risk of maybe getting involved in activity we want to discourage or seeing their horizons limited or a number of other things. So it really

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didn't hit me until I heard the number. 30,000 young people that are at risk of seeing their horizons limited if we don't in these critical years give them a hand up.

Smith: And commissioner, one of the things we have been advised for do through the department of labor, the u.s. Department of labor, we're not calling those students at risk anymore, we are calling them opportunity youth. They need an opportunity in this community. For whatever reason, whether it be gang violence, homelessness, drug and alcohol or just not being able to get along with your family and couch surfing in different places, we have a very serious problem, a youth employment crisis. Not just the public. We have stepped up in a big way, mayor. 80% of the money that work systems uses for summer work is from the public dollar. What we need is the private sector to step up and join our efforts so we can at least have a couple of thousand kids in work. It's not going bend the 30,000 but we need to figure out some strategies of how to put those folks back into the queue. I thank you for your support and thank you in advance for supporting the summer works programs.

Hales: Thank you very much, appreciate your being here today, thank you. I know we have folks signed up to speak questions from matt first if you'd like, come on up.

Saltzman: One of the reasons we think it's important to have this three-year window because there is a chill as a result of the department of revenue's interpretation of property tax reassessment. There's been a real chill on adu development. We think if the task force results in a ruling that property owners can rally around and want to go resume their adu plan is going take at least a year for that to happen. I'll turn it over for questions for matt.

Novick: Yes, question for the commissioner and matt I totally agree that we need to increase density and increase the supply of housing which includes affordability when. When we allow apartment buildings to be built that increases density but requires the developer to pay sdc's. We have sdc waivers for affordable housing but we require the housing actually be affordable. I have two main concerns about a three-year extension. One is that I don't think that we know how many adus are actually going to be used as Airbnb's, use the one company as shorthand for one short-term rentals. They aren't actually increasing the housing supply for Portland residents. Second, I think there's no guarantee that adus will be affordable. There's nothing to stop people from renting out an adu for \$1500 a month. I've talked to matt about this and I understand there's questions about the logistics and administrative ability of us to say that we only have the waiver for adus that aren't used as short-term rentals or that we impose a requirement for affordability. Maybe we can overcome those problems immediately. It concerns me to have a three-year extension without having fully addressed those issues. I'd like to think there's some way before three years we might be able to resolve the issues and put some programs on this waiver.

Matt Grumm, commissioner Saltzman's Office: Thank you, commissioner. I'm Matt Grumm with commissioner Saltzman's office, excellent point. First i'll address the infrastructure and the difference between a multifamily apartment building and an adu. The feeling oftentimes, and i've read this from different advocates, the infrastructure impact. Oftentimes the same water meter have you can be used for the adu. You don't build a new parking driveway for the adu perhaps. Whereas multifamily structures have a lot of impacts on the infrastructure. Its felt there is a lower impact on those infrastructures and that's some of the rationale.

Fritz: Excuse me. If it was the same water meter there wouldn't be the water sdc.

Grumm: I've heard that as well. It depends on how it goes. I've heard another story that it was a garage already had a bathroom in it, they put a sink in and the sink would trigger

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an sdc. The issue of a lower impact on the infrastructure is one of the rationales i've heard about the sdc waiver.

Novick: But in terms of the usage of park and the transportation system, new people are new people.

Grumm: That's true, that's true.

Saltzman: Affordability issues, is there a way we can tie the waiver to affordability? I think eli spivek is here somewhere, probably would want to testify on that. He's put forward some very thought-provoking ideas. I think what we're confounded by is that adus can go through a cycle of uses. A short-term rental, then perhaps to house aging parents, then be used to put into the rental market. So trying to choose a point in time and say it must be affordable I think is hard for us to figure out how to get our arms around that.

Grumm: Excellent point. The best research we have is 2013 the department of environmental quality the state did a pretty good analysis of what's happening in Portland. They support these for the efficiency uses. About 80% were used as a long term rental. Even more surprising 20% of that 80% were actually at zero to much lower amounts of rent, oftentimes zero for either a child or a grandparent or something. We believe there's an affordability aspect. It's hard to jump on that number actually.

Fritz: I'm concern that the resolution directs the affected bureaus to come back with ordinances by May 11th which is very quick, in order for us to be able to figure out some of these issues. I share the concern about short-term rentals and I'd like to know more about how at least initially, if the waiver is for three years, the possibility it has to be affordable for three years. What is the average system development charge?

Grumm: We're hold right now for an adu around \$17,000.

Fritz: That's different than the number I was given a range between eight and 13.

Grumm: That's about three years ago. I might have missed that on my analysis.

Fritz: What's the average cost of building an accessory dwelling dwelling unit?

Grumm: I believe it's between 80 and \$120,000.

Fritz: So a fraction of what the cost is, eight to 13 or even 17 is a relatively small amount of 120,000. The accessory dwelling unit charge would applies if there is an accessory dwelling until being constructed as part of a new construction. Developers building both the main unit and accessory dwelling unit. And if the waiver were not in place they would be required to pay on both, that is correct?

Grumm: Correct.

Fritz: So I'm wondering if there is a way to set the waiver so that it doesn't apply to new construction where people are going in with that in mind. And so have you looked at all into the short-term rental issue? That's what we're hearing more and more, homes are becoming -- residential areas are becoming commercial districts with lots and lots of turnover in the short-term rentals.

Grumm: We definitely examined that. Could you compare to it what we do for a single-family home in the sdc waiver? If you were to turn it into a term rental you come in and pay the sdcs after the fact. The problem is we might be creating scofflaws. Maybe they believe they don't want to use it as a short-term rental. Then when they move on to a different stage they want to use it as short-term rental, we would tell them absolutely, now you pay your \$17,000. We feel they would walk out of door and do it as a short-term rental anyway.

Fritz: Then we would know where they were, though. I think that is something we should be looking at and finally did you consider the fact that in the parks system development charges going into effect in July that we did already say there was going to be greatly reduced system development charges for structures under 800 square feet?

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Grumm: My understanding that's still being challenge so we're not sure if the sdc program will be in effect.

Fritz: We're planning to implement on July 1st. Commissioner, did you have other questions?

Fish: Thank you, you framed some of the concerns I had. I want to build on what commissioner Fritz said and ask three questions. So in the teeth of the recession when we first agreed to this sdc waiver, my recollection is we did it in part to incentivize adus, and in part because we were seeing rampant noncompliance with the building code. We thought if we lowered a cost barrier more people would get a permit and therefore they would be safer units. Is that fair?

Grumm: Those are two rationales, yes.

Fish: Okay. When we waive sdc's we shift those costs to another class of people is that correct?

Grumm: That's a way of looking at it, yes.

Fish: We have two kind of sdc's, some are forward looking and some pay back retroactively. Correct?

Grumm: Yes.

Fish: For me, because we're talking about the backward looking effect of waiving sdc's for utilities, I think it's very important to identify what's the public benefit. We are doing a little bit of cost shifting. When we waive sdc's for affordable housing with regulatory agreements there's a clear interest obtained and it's enforceable. I was persuaded during the recession that bringing an illegal industry out into the sunshine and making it conform to our building codes and incentivizing them was laudable. I'm even currently persuaded that limited use of adus for short-term rentals has a community benefit because it may very well keep some of the folks in their homes that commissioner Loretta Smith is concerned about. The extra income allow as homeowner that wants to age in place cover that cost.

Grumm: We've heard that testimony.

Fish: I've heard that, I appreciate that. For me because it's a closer call, I want an understanding that if the sponsors intend to continue with the three-year period here, that we're clear that if a member of council wants to bring this back in a year for further consideration that's agreed. I see commissioner Saltzman nodding. The reason the utilities may want to do that, our oversight bodies, the citizen's utility board and Portland utility board are pushing us to do better on cost recovery including systems development charges. Since we have a delicate balance of the funding sources to stabilize rates I want to make sure that our regulators are on board with what we're doing. Reserving the right to come back in a year with a different proposal.

Fritz: Would an alternative to be too amend the ordinance to just do it for a year then could we just do it for a year and come back and see again?

Fish: That's an option, Commissioner Fritz. I know from the utilities point of view we are likely within a year to come back and have this conversation. One of the things we want to do is run numbers and do a little more analysis with our partners.

Saltzman: My preference, I'm happy to revisit this within a year. I think we should establish the three-year window. The assessors ruling has put a chill on adu development. We have a lot of pent-up demand, if it's cleared, the green light from the assessor's office, we will tell people we may be revisiting it ourselves in a year. It creates more uncertainty for people to go ahead and build adus.

Fritz: Wouldn't having it just for a year be hurry up and get it built?

Saltzman: They're not going to do it now given the assessor's ruling.

Fritz: No, the assessor's ruling comes in and they know they have a year to do it while they are certain of this waiver --

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Hales: As we heard earlier projects take a while to develop, even small ones. Sometimes the rest of our permitting process does not always go swiftly. I don't think giving people a one-year window to build things is necessarily going to be a long enough duration that it actually works in the real world of construction. I would suggest we hear from the people here to talk about that. Maybe save the rest of our questions for matt until after testimony. Let's call the folks here to speak.

Moore: The first three people signed up. [names being read]

Hales: Come on up, please.

Jordan Palmeri: Thank you, mayor hales and city commissioner. My name is Jordan Palmeri and I work with the Oregon department of environmental quality. I'm here to support the sdc extension that you're considering today. Deq has researched and promoted adus in conjunction with the city for the past five years. Our research showing the low carbon footprints of small dwellings had led us to the support of adus through zoning codes, building codes, financing appraisals, tools and survey research, our 2013 survey research showed that adu owners in Portland, Eugene and Ashland showed that over 80% of these adu owners are providing long term housing with their accessory dwelling units. Additionally the survey demonstrated that approximately 16% are providing free or affordable housing with rents below \$500 per month. For Portland adu owner specifically we found the two biggest barriers are cost and design challenges. Waiving the sdc's may be the most substantial action council can take to support adus. Despite the current incentives, adus still represent less than 1% of the total housing units in the city. However, single family zoning dominates the city's land area and represents an important area of growth that homeowners themselves have control over. Portland is a leader in adu development, research and education. A continuation of the waiver will allow these low impact homeowner driven flexible housing forms to continue to flourish. There are a lot of things in the survey, i'm happy to answer questions about the survey and short-term rentals. Thank you for the opportunity to comment.

Hales: Do you think there might be an opportunity to resurvey soon?

Palmeri: I don't know, I'd have to think about that.

Hales: Worth exploring, we could get more data about this short-term rental issue.

Palmeri: Happy to discuss that with city staff.

Hales: Thank you very much, appreciate it. Who would like to be next? Good morning, please.

Sharon Nelson: My name is Sharon nelson. I live in an adu at 2235 northeast Emerson Street in northeast Portland that was constructed in 2012, on the property of my daughter, son-in-law and grandchildren. I moved to Portland in 2012 to be closer to my children and grandchildren after the death of my husband. Being able to build and live in an adu has provided me with an affordable long term housing option. Stable housing costs and the opportunity to age in place, the opportunity to live intergenerationally with my children and grandchildren, and also maintain my autonomy. The city of Portland adu permit fee waiver made the construction of the adu more affordable for my children saving approximately \$11,000. Adus can provide a long term housing option that is more affordable than retirement facilities. I am able to maintain my autonomy, yet have loved ones close by for social support and day-to-day living needs. Adus housed two households efficiently and affordably on one property. I encourage the city to extend the adu fee waiver to ton make adus a viable option for affordable long term housing. Thank you.

Hales: Thank you very much. Thank you. Good morning.

Hans O Doerr: Good morning. My name is Hans O Doerr and I wish to talk to you in support of continuing the fee advantage treatment of adus in Portland. I'm 83 years old and my wife died three years ago, I was looking to move closer to my daughter in Portland.

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I searched for available options which were very limited in terms of price range and proximity to her residence. And then became aware of the adu program in Portland which afforded me affordable ways to meet my needs. My daughter's property lended itself to construction of an adu where I now live quite independently, but still am able to avail myself of family support such as transportation to health care providers, et cetera. I believe for many older residents an affordable adu is an excellent solution to continue living in our city on our own but still within reach of needed support systems. I also believe that our city will gain from continuing to encourage adu fee policy, in terms of attracting and retaining senior citizens which are not a burden but continue to contribute to society. Thank you.

Hales: Thank you very much for coming, thank you all. Appreciate you being here this morning. Okay. Let's call the next three people, please. [names being read]

Hales: Come on up, please.

*****: [indiscernible]

Hales: Adus. Good morning. Why don't you go ahead and start.

Joe Robertson: Good morning. My name's Joe Robertson, I'm owner of shelter solutions, I'm a builder. I have testified in front of this commission a couple times concerning some adu issues. I've been building adus in the Portland area since the planning code amendment of 1998. I wasn't actually going testify this time, I was going to let my previous customers testify about their experiences until yesterday afternoon someone asked me of the recent adus I've built, how many were for the use of the elderly. So I went back and looked. In the last two years, 32 adus I've been involved in, nine of them were involved directly with the elderly. I'm very passionate about aging in place and universal design and adus are ideal for that use. I looked a little further and -- to address commissioner novick's concern about short-term rentals. Three of them are being used as short-term rentals right now.

Hales: Three out of 32?

Robertson: 3 out of 32 Yes. So 28% of those 32 were for elderly use, and 9%, three out of 32 for airbnb at the time. I believe airbnb itself is kind of a nonissue or it should be dealt as an issue of airbnb, not as an issue of adus and regulating use for airbnb as far as bedrooms, adus or however they are used. But I also believe it's a temporary thing that I believe commissioner Saltzman mentioned that's going transition in and out of short-term rentals to long term rentals to family members. That's the beauty of an adu. And also to commissioner novick's statement about -- which is a valid point -- that apartment builders do build many units and have to pay sdc's on those many units. Adu builders are individuals, individual homeowners, not developers. They are already paying for the utilities and that's not add to get structure. I want to make the point if the fees were in place, whatever that number is, let's say \$17,000 which I believe to be fairly accurate -- we just in january had the planning code amendments change to allow for smaller adus, to encourage smaller adus. That size of fee would completely take that possibility out of play. I think we do need smaller and more variety of adus. And I think the fees would just completely do away with the chance of building small ones.

Hales: Thanks very much, your experience is very helpful. Thank you.

Hales: Good morning.

Janice Thompson: Good morning. Janice Thompson, you may wonder why we're here. Cub monitors affecting Portland's public utilities and the sdc exemption reduces the revenue from those bureaus. However, cub doesn't not care about parks and pbob. I think it's an issue. And so what I want to do, cub is not inherently opposed to these kinds of exemptions, I want to make that clear up front. I want to take this opportunity to map out our initial thinking. This is the first time we've kind of been thinking about this so I want to

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reserve the right to learn more and come back. But here's what is striking us as three important evaluation principles. One is that any sdc exemption should be across the board. You shouldn't, you know, apply it just to the utility bureau, shouldn't apply it to just the parks or pbot. That's the case with this situation. That the exemptions need to have a really clear policy goal focusing on a needed and important benefit to the city. I think the affordable housing issue that's under discussion here kind of meets that criteria. What is striking in just looking at the ordinance language was kind of the lack of data, and lack of information on enforcement and how to ensure accountability. It's not only needing a clear and important, you know, goal and benefit for the city, but you know, just having it -- having there be some meat to it, you know, some teeth to it. Third, keeping in mind the bigger picture. You know, one dynamic of concern here is that, well, okay, we could have an sdc exemption here and another issue comes up and maybe we should have an sdc waiver there. So I think keeping in mind the bigger picture, I mean, for example, for the two utility bureaus for the last fiscal year the total sdc exemption lost revenue came to \$3.5 million. A healthy chunk of that is related to the adu but not all, that's starting to add up. I think looking at the lost revenue data from pbot and parks also seemed like a good idea. It's not -- there's just this bigger picture so. Those are the three suggestions we have. You know, we're not housing experts at all so I had a few questions to toss out. I'm thinking that we were the group to answer then, not thinking that, but pretty much all the questions have been raised.

Hales: You're out of time but you're an important resource. What are your few questions?

Thompson: No, they are repeats. I mean, you know, mr. Novick's question about, you know, how many with the units -- so no need to repeat questions that have already been raised.

Novick: May I make an observation? We've had now two public budget hearings and each time during the utility rate portion we've had someone from the citizen's utility board come and testify, we really appreciate that, laying out the issues and concerns that you have. Second, Janice, you've made a number of recommendations in this budget cycle which the mayor and I are evaluating. It's my intention over the next year to engage the pub and the cub in a review of systems development charges generally. At the end of the one-year extension if this passes to then come back to council with ideas that our regulators have come up with. I just wanted to put that on the record.

Thompson: Yeah, this is a tool. Cub is not inherently opposed to it, but those are the three initial thoughts on things to factor in when evaluating.

Hales: Thank you very much, appreciate it, Janice, thank you. Mr. Davis, you're next.

David Davis: So I'm all for affordable housing and affordable dwelling units and all that. But I hear a lot about affordable housing, affordable housing, this, that and the other thing all the time. But the reality of the situation is people cannot afford housing, whether it's so-called affordable or not. And there's homeless people that are falling through the cracks. You have ongoing war against the homeless in this town. There's all these zombie houses you guys are all talking about now. And you know, that is a good way to solve some of the housing problems in this town but I don't think zombie houses need to be revived by zombie politicians. Because, you know, it seems like half of you people up there aren't really operating with brains. So you know, i'm more actually into the concept of the community taking over these zombie houses and, you know, a lot of people talk bad about squatters. Well, there's actually a lot of squatters that go in and improve neighborhoods. There's actually a lot of these places that were seen as zombie houses but actually they have been taken over by squatters and they have drastically improved a lot of these zombie houses without the help of the city, without the help of anyone. And you know, you people seem to demonize squatting. Well, I can see how you would demonize someone

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who actually trashes the place. But there's actually a lot of squatters all around the world that clean up after their mess that improve buildings. There's a project called abc noreo that my friend started in new York city, this was back in the 1990s, and they took it over from the city. Now they actually own the building. And this was an occupied space that community activists and artists and community members took over and revived on their own. So you know, I'd like to see you guys move beyond just talking about affordable housing and when you do talk about affordable housing, actually talk about it being not so affordable for a lot of people. And you know, until there actually is affordable housing maybe we can establish some more homeless camps or rest areas or other places. And for a start, we could take over a couple of these zombie houses and turn them into a community resource that actually benefits homeless people and stuff like that.

Hales: Thank you, thanks very much. Let's take the next three folks, please.

Moore-Love: The last two who signed up are Eli spevek and Charles Johnson.

Fish: Could I get a procedural update? Is it your intention to push through to 1:00 to try to complete the morning agenda?

Hales: Yes, indeed. Welcome. Thank you, planning commissioner spivak, welcome.

Eli Spevak: Thanks very much. I'm supportive of an extension of the adu waiver and system development charges. A couple things to toss out there based on questions I've heard so far, for affordability, Santa Cruz linked affordable requirements and they got nonbuilt. Because mom and pop landlords didn't want to deal with the agreement on their property. I built my first adu 10 years ago. It was a third the cost of anything else in the neighborhood. Since then prices have basically doubled. They are still a third of the cost of anything in the neighborhood. I think it's fair for accessory dwelling units to face systems development charges. They do have people living in them and they are part of the system. In the case of sponsoring the growth and industry they would be on the books and legal. We're building 20 or 30 a year, they have been legal for 20 years. Now it's more like a good sized apartment building, 300 or so. Portland is a national leader thanks to our city's initiative. We're not a leader if you look at Vancouver, b.c., they go way beyond what Portland has developed. It's hard to build any housing. On the short-term rental side, Portland has the compliance and enforcement issue on short-term rentals. But the biggest problem is single-family homes being decommissioned and taken out of the housing market. Accessory dwelling units were basically putting new housing into the market, the hardest kind to build, small homes in existing neighborhoods. Here's a few things to work on during that time period. One of them is sure, try and quantify the short-term rental issue. Based on the subject we're hearing, it's not as bad as people worry being for accessory dwelling units. People like to brag about them a lot because they want customers. People who live in them have built them for their parents or kids are quietly living in the place. The county tax issue, literally, I've heard contractors who could take on no more adu projects suddenly they have time on their hands because people have canned projects left and right. I know the county I working hard to try to resolve this. It may end up being a tax court thing. And lastly is tell people what to expect. I've heard numbers, \$17,000 a unit, it was 12 or \$13,000. I don't think anyone really knows what the charge is. Before the waiver went into place each bureau had a different way of doing it. Transportation charged 50% of the sdc, each bureau did it differently. Right now people see this hammer coming up where the waiver might go away and they are scared to death of what it might be for their \$10,000 garage conversion or the \$150,000 new one. If you could provide some predictability people would -- it might not be that scary after all. You can actually let people know ahead of time what are the fees going to be when they come back in maybe a couple years.

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Charles Johnson: Commissioners, thank you, I really appreciated county commissioner Loretta Smith, unfortunately she had to leave, but she's taken very seriously the concerns that were very evidence when people came to the county commission to talk about the huge problem our community has had with low-income and affordable housing. Adus are an answer. I think that given the amounts of money we're talking about and the extreme need it would be appropriate for you to make this last for three years. Unfortunately this housing state of emergency hopefully will be better in three years but given the 20-plus thousands of low-income and median income people that are housing distressed right now, we're not going to be looking at a beautiful world three years from now where this isn't going need work. So I think you can feel safe about leaving the original language for a three-year waiver. I do think that however difficult it is to work with Salem, we had to work very hard to get inclusionary zoning, we really need for the state to recognize the state of emergency about rents here. But we need to see more publicly coordinated effort, especially now that governor brown has come to Portland and seen the tragedy of so many people living in tents. We need to get public forums that aren't just political campaigns where people talk about the numbers of adu productions, ways to incentivize people to house low-income people. Not just trust the market, the market is hurting tens of thousands of people in Portland right now. We need to open up the public forum with legislators, city and county commissioners working to incentivize adus that provide low-income housing. And for people who choose to use an adu or a private home as an airbnb, we need to really accelerate our efforts to get fair, effective taxation to make those high-profit properties provide public service for the most distressed. I know that's a difficult conversation but in the housing emergency I think many of the tens of thousands of low-income people have not heard enough real numbers and statistics except for the 600 coming homeless shelter beds for what we can do for people who are extremely rent distressed and the numbers of people -- how many people we still have information from the administrative judge, chief judge nan Waller in the Oregon court system about how many are really getting evictions and finding themselves stuck on the streets. Thank you.

Hales: Thank you both. Thank you very much.

Saltzman: In light of the some of the concerns I'd like to suggest that we come back to council a year from now with an update on this. It's council's prerogative where it wants to go in the year from now. I still urge we keep the three-year window but put a report back to council.

Fritz: I appreciate that suggestion, commissioner. Let me get some data between the beginning of this fiscal year and march 11th, we have had 195 accessory dwelling units built in comparison to the previous years, when we had 190. So there may be value in having a two-year deadline I appreciate the mayors observation that it can take more than a year to get these things planned if we support accessory dwelling units, which I do I smiled when commissioner spevak said we've had them for 20 years. I was on the commission when we first crafted regulations for them. I support having more accessory dwelling units for the reasons everybody stated. Wouldn't there be some incentive if we made it two years to just get on the stick and get them done?

Hales: I like the idea of returning to the issue at some point particularly with more data about what's actually happened. We've had some speculation about the level of activities with adus. That's information. Mike says the fact are friendly. I think the facts will be friendly to further deliberations on the question. I won't be here in either case but I think it'll be useful for the council to return to the question and say how this is working, particularly since hopefully during that year the tax issue is resolved and resolved in a way people want to build adus.

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Fritz: Mayor, despite the lack of information in the resolution my staff have been able to get the information for the 195 that have been built with the waiver. If they had been charging system development charges it would have been \$952,000 in the parks system development charge fund. Remember that we have changed the charge methodology going forward so it'll be a bigger break for smaller units. Transportation would have gotten \$274,365 so over a quarter of a million dollars. And again, transportation already charges half of the charge for a single-family home for the accessory dwelling units. Environmental services uses 80% rate and would have gotten a little over a million dollars for. And for water, it depends on the meter size, if they're not changing the meter size then there's no system development charge already. We've already built into the system incentives. Whether there are enough incentives it seems like the fact that these waivers might have expire has been an incentive to get more units built this year than last year. I'm not seeing why we would want to extend it for such a long period when really want this housing built sooner.

Saltzman: Well, I still think we should go with three years. I think there's the chill as we heard from the gentleman doing adus, there are a lot of contractors not doing anything as a result of the chill and the state tax ruling. As was mentioned this could go to tax court. I think there's an uncertainty and we need to at least provide some predictability by saying three years, re visit it in a year, council is free to do whatever it wants on this issue. But a short-term horizon on a three-year window.

Fish: I have particularly benefited from this discussion and I am prepared to support the resolution with the friendly amendment that commissioner Saltzman has proposed.

Hales: We don't necessarily need to change the text of the resolution but it is an understanding that in addition to return to get council by May 11th with policy and code changes the that there will be a report back to the council in one year.

*****: Agreed.

*****: Okay.

Fritz: Just a question of the city attorney on that referencing code changes. Are there code changes required from the three bureaus? Pop quiz, sorry.

Linly Rees, City Attorney's Office: I'm sorry. I can check with the attorney who covers sdc's. I'm assuming that it expects it to happen with ordinances and policy changes i've got to assume sdc's talk about who's subject to them and exempts them.

Fritz: I'm assuming that there's a code change we've done this twice before, I believe, we extended it first at the beginning of the session and then we extended it. At that time I wasn't in charge of any of the bureaus. But in order to be able to file on May 2nd which we'd need do for a May 11th hearing, we would need any code changes prepare beside next Monday to get them to the city attorney two weeks ahead of time. That would give my staff and parks two days to prepare this.

Hales: This is a July 1st effective date. Is there anything magic about May 11th?

Fritz: That's what I was leading up to ask.

Grumm: I was able to connect with the bureaus, it's very easy, they print up the ordinance and file it. I understand the city attorneys looked at it multiple years so it's a quick thing. May 11th, obviously it would be a nonemergency ordinance, pushing it out obviously into June. It could be a week or two later but we definitely wanted to have the second reading in 30 days.

Hales: Today is almost a month from now. With the understanding of the meaning of that, with any necessary code ordinance and policy changes necessary, they don't have to do anything but a boilerplate ordinance, that's sufficient, right? Okay.

Fritz: I would really appreciate if we could make it --

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Hales: Any reason we can't make it a week later? All right. Let's make it may 18th. Change may 11th and May 18th. Again, an understanding that this topic's going to return to the council next year. Okay, let's take a vote, please. I'm sorry.

Novick: Mr. Saltzman and Katie and my staff were having discussion about the issue. Matt gave some indication that one year was unacceptable, two years might be feasible. I would like to support this but i'm not comfortable with three years. Would you accept an amendment to make it two years or fall on your sword for three years?

Saltzman: Three years because of the reason I cited, we need some certainty. That's a cloud over it right now. I do think it's going to take three years to clear it up. But i'm not going to fall on my sword on it.

Hales: We'll see if we have support for three years and if not we can take it up again.

Novick: Or informally poll your colleagues, mayor.

Hales: Maybe someone would like to make a motion for two years and see what happens.

Novick: So moved.

Fritz: Second.

Hales: Let's take a roll-call vote on this. [roll call vote]

Vote on motion for two years.

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

Fritz: With that amendment I would also be able to support it, aye.

Hales: Aye. Vote on the resolution as amended.

Moore-Love: Were we changing the day from the 11th to the 18th?

Moore-Love: That needs to be a motion?

Hales: It's been moved. Is it seconded? Roll call please on that amendment.

Vote on changing second reading date.

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

Hales: Aye. [gavel pounded] now on the resolution as twice amended.

Vote on Resolution as twice amended.

Fish: Thank you, mayor and commissioner Saltzman, thanks for a great discussion.

Thanks to all my colleagues for a collegial way of resolving this important discussion. Aye.

Saltzman: I want to thank commissioner smith for her testimony and great testimony from adu residents and builders and others. I want to thank matt Grumm of my staff for helping to shepherd this through. Aye.

Novick: I appreciate the accommodation on the number of years. I appreciate the difficulty of trying to figure out what the right data is and how the world is going to change. I also appreciate commissioner Saltzman's continuing efforts to ensure that we have a supply of affordable housing. Aye.

Fritz: I think the remaining piece that needs to be figured out is the short-term rental piece and also new construction. That's something I can be looking into before we bring the ordinances back on the 18th. I know that Thomas landham is working on both enforcement and compliance on short-term rentals so that piece can be done separately, potentially if a short term rental application came in on a recently built accessory dwelling unit we might be able to do a surcharge on that or something. There are other options to make sure we encourage these accessory dwelling units to be used for affordable rentals and also for families. Aye

Hales: Thank you all very much. Aye. Thank you, Dan. Let's move on to the rest of our regular agenda and then go back to our passed-up items. 362.

Item 362.

Moore-Love: 362, strengthen regulations for tree preservation in development situations.

Hales: Commissioner Fish.

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Fish: Mayor I move to suspend the rules. While we have a new voting order, mayor, I think in this instance since we have two cosponsors who have done the lion's share of the work, I would ask we suspend the rules and give the sponsors the opportunity for the first vote and comment.

Hales: Of course i'm happy to grant that request. Let's take a vote please, in that order. Sponsors first.

Fritz: Okay. I thought there were no further surprises on this ordinance so that's really--- thank you. And I am very relieved to be finally in the point of voting, we had our first voting on this stopgap maybe march 3rd. This is a not so quick fix to a problem that needs a long term solution. It's important to note that this proposal has a significant impact only on trees greater than 36 inches which is a very small percentage of trees on private property in Portland. I appreciate the testimony from the urban forestry commission and the Audubon society that indeed we're not going to have many more of those large trees unless we find better ways to protect them and as well as provide litigation. I would urge everybody to read Jim Labby retiring from Audoban his article in "street roots" a couple of weeks ago about the myth of tree code and tree project. That detailed that there are many successes of the code. I am going to thank many of the staff involved in it. We did carve out the exemption for affordable housing and potentially the expense of large trees and that is a policy choice the council has made. There are many issues involving a tree code that needs to be addressed sooner than later. I asked the mayor and council to prioritize staff time in your bureaus to address these issues in the next fiscal year with money from the urban forestry funds. So I also want to thank the many folks who were involved in this project from the beginning -- well, not quite because it began back in 2007. I acknowledge the community member who's pushed for it. In particular Mike Hiakawa from the bureau of development services who was the project manager for implementation who did absolutely wonderful work before his retirement. I greatly appreciate all of his service to the city. I think you may be the only city employee twice a winner of the spirit of Portland award. Also meika Keenan, Patty Howard and Mike Howzier on my staff, and others who picked up where patty and tom who both now retired also left off. The tree oversight planning committee, urban forestry commission, the planning sustainability commission, and others in the bureau of development services. The city forester and her team, and Portland parks & recreation and everybody who's worked so hard on this so-called stopgap measure that in the whole realm of how do we value the many different things that make Portland special. Thank you to all of my colleagues for working on this. Aye.

Saltzman: Let me start by thanking all the staff that worked on this project. My colleagues and Commissioner Fritz who I was happy to partner with on this stopgap measure to protect significant trees in development situations. I want to thank my colleagues again for supporting my amendment to lower the threshold from 50 inches in diameter to 36 inches in diameter for trees that will require inch by inch mitigation fee. After seeing the cardboard diameters of those trees at the recent hearing I was convinced that we need to act to preserve 36-inch trees or larger to the maximum extent possible. Or to capture the funds necessary to make sure that replanting's will occur to mitigate the loss of these trees. I also wanted to take the opportunity to flag something we heard in testimony. That was to make sure that approved planting and tree mitigation and tree retention plans are actually implemented correctly. That's a huge issue. Its one thing to require the plan, another to make sure it's implemented. I share that concern and i'm concerned that many of the building inspectors in the bureau of development services are focused on structure and state building codes and may not be as vigilant when it comes to the tree planting requirements. To this end I have mandated title 11 training for all bds building inspectors

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and managers, knowing this was a priority. Thanks good tone everybody and pleased to vote aye.

Fish: I'm pleased that the two sponsors spoke first because they said everything that needs to be said. I'm going to do my thank-yous. Thanks for commissioner Fritz and commissioner Saltzman for taking the lead on this. Thanks to whoever sent me on my Facebook one of my favorite cartoons. I think it's poignant on a day like today. It matches up great cities with great iconic structures. And on Paris it's the Eiffel tower. New York City it's the statue of liberty. Seattle, it's the space needle. And in Portland it's a tree. And we have a special relationship with trees in this city and a reference for trees and a lot of work has been done for a long time protecting and expanding our tree canopy. Today's stopgap measure is another step in that direction. I want to thank everyone who's already been identified including the folks on my team starting with Hannah Kuhn and the wonderful folks in the bureau of environmental services who worked so hard on this. I'm pleased to support my colleagues today. Aye.

Novick: I am going to cast something of a process protest vote. When the planning and sustainability commission voted on this issue they noted that the psc found it challenging to be presented with two different items from two different bureaus. It was also challenging to be asked to make a recommendation absent a full policy discussion and vetting the proposals with the stakeholders and the public. When this first came to council it was presented as a stopgap measure to protect trees of 50 inches or more, which people agreed these are really big trees worthy of protection and it's not going to have an impact on housing availability. We all of course can change our minds on the basis of citizen testimony. But it worries me a bit when one of the sponsors of a proposal offers an amendment on the fly responding to testimony because normally I would expect that we don't get surprise testimony, we've gone through things in advance. When the amendment was proposed showing the inch for inch requirements to 36 inches, I was for the amendment but reserved my right to change my mind based on what we heard afterwards. We immediately heard from habitat for humanity that would affect some projects of theirs. We also heard from the home builders that this was a really big deal and could affect the availability of housing. I don't know if that's true. I don't feel like I've had the time to work through what has now suddenly become a controversial proposal. My instincts actually are going to move to a different level I'd be interested in supporting the possibility of adding nuance. Preserving trees is good for the environment. Adding density is also good for the environment. I could see adopting a proposal where you require inch for inch mitigation for trees over 30 inches if somebody's cutting them down to build a mansion. But you don't require that if you're building three units on the same sized lot, even if they don't quite meet the definition of affordability. I think 350,000-dollar houses or row houses are more valuable to the community than one billion-dollar house. I was interested in discussion of the fact that we have different levels of tree canopy in different parts of the city. Maybe if we were going to dig into this we would say that we have stronger protection for trees that aren't quite 50 inches in east Portland and apply a different standard when we're talking about areas that have a strong tree canopy. In light of all that, knowing it's going to pass anyway, I'm going to cast a no vote, not because I necessarily disagree with the policy but I don't think it's been fully explored and we haven't had the chance to look for nuance. Nay.

Fritz: I actually appreciate commissioner Fish was intending to be gracious allowing us to speak first. I actually relish speaking last. It's my favorite when I get to speak last. Not because I intend to rebut what commissioner Novick just said but mostly because when my colleagues make their statements I remember something I should have said. My big omission was directors Mike Abbate and Paul Scarlett who worked together extremely well on the nuances of how to implement the tree code. Those two directors are looking

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forward working with Susan Anderson, the director of planning and sustainability in the next project, to commissioner novick, yes, we'll do that in the next session.

Hales: A good resolution to a knotty problem. Aye. Thank you very much. Let's move to the pulled items. I think we have staff here standing by.

Saltzman: And people waiting for pay equity, too.

Hales: Let's do pay equity and then move to pulled items.

Item 368.

Moore-Love: 368, direct the bureau of human resources to evaluate existing workforce data and determine whether and how gender impacts types of appointments, pay at appointment, progression through the pay range and promotional opportunities.

Hales: Commissioner Saltzman.

Saltzman: Thank you, mayor. Yesterday, April 12th, was equal payday for women. It symbolizes how far women have to work to earn what an average male would have made all of 2015.

Fritz: If I may interrupt, for white women, for women of color it's even longer.

Saltzman: I've got that. Rather than reading or passing a proclamation and reaffirming our values, pay equity, I decided to bring forth a resolution that call on the bureau of human resources to begin looking at our workforce data that will essentially create a scorecard or baseline for council to look at how the city is doing in regards to pay equity. Women on average in Oregon, white women, earned 82% of what their male counterparts make, slightly better than the national pay equity gap. And women of color face an even wider pay gap. And women are less likely to negotiate for pay increases or promotions and studies show as more women enter traditionally male dominated professions the average pay goes down. The economic affects that pay and equity has on families and communities is profound. A study that just came out this week by Mackenzie and company found if we could eliminate the pay equity gap, if we could just reduce it by half of what it is, take that 20% gap and reduce it to even 10%, that would generate and grow our economy by an extra \$2 trillion over the next 10 years if the public and private seconder did more to shrink that gender pay gap that. Figure is a said only represents reducing the pay gap by half. That's a tremendous amount of infusion into our economy. Women making more, supporting families and ultimately our community is better off. So with that I just wanted to say I think here in the city of Portland we are doing a good job but it's important to start baselining the information to give us the ability to pursue policy initiatives both in public and potentially private sector, as well. I'm not waiving any particular concerns about what we're doing here or raising any particular concerns but to rather reaffirm the importance that we look at this in a systematic manner, as I think [indiscernible] is doing a good job of doing. We should review this yearly to ensure we have a good baseline and perhaps pursue policy initiatives as they may lead. With that I want to introduce for the first time before city council my staff person tia Williams. Anna Kanwit and Elisabeth Nunes from h.r. Are both here to answer questions.

Tia Williams, Commissioner Saltzman's Office: Good morning, mayor and commissioners. Tia Williams with commissioner Saltzman's office. As commissioner Saltzman mentioned yesterday was national equal payday for women, April 12th, which symbolizes how far white women thank you Commissioner Fritz have to work to earn the same as males make and we know women of color have to work even farther into the year to achieve their equal pay . Commissioner Saltzman tasked me with looking at policies as implemented in the public sector around the country. In that research we are finding really innovative policies being passed chipping away at internal pay gaps but that encourages pay equity across sectors in their jurisdictions. Before looking any further at how those policies could work for the city of Portland or how we could implement them, we realized

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there was little data for the city of Portland that we could point to and no formal way to report to the council. It was seen as important to create that baseline data to look at current workforce data and begin to review our pay equity practices. The goal is that this data would act as a scorecard to measure where we are now and then continue to track our progress in the future. We recognize the city of Portland is already a leader in this area and has done an outstanding job by having policies and procedures in place that protect and promote pay equity. Our intention is to begin a dialogue about creating a formal mechanism to look at the workforce data. Some of the factors we're interested in looking at are outlined in the resolution but we hope to gather data about appointments, pay-out appointments, promotions and progression through the pay range to see if there are any notable gender discrepancies. I'm of course happy to take questions.

Fish: That was one of the most impressive debuts we've seen.

Williams: Thank you

Anna Kanwit, Director, Bureau of Human Resources: Thank you mayor and commissioners, Anna Kanwit with the bureau of human resources. I did want to make a few comments and then of course be open to questions, as well. As Tia mentioned one of the things that has worked in the city's favor when we're looking at pay equity, we have a written compensation policy adopted by council that talks about how the factors we use to set pay for employees, difficulty, complexity of job, we look at the market, we look at internal equity across our jobs in the city. And we very, very carefully guard that. You've probably had complaints from your bureau directors and managers as have we, that we carefully analyze requests to change employees' job classes to increase their pay. We apply a duties test. So that policy that council has adopted and the implementation of it now by Elisabeth Nunes our class comp manager has really assisted the city in that. When we have—we looked at some data in preparation for this resolution and what the data tells us if you look at the percentage of female to male applicants and match that to percentage of female to male hires. The percentages are almost identical, when you look at promotions we see the same thing, the data Elisabeth had gathered for commissioner Fish has looked at something for non-represented employees called range penetration. It is a class comp term, but it does mean where the non-represented move on our range is because as you know unlike our contracts which have steps that you move based on time and class year one, year two. Your ranges are more fluid and employees can be hired in at any point in the range with some approvals needed. And also can move up through the range based on mayor pay increases. That data shows us that, and controlled for time and class and the type of class also shows us that we don't see major discrepancy, but there is data we need to look at and I'll get to that in a minute. This is similar to what Seattle found. We can look at their data, which was Seattle was paying similarly situated employees similar rates regardless of gender or race, ethnicity. We weren't looking at race, ethnicity. They also found two things that I haven't talked about yet that we found as well. One of those is that lower average salaries are likely due to higher percentages of women being in our lower ranges. For example when we look at ranges one through five for our non-reps, which are our lower ranges, we have about 255 women to about 76 men. Those numbers slowly reverse themselves as you progress through our pay ranges. So our executive level we have far more in those positions than women, far less people of color as well. In fact a greater discrepancy that when I'm looking at bureau directors for example of our executive level. So that is similar to what Seattle saw. Second, what Seattle found is women are more likely than men to be this part-time jobs. Our dashboard data shows the same thing. Much greater percentage of men than women in our regular permanent jobs, those percentages practically reverse themselves when you're looking at casual and part-time work. Now, we don't know the reasons for this. I'm going to touch on one more thing.

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As you know, we did promise the study that we are applying I think for lack of better term a pay equity lens, because again, as I mentioned, our compensation policy, part of what drives how we set wages in the city is the market. As commissioner Saltzman mentioned in the beginning of this resolution, presentation, is historically, we have white women and women of color are paid less. We have professions that have historically paid less because they are female dominated. Unfortunately an article in the "new York times" says as women move into male dominated fields the pay is going down. At any rate, what we are looking at, what Elisabeth and the consultants will be looking at as part of the non-rep study is to be sure that market data doesn't continue what we would consider to be the artificially lower pay for those classifications, entry level and others, that have been considered female dominated work. As commissioner Saltzman stated, there's reports that we have that we can generate that I do think we should be providing to council on a biannual basis that is -- you get that anyway, but drill down and show you what this data means I think would be incredibly helpful. As far as next steps for us, as you know, we are resource constricted in my bureau, but there are some things that we would like to do to try to drill down to some of this data. We don't have the resources to bring a consultant to do a regression analysis and some of the very complicated things Seattle did, but we can start asking our business partners to talk to hiring managers when they have, for example, three final candidates, two women, one male, why did you hire the male, in fact Elisabeth's team pushed to do that in a recent recruitment at bds, and i'm happy to say they looked at it, the manager said I talked to both women. One was soon to retire and wasn't interested. One wanted to be part-time. But that kind of information is something that we can start having bureaus look at hiring managers look at and track to see really what's going on. The other piece -- i'm more long-winded than I thought I would be we now mandate bias awareness training for all the hiring panels. What my training and work force development manager have talked about is including that within our supervisory training because bias does make a difference. I hear anecdotes that come out about, you know, I don't know if I wasn't considered for that work because they don't think I dress so femininely. This wasn't me. I don't think the manager thought like I could really go out and, you know, work on the line out in the field crew. We hear some stories about that. That obviously is very hard to get to but when you do bias training it helps -- our managers start to think about our -- unconscious bias we make them conscious in our hiring decisions.

Fish: Can I just ask you a question? Two years ago after Steve and I did the city-wide span and control study we had this conversation about the class comp study for non-representative employees. It's going to be a long day. It's going to get longer I think here. Can you just restate what you just said about what you're already doing as part of that class comp study to address this?

Kanwit: I can but I think I might turn it over to Elisabeth since she's here. Would that be fine?

Fish: Two years ago when we framed this and there was a component you were going to do, what is that and where are you on that?

Elisabeth Nunes, Bureau of Human Resources: That component is actually looking at all the work that all employees do. So we had everyone fill out a position description form which was not enjoyable to most people, but what it did was break down everybody's work into duties, responsibilities, from their perspective because they are the experts in the work. So we're using those position descriptions to describe classifications of work. So instead of having a manager somewhere say, okay, this is what I think people are doing, we're going to the employees. Each is telling us this is the actual work I do. That is going to be the basis to create the broader classification and then those broader classifications are going to be used to go out to market as well as look internally to compare across

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different avenues of work the actual duties that people are doing to figure out what it's worth, what it should cost, what we should price it at. So that makes it an even playing field. As far as where we are right now, about halfway through. We should be delivering recommendations to you next year.

Fritz: There's a follow-up to that. I know it's one of our nine of 26 bureau directors who is female you have been working on this issue for a long time and indeed as commissioner Fish noted the council funded the class comp study. Is there anything in the ordinance in addition to what you're doing?

Kanwit: Well, yes, it is. I think what we would do in addition on the resolution is -- two things I have talked about. Asking the h.r. Business partners who work with hiring managers to ask those questions in terms of the rationale for hiring the one candidate versus others. It would be -- I know this is gender, of course, but we have similar concerns around people of color, second expand our training, but third, provide you, council, with data on a regular basis which I think would be really helpful and as I said we have been getting affirmative action data but I think that's a little bit overwhelming because it's so detailed and we can do something, take that -- well, the data will be much easier to read. You won't have to go through line by line by line. You've seen them. Literally I think almost 100 pages of information to go through. But I think our commitment would be to provide that on a bi-yearly basis. You can look at trends and decide what else you would like us to do.

Fritz: You can do that with existing resources?

Kanwit: We can do it within existing resources.

Fritz: Without detracting from the work on race and disability.

Kanwit: Yes, we can.

Hales: Other questions for the team? Thank you very much. Anyone want to speak on this item?

Moore-Love: David Davis signed up but he may have left.

Hales: Let's take a vote on the resolution.

Fish: Thank you, commissioner Saltzman, for shining a light on this issue. Thank you to our outstanding team members, and I look forward to collaborating in the look and design of this annual report card. I think it will be helpful. Aye.

Saltzman: I want to thank Tia Williams of my staff and Anna Kanwit, Elisabeth Nunes in helping put together this resolution and to really identify a tangible product that will come out of this, which is the scorecard or baseline under which we can really see how we're doing and against that evaluate any policy options the council may wish to pursue. There may be some options. There are some interesting things going on as we know in other cities and states. We'll see where things lead us. Appreciate all your work. Pleased to vote aye.

Novick: I really appreciate commissioner Saltzman's leadership in this and Tia and Anna and Elisabeth, your work. I'm old enough to remember a time when we thought that all the great inequities in society would have to be resolved at the latest by 1988, so this is one of a number of areas but a very important one where it's kind of embarrassing that it's 2016 and we're still where we are. But I'm proud to be part of the city that is trying to figure out at least in our own ranks what we can do to improve. Aye.

Fritz: Thanks to you for your work and thanks to director Kanwit for your ongoing work and leadership within the bureau. Looking at multiple aspects of training, hiring, and reporting. I'm glad that we're going to be getting this biannual report. I remind council we did hear testimony in our budget forms from afscme about the police records specialists who get paid less than their counterparts and many of them are women. So that's another aspect of what we can do here and now including right here and now hiring within our bureaus

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and if the female candidates don't ask, may I have an extra week of vacation because I have had 20 years of experience or whatever, maybe we offer it and make sure that the different ways of promoting, and I don't mean just into different positions but promoting, giving opportunities for everyone to reveal how well they can do a particular job is incumbent at every aspect of our organization. Thank you for your work. Aye.

Hales: Seems like there may be a march of progress in Portland where we start things like domestic partners agreements or ban the box, not start, at least be in the vanguard. In this case i'm glad we're part of this movement. Thank you, Tia. Look forward to more work for all of us on this very important justice issue, Thank you. Aye.

Hales: ok I think we need to go back to our pulled items cause I think we have people standing by on those and then we'll try to demolish the rest of the calendar in time for a 1'o clock break so let's take item 351 please.

Item 361.

Joe Walsh: For the record my name is Joe Walsh I represent Individuals for justice. In the charter for the Portland City council meetings you will see the provision that if a pulled item on the consent agenda will be taken up directly after the vote on the consent agenda. Now I don't think we can force you to follow your own rules, but I think we may be able to force you to follow the charter. Charters very clear and I suspect the reason for that is so you don't have someone sitting here for two hours waiting to talk about something that they pulled. Most citizens cannot do that. So I would urge the city attorney to research it and say to the mayor you have to follow the charter and the charter says this. You will take this up after the vote on consent agenda. Now the reason that we pulled this item, Items 51, 52, 53, 54 are all claims against the city. You wanted to do it on the consent agenda because you don't want to talk about these things. And the one that we pulled is because we are familiar with this case. This case has to do with a person in the mayor's office being harassed and then there was retaliation and then the person that did it left and the person who suffered the retaliation had to go someplace else. You wanted to do it on the consent agenda underneath the table it's only 25,000\$ so why not talk about it. That's what people say government is supposed to do, I know that's embarrassing to the mayor's office, that's not a reason to put it on the consent agenda. People should know about this stuff, it happened why not, why hasn't the mayor explained it to the people of Portland, what happened in his office? He doesn't even have the courage to sit there and listen to this because he knew, he knew this is embarrassing. And this is terrible we don't harass people around here. Do we? Is that the policy for the rest of the three of you that remain? Is that policy and then retaliate? Is that policy? I don't think so. I kind of like some of you, I don't trust you, but I like you.

Fish: Thank you mister Walsh. Colleagues this is an emergency so I think we need to uh...

Walsh: We need to get them in here so we can vote on this crap.

Fish: Colleagues before we vote on this I just want to acknowledge that according to the ordinance there is a lawsuit that has been filed and it makes a number of allegations. The equal employment opportunity commission has ruled and found no violations of law so what is before us is an assessment by risk that in resolving this case now rather than incurring the cost of proceeding to lawsuit there's a benefit to tax payers. I just want to make clear that whatever people's view of the merits there's a pending lawsuit and no finding. I think we have to be clear about not prejudging matters before there are actual findings of law and fact. In this instance we have been advised that it will save taxpayers money if we resolve it at an early stage.

Hales: Excuse me, sir. [shouting]

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Fritz: I will further note that any one of the five claimants on the consent agenda had the right to pull it to the regular agenda. The fact that none of them did indicates to me perhaps those people would prefer their personal business not be discussed in a public hearing.

Hales: Roll call.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye. [shouting]

Hales: Sir, go where you want. Let's take the other pulled item which is 358 please.

Item 358.

Hales: Okay. You had a request here --

Saltzman: This was requested to be pulled. We have a contract with David Paul Rosen and associates. They were under contract to look at a linkage fee for supporting more affordable housing. The legislature thankfully passed a list of preemption on inclusionary zoning so we wish to amend the scope of work to include their work on helping us implement the inclusionary housing program that we have under way. I should say David Rosen associates has a stellar track record that worked with over 40 communities throughout the country on doing things like linkage fees, inclusionary housing policies and I believe their methodologies have been affirmed three times now by the u.s. Supreme Court so I think we have great consultant team on board and they are being managed by our most capable Matthew shebold.

Hales: Questions for Matthew. Maybe not. Thank you very much. Anyone want to speak on this item? If not let's take a vote, please.

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

Novick: I really appreciate this being offered. I think it's important to let people know this is a really important issue and commissioner Saltzman and his team are going about it in a deliberate way with the best advice so i'm glad this was pulled off consent. Happy to vote aye.

Fritz: Thank you for being here to answer any questions and obviously we have confidence in the work being done. I concur with commissioner Novick I'm glad this was pulled because it's important that community members know we're moving forward as expeditiously as possible. By amending this ordinance it means it can be done quickly rather than going out for bid. I think it's likely this group would have been chosen for this work to. Aye

Hales: Important work. Thank you, aye. Let's see what we have left. We have 363.

Item 363.

Moore-Love: Amend code removing barriers to employment to clarify the exemption of volunteers.

Hales: Second reading roll call.

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

Hales: Thank you, Rachel. Aye. 364.

Item 364.

Hales: Ms. Moody?

Christine Moody, Procurement Services: Christine moody, procurement services. We have here for you is a report recommending contract award to wildish standard paving company. The engineer's estimate was \$2,228,000. On March 1st, 2016, four bids were received and wildish was the low bidder add 2,198,622.56. The city identified nine divisions of work for potential minority, women and small business subcontracting opportunities. Participation at the time of bid was 5%. Working with staff wildish was able to find additional opportunities for women owned businesses, for hand rail fabrication and traffic control. The participation is now at 22.2%. I will turn this back over to council for any questions.

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Hales: Thank you. Questions? Good work. Anyone want to speak? Roll call.

Fritz: Move the report.

Novick: Second.

Hales: Now accept the report.

Fish: Thank you Christine for your good work. Aye

Saltzman: Aye

Novick: Aye

Fritz: Thank you Ms. Moody for your ongoing efforts to increase the percentage of minority and women businesses participating. It's still very low and again council needs to address this sooner rather than later. Aye.

Hales: Aye. 365.

Item 365.

Hales: Second reading vote please.

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

Fritz: We had wonderful testimony last night from a principle who's school benefits from the art tax and this is just another reminder that April 18 is coming up and many Portland residents are required to pay that arts tax. It's very easy to do. Please do it. Aye.

Hales: Aye. 366.

Item 366.

Hales: Commissioner Fish

Fish: We saved some of the best for last. Environmental services owns and operates a wastewater treatment plant in Lake Oswego called the Tryon creek wastewater treatment plant. In 2004 the bureau completed a facilities plan that recommends several upgrades and equipment -- excuse me improvements and equipment upgrades. This ordinance would approve an agreement with black and veatch opportunity to provide engineering services for the upgrades. Scott Gibson and Jim brown are here from the bureau of environmental services to give you a brief overview.

Hales: Good afternoon.

Scott Gibson, Bureau of Environmental Services: Good morning, Mr. Mayor, city council. I'm Scott Gibson. We have another debutant with me is James brown. James brown, the hardest working man in wastewater. He is our project manager and engineer for this effort. We have a very short presentation as the commissioner said. I'll run through it. First thing to note is we do own this smaller wastewater treatment plant in Lake Oswego. Here's an aerial view with the river beyond. It was constructed in 1964, and its last major expansion was '76, so it's 52 years old now. The last major work on it was 40 years ago. Last time we spent any significant money was in 2004. So this plant is due for an overhaul and to bring it up so it can meet all its requirements for environment protection on the Willamette River. I would like to just show you the service area for the wastewater treatment plant. Note that there are about 15,000 city of Portland residents served by the plant. Another 2900 that are in the done thorpe river dale sewer district and they pay through an agreement to maintain their sewer system, also lake Oswego has 22,000 residents that contribute to it. This plant when it was constructed we have an agreement with Lake Oswego and other partners to manage costs and share the costs, so that's a part of paying for this effort. I'll turn it over to Jim to talk about the work that he has going forward.

Jim Brown, Bureau of Environmental Services: Good afternoon, mayor, commissioners. The project that we're here today for was one of -- the first project identified in the 2014 fiscal lease plan update. It was an engineering planning document completed to identify those capital projects needed to ensure that the Tryon creek wastewater treatment plant continues to meet levels of service for protecting the

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environment and a good neighbor through the planning period which was through 2040. This plan was developed with advice of a citizen's advisory committee that included ratepayers from both city of Portland and city of Lake Oswego. The planning effort was overseen by steering committee that or oversight committee that consisted of the bes commissioner in charge, city manager of lake Oswego and council members of lake Oswego. As I said, the head works improvement project we have truncated the name since the slide has been made includes an influent pump station, primary clarifiers, the existing head works is an open airhead works. It was originally constructed in 1976 with that expansion and has seen no improvements since 1994. The flow to the Tryon creek wastewater treatment plant is heavily influenced by the weather. Both Lake Oswego and Portland collection systems suffer from a lot of infiltration and inflow from leaking manholes, leaking pipelines and illegal sewer connections. As a result of those, the peak flows experienced by the plant and most recently at the beginning of December 2015 those have exceeded the capacity of the plant to deal with them. So this project by increasing the hydraulic capacity of the head works and influent pump station will help address those issues. The project will require procurement of new land adjacent to the existing wastewater treatment plant currently owned by public storage. Next slide. The current project estimate to complete is \$49 million. Now, this estimate is an American association of cost engineer's level 5 classified estimate. That's minus 50% plus 100%. But it is our best estimate of the cost to complete. There's still a large number of risks associated with the project on the permitting and site conditions are currently unknown. Regarding what is underground there. The project schedule will extend through to completion of construction in 2021. On to the next. So approval of the professional services contract for design of the project following the pt selection procedures we received three proposals from firms, and black & Veatch Corporation was selected based on evaluation of written proposals and negotiated contract amount is \$6.687,914 million. That's important to note this contract is a type of -- time and materials contract and this is the estimated contract amount at completion after all services have been provided through completion of construction. So this is design, planning, permitting. The initial proposal on the contract amount was 8.3 million. It's been negotiated to its current value and that process we have taken certain contingency and risk items out of the contract so this contingency and risk items, if any of those events happen there's the potential for additional cost on this contract. On the minority women emerging small business participation on this procurement the selection committee included a minority value waiter program participant and the estimated or final contract amount includes 21% of the total contract amount for firms. We have eight emerging small business films at 601 thousand, two women owned businesses 130 thousand and four minority business enterprises at 672 thousand dollars. The future actions both council and public involvement on the project, we will be coming back for an ordinance authorizing the acquisition of the property adjacent to the plant. That property is located within the city limits of Lake Oswego. We will also be returning for an ordinance authorizing the construction contract. On the public involvement side we are going to establish a citizens advisory committee for projects, future projects both this and upcoming projects for the Tryon creek wastewater treatment plant and there is a lengthy and extensive public involvement outreach process in the conditional use permit process for the city of lake Oswego. So our recommendation is for authorization of the pt agreement with black & Veatch Corporation for the contract amount of 6687,914.

Novick: That's a terrific power point. I appreciate the way you laid it out. I appreciate your very clear presentation. Thank you.

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Hales: Good work. Thank you. Questions? Okay, thank you both. Anyone want to speak on this item? If not then --

Fritz: I would like to while staff are here since i'm always calling out when subcontracted amount is less than ideal, this is actually 21% of the whole contract, over \$1 million in the minority and women emergent small businesses. I very much appreciate. I don't know whether that required extra effort but the fact that you've achieved that with that much going to disadvantaged businesses is commendable.

Gibson: If you don't mind the project manager is in the back of the room. I would like to thank them for being a good partner. They brought to the table existing and new partnerships which helped us meet our targets. We can't do this without partners, with vendors that come to us. We have to make clear what our expectations are of them and they have to step up and help us meet these targets. I really appreciate the work black & veatch has done.

Fritz: I'm thrilled. Hopefully we can learn from this one. I know environmental services has taken the lead on making sure more money gets out to businesses that are good partners, so thank you very much for your work.

Hales: This passes to second reading. Let's take 367.

Item 367.

Hales: Roll call.

Fish: I want to especially thank Edward Campbell, one of the stars of our team, for his great work managing the environmental side of the water bureau's work. Aye.

Saltzman: I'll join in that accolade for Edward Campbell. Aye.

Novick: Three cheers for Edward Campbell. Aye.

Fritz: Aye. **Hales:** Aye.

Novick: I have been admonished. He prefers to be known as Edward. My wife is Patricia.

Hales: Always good to listen.

Hales: Let's take 369.

Item 369.

Hales: Roll call.

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

Novick: I appreciate your support. Really appreciate my bureau's work on this over it's been quite some time coming. I think that Portlanders expect their city council to be progressive and also to be fiscally responsible, and in the past on this issue of street improvements we have often chosen between two somewhat fiscally responsible options, leaving money on the table or requiring people to make street improvements that didn't make much sense. I'm delighted that we now are going to start charging this fee that we put aside for meaningful community priority street improvements. Aye.

Fritz: Commissioner Novick, you're certainly to be commended on bringing this to council and getting it passed. It's something that's been worked on for 20 years or more. I have taken the admonishment of former mayor Sam Adams to heart not letting the perfect be the enemy of the good. This is a good start. I am supporting it primarily because I trust director Leah treat and the staff particularly Kurt Krueger, bill Hoffman and Christine Leon, they have been working on it for as long as I know. I trust them to work with the community partners. I want to thank Marianne Fitzgerald in southwest Portland for her leadership over the past 20 years working on this issue. Where it's only part -- it's definitely a half-baked product and yet the part that's baked is going to charge a fee. So we're going to do that. I'm hoping that we will also -- you will also continue working on those streets that are not labeled problem in that they have a curb but they don't have a sidewalk and figuring out how we can add that into the mix so we don't have often sidewalks built on streets with curbs where there's never -- it's unlikely in the next 50 years

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there's ever going to be a connected sidewalk. Thank you for your work. I appreciate your staff working with mine and me in puzzling through and getting me to the point where i'm able to support it. Aye.

Hales: Old problem new solution. Thank you, aye. 370.

Item 370.

Hales: I understand there's a proposed amendment? Okay. The proposed amendment is -- drum roll -- Steve?

Novick: I thought that we had an understanding.

Hales: Maybe not.

Novick: I move the amendment.

Novick: Second. [speaking simultaneously]

Fritz: We had a memo from bill Hoffman on April 11th and this is an amendment to exhibit a, exhibit A would be amended to replace paragraph 2 on page 5, the scope of work. Previously says that the community involvement efforts on this project will primarily focus on those who have a direct stake in the outcome. Those who live on property or own property on problem streets. That phrase has been deleted. It says the process will be inclusive of both those who live or own property on problems streets and those who live on or own property that surround problem streets. The process will also build on the lessons and recommendations of previously adopted street design plans.

Hales: Further discussion. Roll call on the amendment, please.

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

Novick: I apologize for forgetting the amendment. I thought we were just going to make a statement that the outreach was going to be not as limited as the language seemed to suggest, but as expansive as Commissioner Fritz has said it should be. Aye.

Fritz: We should have more amendments that say do what Commissioner Fritz says. Aye.

Hales: They would be shorter. Aye.

Vote on item as amended.

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

Fritz: Congratulations. Aye.

Hales: Aye. We'll take our four fifths item at the beginning of the 2:00 p.m. Session and we're recessed until then. Mercy break.

At 1:10 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.

APRIL 13, 2016 2:00 PM

Hales: Welcome to the afternoon session of the Portland City Council on April 13th. Would you please read the roll -- read the roll for us to check in?

Fish: Here. **Novick:** Here. **Fritz:** Here. **Hales:** Here.

Hales: We have one item remaining from our morning calendar, which is a four-fifths agenda item, item 370-1.

Item 370-1.

Hales: So, as I said when I mentioned that I would be bringing another such action to the Council, I'm very sorry that we have to act on the second of these two items in a very short time. First North Carolina and now Mississippi having enacted what I believe are both unconscionable and unconstitutional legislation on the subject of human rights. So, we have taken a stand in previous instances with Indiana last year, successfully joining a coalition of states, cities, and private business that got the state of Indiana to reverse such a discrimination effort. We hope that the same thing happens in North Carolina and also in Mississippi by the combination of public and private efforts across the country. So, this resolution is before us, open to discussion. I think we might have someone here who wants to speak on the item, but do any of the other Council members want to speak at the outset? If not, is there anyone here who would like to speak on this item? Please, come on up. And sorry to have kept you waiting. I know you were here this morning.

*****: That's OK, I'm fine. I recently moved here and I'm retired.

Fish: Where'd you move from?

*****: From western Massachusetts, Northampton -- possibly more progressive than Portland. [laughter]

Hales: It's a tough crowd. Give us your name and support that outrageous statement --

Fish: Strike that from the record! [laughter]

*****: We're in quite a situation here, aren't we? Canner Swain. [spelling?] I have no family in Mississippi, but I have family in North Carolina -- they're not happy with this -- and I've had family in North Carolina for 300 years. So, I have feelings about it. And I appreciate the City Council -- was it Commissioner Novick who -- I appreciate the City Council bringing this up. It might seem that Oregon and Portland are a long way away from Mississippi and North Carolina, but if you studied some of the books by Woodard and David Fisher, you know that Portland and Oregon are not that far from Mississippi and North Carolina in many ways. And I think that the -- and I'll be brief. Resolutions like this are not going to be the last time something like this happens that are completely unconscionable and unconstitutional, and it's not the last time businesses, public and private, will hopefully do something to express their feelings.

I think it would be good -- a couple of things. One, just a small copy editing kind of thing or a suggestion. You might say "the so-called Freedom" and "so-called" because --

Hales: I like that.

*****: The moral high ground of who's for freedom is absolutely what's at stake, and what discrimination is -- all of that is up for grabs. And really, the language is very important. So, that kind of thing.

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Novick: I move that amendment.

Hales: I second that amendment. Thank you. We'll do that and we'll take that as a friendly amendment and it is so ordered.

******:** Second of all, in contending with these kinds of issues, which are symbolic -- and again, you have a whole lot of things with big money on the table, so I'll be brief. You think about what Gandhi and King or Gene Sharp would do in these kinds of situations. I would suggest perhaps in the future as more of these come along is to invite people from Mississippi and North Carolina to meet anywhere along the Oregon Trail to hash this out. To talk about it, to do something to say that we don't just disapprove but we're here for reconciliation in the long run. And Oregon -- I don't know the whole history, but I don't believe Oregon allowed African Americans or Blacks into the state, didn't allow Black people to vote until 1927. There was a Supreme Court case called Pierce versus -- perhaps you know this -- 1925 Supreme Court case where -- basically a very anti-Catholic thing where it was outlawed -- private schools were outlawed completely. So that was very anti-religious freedom and specifically anti-Catholic.

So, the point would be to acknowledge our own failings and shortcomings in the sense that Oregon is not -- very few of us have come to this point of view that we're at 100 years ago or 50 years ago or whatever, but to make that kind of point in the resolutions, perhaps, going forward.

Commissioner Fish, briefly -- that T-shirt with the tree. I was volunteering at the Hoyt Arboretum, and they're for sale up there and we'd love to have you come up and contribute. You can buy all sizes. They're there in the visitors' center --

Fish: I wondered where it came from, so thank you.

******:** They're in the visitors' center in the Hoyt Arboretum.

Fish: Thank you.

Hales: Thank you. Anyone else want to speak on this item? Then let's do please take a vote on the resolution as amended.

Item 370-1 Roll as Amended.

Fish: Aye.

Novick: I really do appreciate the amendment because we should not be reciting people's self-serving language without taking note of how self-serving it is. Aye.

Fritz: I thank Bryan Adams for canceling his Mississippi concert and Bruce Springsteen for canceling his North Carolina concert and Mayor Hales for not going to North Carolina for the -- or to Mississippi for the -- not the launching -- the christening of the U.S.S. Portland. It does make a difference and it's more than symbolic. And even if it were just symbolic, it's necessary symbolism. Aye.

Saltzman: Aye.

Hales: I do have relatives in Mississippi, and I won't be visiting them either but I'll be inviting them to come out to Oregon and see what freedom is like. Aye.

Item 371.

Hales: Good afternoon. Welcome. Commissioner Novick, do you have some comments to start this off?

Novick: Yeah, a couple. When we last approved increases to the downtown meter rates, we talked about the fact that we were going to be raising the rates throughout the central city without differentiation and we were trying to meet certain performance targets but we acknowledged that historically, we hadn't had a clear criteria for how we manage the parking system and we acknowledged that sometimes what we do might seem from the outside somewhat random. Like, every once in a while, we raise the downtown meter rates. Well, what should trigger doing that, and should we have some differentiation within the district?

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In Northwest, we decided years and years ago it was time to start thinking about putting in meters and we wound up arguing about that for 15 years. What we are hoping to do now with the Council's blessing is establish a performance-based parking management program which, as the resolution says, includes accepted performance targets and defined program programs, that such programs will include the purpose and prioritization of the parking system, performance targets, and other trigger conditions, means of coordinating on and off street parking into a more seamless system, criteria and procedures for establishing new meter districts and sub districts, define parameters for adjusting rates and frequency of adjustments, hours of enforcement, monitoring evaluation on protocols, and communication procedures designed to inform the public of changes in parking management in particular areas. So, this resolution in fact instructs PBOT to develop such a program, and to elaborate and explain, I give you Mauricio Leclerc.

Mauricio Leclerc, Portland Bureau of Transportation: Good afternoon.

Hales: Good afternoon.

Leclerc: Senior planner with PBOT. Here with me are Judith Gray, also with PBOT planning, as well Dave Benson and Malisa McCreedy from parking operations. We have a brief presentation, and I thank the Commissioner has greatly summarize what we're here to do. If you don't mind, we'll go fairly quickly.

Again, the language on the resolution itself on what it is that we're doing, what is the process, the context in which we've been working and a little bit more specific as to what we've mean by performance based parking management. The resolution says to direct PBOT to develop performance based parking management subject to City Council approval. We will start a process and come back to you with the results. So, the Commissioner read the parameters and we'll also discuss next steps.

This has all been wrapped up in about a two-year conversation that PBOT has been having with the direction of the Commissioner to have a holistic approach to parking. This includes public parking and private parking. And we've had at one point four committees working on this at the same time, as well as many other committees on which parking as an element such as things that the Bureau of Planning leads -- effective zoning codes, for example. We've had over 50 meetings and briefings all over the city and over a thousand Portlanders we've touched throughout our process.

Summarizing the last year, we've had four committees. One of them recommended adjustment to the downtown -- that was one of them. At the same time that they did that, they said please move to a perform-based parking management program. But also have three -- the central city committee, where a lot of the metered areas are, recommended also performance based parking management. But also the corridor, outside the central city -- we worked with them to develop a broad toolbox of parking management tools, and we want to integrate them into a logical sequence so we can have a data-driven, logical transparent decision-making process. This is an effort that is actually citywide.

This is guided by the Comprehensive Plan policies you've been working on and we have updated recently. But on the macro scale, we're talking about all things parking, a holistic approach, but things are falling into two buckets. Private parking -- you know, what comes with new development, zoning code related stuff -- and things that are public. Those things that are public we want to bundle into a logical system that we're calling performance parking management, and those are housed under Title 16 of our code and also administrative rules. So, this is the process to change those, and next time we are back we'll be bringing amendments to Title 16 and the admin rules.

Very briefly, what have we been hearing from the public? Three major themes. One is to better use existing parking. Before you create new ones, let's make sure we get better use of what we have. That applies not just to the private sector but also our Smart Park.

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We have a peak about noon, but most of the nights and sometimes in the evening they remain empty, and we can make better use of them. Also redefining the function of parking within the curb zone -- make sure it's of the highest and best use and have the programs to support that.

On the on-street management itself, we've been working throughout the city. Very clearly, we have to do more to manage on-street parking given the increasing in demand on our main streets and the fact that we have limited on-street supply and we're not going to grow it. Better management is very important today. Demand spills to updating neighborhoods and we're doing much to address that and we'll be coming back to you with more work on that end.

Finally, more demand responsive management. Today, it is very challenging to initiate parking plans and adjust the rates. We do an average in the downtown once every six years. Today, we have technology -- Smart Park meters allows to us do a lot more. Not just to adjust rates, but also to collect information about transactions and so forth so that we can have better monitoring, know how this works, and also have the ability to respond. So, we're bundling that public parking into what we're calling performance based parking management. It is under the umbrella of the Comprehensive Plan. So, we'll be working under the policy for public parking, the system being to encourage safety, vitality, and livability of our commercial and residential areas, as well as to manage parking to achieve their best and highest use.

We've been talking with the public about this performance based parking management. What is it that we want to do? What is it that it would do? So, it has not been developed, but our aim is that it's a citywide program. It is data-driven, clear and transparent. It relies on performance metrics such as 85 percent occupancy to make sure that's success that we can aim to. It maximizes customer experience -- you don't have to cruise around looking for parking. It's not driven by revenue but actually the performance of the system. It improves reliability of the transportation system, as we have fewer cars driving around as well as the availability of places. It includes industry best practices for the management of parking, and that includes the toolbox that I just referred to.

As I mentioned, we had a lot of conversations with the public. In three of our committees, we really got -- two of them got to endorse performance based parking management, that's the central city one in the middle there which recommended we develop performance based parking management, including establishing performance targets including on and off-street -- that is basically that the on-street and Smart Park work more as a system -- and adjusting the prices to meet those programs. The downtown meter rate also mentioned as part of the rate adjustment that moved to performance based parking management, and the citizens parking project endorsed a tool kit that also and a residential permit program that needs to be integrated into this program.

An example -- we brought it to you at the work session. This is clear. We like what Seattle does. This is for downtown and it applies to meter areas. Again, we're talking about more than just meter areas, but as an example, they have set up parameters between 70 percent and 85 percent. That's the target change. You collect information and that gets published -- you can see it here -- by area and in the annual report in that case. What is the occupancy? What is the action? Very clearly detailed and very transparent, and then in certain periods of the year or so. And then basically, we'll tell you, "the occupancy in this case is 83 percent, no need to act at this point because we are within target range." If you are getting below, we will monitor it and then lower the rate. If it gets too high, we will actually increase our rate. It's as simple as that. And it's very successful. San Francisco has done it as well, and it has led to the benefits of getting traffic off the street and getting

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citations quite a bit down as a result, and greenhouse benefits as well as you get the traffic out.

Again, I want to mention that it's not just about meters and permits, but we have a tool kit we have worked with a consultant and a committee which is a project funded by ODOT. We wound up with a list of 60 projects, 60 ideas we can do to better manage parking, and we want to integrate that.

To summarize, these are the parameters that I think the Commissioner read. I'm not sure we need to read them again, but it is to develop targets, basically, coordinate parking, develop criteria for new districts and breaking up some districts in areas that make sense, adjusting the rates and knowing when to adjust and how often, how to adjust hours of enforcement, how to do the monitoring, how to evaluate and do the enforcement, and also how to communicate these changes to the public not only as to what we are going to do but actually when we do it. There needs to be some predictability that the parking system will be there at a certain rate for a certain period of time so that nobody gets surprised. All of that will be the core of the process that we'll be doing in working with the community and developing a public outreach process and bringing that all to you for adoption. That's the presentation. Before we end, I want to thank all the committees that have worked with us. They've done a lot of work, devoted a lot of hours, and we appreciate the ideas.

Hales: Thank you. Questions? Commissioner Fritz.

Fritz: How will the needs of people with lower income and the effect on people of color being evaluated and incorporated?

Leclerc: Equity is an element that is incorporated into everything we're doing at PBOT. For things related to public parking, we'll be looking at tools that affect -- you know, they have some sort of a cost component -- and determine what is the impact on low income people, for example, and determine the proper action for example. It could be no action is needed. It could be we need to provide some sort of subsidy or something that offsets or mitigates the impact. That will be a part of how we integrate the different tools into performance based parking management. We'll look into it. We did it for the rate adjustment and we're doing it also for the permit that we'll be introducing to you and you and you.

Hales: Other questions for Mauricio? Thank you very much. Let's see. Do you have any invited speakers here, Commissioner Novick, or just those on the sign-up sheet?

Fritz: Actually, I just have one more question. It says in the impact statement that the legislation doesn't have long term financial impacts for the City, but it will.

Leclerc: This action will -- not this time, because we are coming back with the formal changes. At this point, we're just setting up a committee and coming up with ideas. Next time we come to you in May -- you know -- so, in May. We're setting up for next time where it may have some potential impacts. Our experience based on what other cities have done is that it does not lead to more or less revenues, it's pretty much revenue neutral. But we'll come back to you next time with the actual proposals and then we'll fill that out appropriately.

Fritz: So, it does show there are no changes in current or future revenues. Is the intent for it to be revenue neutral?

Leclerc: The intent is to be -- to do what we do, which is manage parking for a certain objective, not by revenue.

Novick: Commissioner, I think action simply instructing the bureau to develop a program in and of itself is not going to change revenues. Once we develop a program, it might potentially, although Mauricio says it might not.

Fritz: I understand that. My question is, is part of the way we're setting up the program making it intended to be revenue neutral?

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Novick: Well, I mean, what we're intending to do is have a more rational parking management system. And sometimes, that'll lead to more revenue sometimes, sometimes it will lead to less revenue. For example, one of the effects of having meters in Northwest is to raise more revenue, but the purpose of having meters in Northwest is to better manage the right-of-way.

Fritz: Right. So it isn't one of the criteria for success that it be revenue neutral?

Novick: I don't think that's necessarily the case, because if we had set that as a criterion for putting meters in the Northwest, we would have had to decide to cut rates somewhere else in order to offset that. And in terms of managing parking, I don't know that that would have made sense.

Fritz: And I concur with that direction, I just want to be clear that there may be some increased revenue which may be seen as a positive side effect or a negative side effect, depending on which side of the paying and receiving that you're on.

Novick: I agree.

Hales: OK, good point. Thank you very much. Do you have any invited speakers?

Leclerc: People signed up.

Hales: Great. Let's take those, please.

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

Hales: Good afternoon, welcome.

Chris Smith: Mayor, members of Council, good afternoon. I'm Chris Smith, vice-chair of the Planning and Sustainability Commission, but testifying today as an individual. I'm going to try to connect the dots. I'm tempted to say that the whole comp plan depends on this, but that might be a little bit hyperbolic. But in fact, it is a keystone piece of success in our comp plan objectives.

As we talked about here in work session a few weeks ago, part of the challenge in the comp plan is to facilitate Portland's growth, which includes growth in trips, while essentially keeping the number of auto trips constant because we are very close to our limit of infrastructure to accommodate auto trips and adding auto trips would be very expensive and contraindicate other plans we have plan.

We know that auto trips -- one of the biggest determinants is the availability and pricing of parking. So, parking will be one of the key tools to facilitate meeting those goals. And we know that off-street parking in large part responds to the on-street parking environment. In fact, one of the things that screws up off-street parking is the perception of free on-street parking, and we know that on-street parking isn't really free, we just hid the costs in other places. So, moving to a performance parking system gives us the tools to very intentionally manage that. I think it'll be critical to achieving our overall comp plan goals, particularly those related to reducing drive-alone trips. It has the added benefit generally in that it makes parking available for the people who need it to be available. So, I strongly encourage you to adopt this and start down this path. Thank you.

Hales: Thank you. Welcome, good afternoon.

Chris Chiacchierini: Thank you. Good afternoon to you, too. My name is Chris Chiacchierini, I am the vice president for planning and operations at the Oregon College of Oriental Medicine. We are the number one school of acupuncture and Chinese medicine in the United States. We offer masters and doctoral degrees in acupuncture and Chinese medicine and we located on NW First and Couch in Old Town/Chinatown. We relocated there in 2012 as part of the remodel of the old Globe Hotel building. I want to testify in favor of this proposal and I have a couple points I'd like to make.

Each day, we welcome more than 400 visitors to our campus. Parking is consistently the number one concern in our customer and community feedback surveys. While 67 percent of our campus community use alternate means of transportation some of

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the time, half of all of our commutes involve a car. We see roughly -- depending on the year -- between 17,000 and 21,000 patients in our clinic. We have a student clinic. Roughly 50 to 70 per day. Out of that particular number, 89 percent of those drive to their appointments. While we want to continue to encourage more use of transit, cycling, and walking, not everybody can do that. We will always need some parking to meet our various needs. Transportation alternatives are particularly challenging for those with disabilities, which is a large part of the community that we serve in our clinic.

Parking management is critical to the continued success of OCOM. Old Town/Chinatown, as you know, is unique in the sense that it has trip characteristics that are very different from, say, downtown. Both OCOM and University of Oregon reside in Old Town/Chinatown. We have multiple clinics there, public clinics serving low income patients. As you know, we have night life and two major tourist destinations in the Chinese Garden and Saturday Market in addition to the standard office, retail, and restaurants. This requires a more customized management of parking.

We as a college are really looking forward to clear, data-driven, and transparent decision-making processes for managing parking. We've actually experienced this approach, so we know of what we speak. When we reviewed our own parking data, we learned that a significant number of our community members need to stay longer than the meters allowed. In response, PBOT lengthened the stay of time from 90 minutes to two hours. This was a game-changer for our clinic patients, given that our appointments are one hour and 15 minutes long. It gives them a little more time to get in, get dressed, check in, and check out. We've also provided bicycle use data to PBOT and have appreciated the support we received to expand our bicycle parking capacity as the result of the data we've captured -- [beeping] -- I'll wrap up.

Finally, we've found PBOT to be a beneficial partner, heavily focused on customer service. We look forward to working with PBOT on developing a performance based parking management system.

Hales: Great, thank you very much. I'm glad you had that successful pilot project of adjusting to make it work better. Thank you. Welcome.

Reza Farhoodi: Good afternoon, Mayor Hales, City Commissioners. Thank you for the opportunity to speak today. My name is Reza Farhoodi, I'm a Pearl District resident and I serve on the neighborhood association board. I also served on the central city parking update committee and the meter rate adjustment committee, but my comments today are mine alone. I'm testifying today in supporting the resolution and urging you to green light PBOT's proposal to develop a comprehensive performance parking management policy for your future consideration.

Dynamically priced, demand-responsive parking management has many benefits. It will reduce vehicle congestion and emissions, it will help businesses, it will make it easier for customers find a free parking space, it will help make housing more affordable, and it will support Portland's ambitious mode split and climate action targets. Performance parking will also succeed in shifting parking demand from the peak to the shoulders -- that is, to locations and times where there is excess capacity. In the Pearl District, we have much higher demand closer to Burnside Street closer than we do north of Lovejoy Street. We also see considerably higher demand in the weekends and evenings.

Implementing performance parking will raise prices where demand warrants it to make sure they are high enough to ensure enough free parking spaces. It will also help reduce prices where we have lower demand, allowing for better utilization of our public right-of-way --- one of the most finite resources in the central city. In closing, I hope that you'll adopt this resolution and allow PBOT to afford and create a performance parking

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management policy that meets the needs of Portlanders in a rapidly growing and urbanizing city. Thank you.

Hales: Thank you, thank you all very much. Good afternoon.

Ian Stude: Good afternoon. Thank you for the opportunity to speak today. My name is Ian Stude, I am the director of parking services for Portland State University and I'm also the chair of the bicycle advisory committee. I also served on the stakeholder advisory committee for the central city parking policy update, and also as an alternate on the centers and corridors stakeholder advisory committee. Suffice it to say, I've spent a lot of the last two years talking about parking -- to the point my wife would like me to stop. [laughter]

I would really like to encourage City Council today to support the resolution in front of you. I think that the performance-based parking plan that PBOT will develop will be a major step forward and really a smart, modern approach to how we tackle one of the largest obstacles in improving our transportation network and really how people get around our city and enjoy our city.

While I'm not here to testify specifically on behalf of Portland State, I would like to tell you a little Portland State story, which -- in case you're not familiar -- has grown from 20,000 students to 30,000 students in the time that I've been there. That's, you know, a 50 percent increase in enrollment, a commensurate or close commensurate increase in staff, and a tremendous number of regular visits to campus on a daily, weekly, and monthly basis. We estimate almost a million visitors a year. It's incredibly compact and incredibly challenging to manage parking for those folks, and we've done so with only a 10 percent increase in parking in the last 10 years.

Largely, we've been able to do so because the system that we've invested in is twofold. One, the alternatives and really the approach to transportation demand management, providing access to our robust transit network and supporting the transit network with some very hard-earned dollars as well. We're very appreciative to TriMet and others and the system that the City has laid out that's allowed PSU to grow in a very economical and very sustainable fashion.

But I want to point out one of the key functions that's made PSU's growth and management of transportation successful is exactly the same kind of thing you're considering here today, which is performance based parking management. We adjust rates and the availability of parking based on demand throughout our campus network of parking. And it has been enormously successful. We're continuing to modernize that system, and we're looking forward to utilizing some of the new technology that's becoming available. But I think that if you look at PSU, in some ways it's a test case, and we look forward to continuing to work with PBOT in tests or beta fashion. I think you'll find that this can be an enormously success thing for the city at large. Thank you.

Hales: Thank you very much.

Fish: Do you mind if I just ask one question? The other night, I had an event -- teaching a class at PSU. I had to be there at 7:00, so I ended up at 6:30 parking on Broadway just near Lincoln Hall but in the innovative parking you have on the street. So, there's a protected bike lane on the other side of the car and then the sidewalk. What's been the experience -- how have people reacted to that parking configuration?

Stude: Quite well. Thank you for asking about that. The effort to introduce in many ways Portland's first on-street cycle track at PSU was one that was championed by the University and we worked very closely with PBOT on that. The response has been overwhelmingly positive. While there's a little bit of challenge in learning how to park in a facility like that for the first time -- and when it's really dark out we see people miss the paint and they head over and park next to the curb -- we've mostly ironed that out and

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folks pretty much know what to do, and we find they are also parking in the right spot. There's the occasional hiccup with a delivery vehicle and whatnot, but the benefit to those who are riding, and who are riding to our campus -- some on bikes -- has been enormous, and particularly the group that has identified themselves as interested but concerned about bicycling. We found that facility directly correlates with a positive reinforcement for cycling and encouragement to do so. And that's through some very academic research done by PSU staff and students.

Fish: I think the only thing that I learned is that I'm now conditioned to look at my rearview window to see if there's a bike coming, you know, driver's side. And so, since all I have to worry about is a car on my driver's side, it's remembering that when I then crossed over to get the ticket for the car, I look both ways to make sure there's no bike between me and the sidewalk.

Stude: It takes a little bit of adjusting. And I think what the bureau has planned in terms of protected bike ways into the future looks very positive, and I think that the designs that are there and that PBOT staff have been working hard to modernize and emulate from other cities are in some ways even a step above what we have on Broadway today. So, it is a great example, though, of how parking can be utilized not just as auto parking but as a buffer between two different modes of transportation that really we'd prefer did not mix if at all possible.

Fish: Thank you very much.

Stude: Thank you.

Hales: And, you know, we have to keep experimenting. Some of these experiments have proven right the first time, some wrong the first time, some need work. So, it'll be interesting to see how the cycle track idea evolves that way.

Stude: Well, we're always happy to help.

Hales: Part of the challenge is people come here from other places and they don't know about this stuff. So every now and then, I'll see a driver at the back of the queue at the back of the line of parked cars who hasn't figured out yet that they're not moving. [laughter] Welcome.

Tony Jordan: Hello, Mayor Hales, Commissioners. Thank you for the opportunity to speak today. My name is Tony Jordan, I served last year on three of the parking committees mentioned. Since serving on those committees, I've founded a group called Portland Shoupistas, which is a group that advocates for effective parking policy here in Portland. I'm the president of Sunnyside Neighborhood Association, but I'm not speaking on behalf of the neighborhood association today. I support the resolution and encourage you to direct PBOT to develop the performance based parking management policy for your review and approval later this year.

Our public right-of-way is one of the city's greatest assets. We have an opportunity to manage a significant portion of that asset to make housing more affordable, encourage commerce, make our streets safer, and make progress on our mode share and climate action goals. There was a common refrain at all three of the committees I was on to use new ideas and technology available now to better manage our parking supply in a data-driven manner. We can learn from and improve on systems and places in other cities like San Francisco to create a fair and efficient system here in Portland.

Concerns over on-street car parking drive much of the opposition to additional housing supply in our neighborhoods. The parking tool kit approved by the centers and corridors committee provides a path to a less acrimonious environment for these developments, and the performance based parking management is an essential component of that tool kit. These policies will enable neighbors to focus on other important issues and make it easier for developers to add much-needed supply that we have.

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Community parking is also an essential resource for many businesses and commercial districts. By ensuring that there's always some space available nearby, this policy will stimulate business and increase customer satisfaction. Cash-conscious consumers will label to find cheaper parking in areas of less demand and quite possibly they'll see the lowest rates in quite some time in downtown Portland -- maybe lower than they were 10 years ago.

But the benefits of performance based parking management aren't only for people who drive. Pedestrians and people on bikes will enjoy downtown streets with less car traffic. In San Francisco, areas where SF park was used to manage parking saw 30 percent decreases in vehicle miles travelled, and fewer drivers circling blocks while looking for parking equals fewer opportunities for collisions and injuries.

Finally, these policies will help us meet our mode share and climate action goals. Performance based parking management will enable more efficient use of existing parking supply, reducing the need for additional parking garages. Less cruising for parking will reduce greenhouse gas emissions, and awareness of the true value of the true value of curbside parking will reframe discussions about the use of right-of-way for alternative modes of transportation and public space.

There is one suggestion I have for approving this resolution. Several members of the central city parking committee expressed concerns about the impact of allowing shared use of commercial and residential parking in the city center -- this is in the Central City 2035 plan. It's a good thing to do that, but this proposed change may significantly increase the private off-street supply available to visitors and commuters, which will make it harder to meet the mode share goals. Adding parking supply to rates, hours of enforcement, and other adjustable variables in this resolution would acknowledge this concern and provide more opportunities for repurposing of existing supply when it's appropriate in the future. So, thanks for taking this step --

Hales: Let me make sure I understand that. The concern is you're talking about existing private garages, right?

Jordan: Yes. The Central City 2035 draft contains language that would allow existing supply that's off street in buildings for residential only to be used for any purpose. It removes the designation between commercial and residential. And that's good, because it will probably lead to less structure parking built and free up some supply now, but it could increase supply, which would make it harder to meet the mode goals because those are connected.

Hales: Alright, good point. Thank you. Thank you very much. Other questions? Thank you both. Anyone else that wants to speak on this item? Alright. Do you want to take action on this resolution? Let's take a vote, please.

Item 371 Roll.

Fish: Commissioner Novick, thank you for your great work, and thanks to your very able team. This seems innovative and thoughtful in the approach, and we look forward to seeing the fruits of your -- the next phase of this effort. Thank you. Aye.

Saltzman: Aye.

Novick: Thank you, Mauricio, thanks to the whole team, thanks to my colleagues. We are well on the way to a rational system of parking management. Aye.

Fritz: Leah Treat and Commissioner Novick are really bringing in the home stretch here, so congratulations on this one, too, and thank you to the team for your work. Aye.

Hales: Yeah, thank you, Commissioner, and thanks both for the team and the other folks who provided testimony here today. I think the last point was an interesting one. Gotta make sure that all the system effects -- whether it's in land use or elsewhere in transportation -- are thought through as we do this work. And obviously, PBOT is eminently

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capable of that, but I appreciate the point being raised. Look forward to seeing the next phase of the work. Thank you. Aye. OK, let's move on please, to the next item, which is at 3:45 -- 2:45. And I think we have our honoree in the house. Are we ready, Commissioner?

Fish: Take a break?

Hales: OK, yeah, two-minute break and we'll be back.

Saltzman: I gotta grab my talking points.

Hales: OK, we'll do that.

At 2:43 p.m., Council recessed.

At 2:49 p.m., Council reconvened.

Hales: OK, we're gonna get back to order here and have some fun. So, we're returning to business, please. Let's take up the next item, which is item 372.

Item 372.

Hales: Commissioner Saltzman.

Saltzman: Thank you, Mayor. I just wanted to take a moment to recognize the outstanding and honor our Fire Chief Erin Janssens for her outstanding service and her many years of service to the City of Portland. She is set to retire at the end of this week -- well, tomorrow, as a matter of fact -- which happens to be her birthday as well. And she has provided excellent leadership for the Fire Bureau and for the past almost four years that she's been chief.

As was noted, she is the first female chief the City of Portland has ever had -- Fire Chief -- and she has served professionally for 28 years in this field and has really reached the peak of her leadership and has really helped the bureau, Portland Fire and Rescue, deal with the increasingly complex balancing act of responding to fires but dealing with the ever-increasing in fact majority of calls now for emergency medical services. And she has continued to be an innovator in looking at ways that we can better serve the emergency medical side of the equation while still maintaining our commitment to be there to save lives and property when we actually have fires as well. And she has pioneered the use of rapid response vehicles, which are two-person vehicles that can respond to low-level medical calls rather than calling out the cavalry, so to speak. And so, I want to thank you, and we have a proclamation here, but I want to personally thank you. You've been a real catalyst for change for Portland Fire and Rescue, and I appreciated having the chance to have worked with you for the last almost four years. Thank you. And we have a proclamation that the Mayor's going to read.

Hales: I'm happy to do that. It says this -- whereas, Portland Fire and Rescue has had a rich 132-year-old history of protecting lives and property in our city; and whereas, in 2012, Portland Fire and Rescue added a milestone to its rich history with the appointment of its first female Fire Chief, Erin Janssens; and whereas, Chief Janssens brought a wealth of experience as chief, working at every level of the Fire Bureau, being promoted through the ranks to lieutenant, captain, battalion chief, deputy chief, and fire marshal; and whereas, Chief Janssens has always pursued innovation in cutting edge innovations throughout her time with PF&R, from reinstating the use of rapid response vehicles to educating youth in after-school programs to partnering with health care providers on a myriad of initiatives, Chief Janssens has embraced all forms of innovation and change; and whereas, Chief Janssens has provided excellent leadership in carrying the Fire Bureau through Portland's challenging times, maintaining high levels of operation during record population growth and increased call volumes; and whereas, the City of Portland would like to honor and thank Chief Janssens for her 28 years of service to our city; now, therefore, I, Charlie Hales, Mayor of the city of Portland, Oregon, the city of roses, do hereby declare April

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13th, 2016 to be a day to honor Portland's first female Fire Chief Erin Janssens in Portland and to encourage all residents to observe this day and to thank her. Thank you, Erin.
[applause]

Before we give you a chance for rebuttal, others might want to add some comments to Commissioner Saltzman. I've got this. That is, any of us who deal with the leadership of organizations with strong traditions -- I have some experience with that with the Fire Bureau and also with the Police Bureau -- know that a change agent has to walk a careful line between honoring those traditions and supporting people's adherence to those traditions and making the change that you need to make. And I just really appreciate the way you've done that. Not just that you have done that, but the way you've done that. You've always been a firefighter's firefighter, you've always stood up to the bureau at every turn, but you've been willing to move things forward in the right way. And that's an art. I've tried to describe it in those words, but I've seen you do it. And you'll be in that sense a very hard act to follow as well, because there's always a need for change as we as a society change, and that's been true for the bureau and always will be but you've done that very adroitly, and it's been noticed and appreciated by your Mayor.

Fish: Mayor, can I --

Hales: Yes, please.

Fish: Commissioner Fritz has noted on many occasions -- and the Mayor has also noted -- that we have four current or former Parks Commissioners on this Council. We also have four current or former Commissioners-in-Charge of the Fire Bureau. And so many of us have had the great honor -- albeit for two of us, very briefly -- [laughs] -- to work with the men and women who wear the uniform and provide such great service.

I first want to say, Erin, that it was an honor to serve on your interview panel and to learn about the many current then-challenges that the bureau faced, and also to have a sense of how you stacked up against the other candidates. And you know, when Commissioner Leonard appointed you, it was his view -- and I concurred -- that you were the outstanding candidate for the job following an extensive search.

It's been an honor to work with you on a number of things, and in particular, while we don't work day-to-day as colleagues, I have worked with you during two weather emergencies where I've gotten to see the very best of you and the bureau under difficult circumstances. I know that Hannah Kuhn would kill me if I didn't say something on her behalf because you and Hannah and Bill share such a deep friendship. And it was actually a wonderful dividend for me that you would occasionally visit Hannah in my office so I got to see you, but Hannah thinks the world of you, and I know you and she have a deep and lasting friendship.

And finally, I want to echo what the Mayor said because today, we're really celebrating public service. And lord knows, this is not the easiest time in our history to be in public service. We face a lot of headwinds, there's a lot of uncertainty out there. It takes a person of certain character and grit to be successful in public service, and I think what you'll hear from all of us is that we have been honored to know you and work with you. So, thank you.

Erin Janssens, Chief, Portland Fire and Rescue: Well, I would like to say that it is -- I'm very honored and I'm very humbled to be here before you today and that it has been an honor to be your Fire Chief and it has been an honor to work with all of you and all of your staffs. I have the utmost respect for all of you and your staffs, all of the people in the City that work so hard to make the city work, move the city forward, and advance the best interests of the city. I think that until people are up close and personal, they may not recognize or appreciate how much and how hard everyone works. And I want to say that I

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know that about each and every one of you, and I greatly admire and respect each of you. It's been an honor, again, to be your Fire Chief, so thank you very, very much.

Fritz: How many females were there in the Fire Bureau when you started?

Janssens: When I started in 1988, there were three of us. We were all on probation -- well, three of us were on probation at the time. By 1989, there were two of us, and then in 1990 there were three of us again out of about 800 men.

Fritz: So I surmise, in some ways, that more challenging than being the first woman Fire Chief -- entering a highly male-dominated environment and being the trail blazer who was able to do all of those physical tasks that I certainly would not ever been able to do -- that is part of your legacy in my mind, having been one of those first three and succeeded and worked your way up to the top.

And then I know you have had significant challenges as a woman decision-maker in our society, as I as the seventh woman and the Council have also experienced. This morning, we have some direction to look at gender issues in our City bureaus and I hope it's not another 132 years before we have another female Fire Chief. And I also hope that there is increasing awareness not only within the Fire Bureau, also within the Police Bureau, also within some of the other very male -- traditionally male-dominated bureaus that women can and do as well or better, and that when we have women in authority, they have earned -- we have earned our way to be there and that it will in the future be easier than in many ways it has been for you. So, I wanted to acknowledge that it's not only the honor of being the first woman chief, it's the honor of having worked your way up and been part of that groundbreaking trio. Thank you very much.

Janssens: Thank you.

Hales: Yeah, I had a chance to give a speech to the women in transportation seminar. Of course, I touted the fact that we have a number of women in positions of leadership -- not enough, but some significance. And of course, a woman Fire Chief is a distinction still. But I said what actually Portlandia was doing was reaching down and saying, "Come on up, sister, let's break that glass ceiling together." So, thank you for your effort in doing just that.

Janssens: Absolutely.

Novick: Chief, as Commissioner Fish said, some of us have been Fire Commissioner for a very brief period of time. I think I was that for maybe six weeks. But it was an intense time because we were threatened with budget cuts and we were trying to explain how devastating it would be to start shutting down fire stations. I really appreciated the education you gave me on the bureau in that short period of time. Also wanted to say that I really appreciate your support of the neighborhood emergency teams. Our NET folks will be very sorry to see you go and hope that you'll be back to support the NETs in some way in the future.

Janssens: Very good.

Hales: Could we commemorate this moment with a photo with you, and perhaps invite Amy to join us?

Janssens: That would be great, thank you.

Hales: Come on up, please. [photo taken] [applause]

Hales: Let's then move on to our remaining two items this afternoon -- since it is 3:00 -- and take item 373, please.

Item 373.

Hales: OK, Auditor Caballero.

Mary Hull Caballero, City Auditor: Good afternoon, Mayor and Commissioners. I am City Auditor Mary Hull Caballero, and with me today is Deborah Scroggin from my office. Deborah oversees the lobbyist registration program in addition to her duties as the City Elections Officer. We are here with a proposal to strengthen sections of existing code that

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make transparent the activities and expenditures lobbying entities bring to bear on City policy choices and other decisions. The proposal also broadens the revolving door prohibition so that the public's interest is not made deferential to personal interests when officials, their at-will employees, and bureau directors leave their City jobs.

The City's code of ethics was adopted in 1994. That document says the purpose of this government is to serve the public, and calls on officials to treat their offices as a public trust. It also calls on to us to assure public respect by avoiding even the appearance of impropriety, and for policymakers to place long-term benefit to the public as a whole above all other considerations, including important individuals and special interests.

In keeping with the code of ethics, Council in 2005 passed an ordinance requiring lobbying groups to register and report their activities. It also obligated certain City officials to report with whom they were meeting and when they received gifts from lobbyists. The ordinance authorized the Auditor's Office to establish reporting mechanisms and enforce provisions of the code.

The model chosen back then emphasized disclosure, and our proposed amendments are in keeping with that choice. They require no additional resources for my office to implement. Our goal is to make clear the expectations and consequences of the code for the people who fall within its requirements. We think the public will be better served by a code that adds transparency, clarifies requirements, and is more straightforward to enforce. Deborah will now walk you through the specific changes, and then we have some invited testimony for you.

Deborah Scroggin, Office of the City Auditor: Good afternoon, Mayor and Commissioners. As Mary said, my name is Deborah Scroggin with the City Auditor's Office. I have a brief summary of the proposed changes to City Code 2.12, the lobbyist registration program, that I'm going present, including a brief background on the program, why we're bringing these proposed changes now, and a summary of the major amendments.

The stated purpose of the lobbying regulation program is to preserve the integrity of the decision-making process by making public the extent of lobbying activities. It's primarily a disclosure-based program that requires registration and reporting from certain entities and also from City officials. The program was passed in 2005 and has been in effect since 2006. Oversight and administration is conducted by the Auditor's Office.

I just wanted to give a quick snapshot of activity captured by the lobbying program currently. There are 39 registered lobbying entities right now. This number ranges between 30 and 50 throughout the year, depending on items coming before Council. The types of organizations reporting activity range from small nonprofit organizations to multinational companies. The amount of individual lobbyists fluctuates between approximately 170 and 190, also depending on the issues before Council. Right now, we have 188.

In 2015, registered lobbying entities that are required to disclose this information reported \$288,000 spent on lobbying, which is more than double the amount that was reported in 2014. These expenses including salary or other compensation to lobbyists, travel, advertising, gifts, and other similar items.

So, why are we bringing these changes now? The last time substantive amendments came before Council was 2007, and we think it's overdue to present some changes. The initiating ordinance states that these regulations establish the transparency that fair and open government warrants. To that end, we think it should be continually updated and reviewed for effectiveness, and to approve administration. In particular, there are areas that have caused confusion both for lobbyists and City officials, and we want to address those with these changes.

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There are some really strong pieces of the lobbying program. In particular, the definition of lobbying is broadly defined to capture additional activity at the local level. Specific lobbying contacts between City officials and lobbyists must be disclosed in public reports for certain entities, and City officials are required to post their calendars of official activities which balances out that transparency activity between lobbyists and City officials. These are all strong components of the lobbyist program, however, these pieces don't work together cohesively with the rest of the code, unless there's little room for gray areas, strong accountability measures, and meaningful enforcement mechanisms. The changes we're proposing today are a step in that direction.

The first change I'll go over is to close the lobbyist disclosure loophole that we think exists. Lobbying entities are required to register, disclose their activities, lobbyists that are working for them, and their expenses after reaching a certain threshold of lobbying. That is set at eight hours and a quarter. This singular threshold leaves room for financial expenditures to go unreported and disproportionately affects civic and nonprofit groups. That's because entities that expend significant amounts on travel and compensation and make other related expenditures may not need to register under that single hourly threshold. So, with this proposed change, the lobbying would have to register after they spent eight hours lobbying -- the current policy -- or \$1000. We think this will capture additional lobbying activity and be a more accurate picture just using different resources.

So, I'm going to go into the prohibited conduct section. First, I wanted to address an amendment that we have before you for this item. This amendment was regarding certain boards and commissions lobbying for compensation while serving as a volunteer City official. This is an important issue worthy of consideration. Unfortunately, we added it too late and it did not get the same amount of time for comment and feedback as other changes did. To allow the officials effected by that proposal to digest the information and air their concerns, we proposed moving it for the time being. I can go into more detail if you'd like, otherwise I'll move on to the post-employment prohibition section.

Fritz: I'm sorry -- just -- what was --

Hales: Yeah, I'm not following that, either.

Fritz: Just catching up from the previous one.

Scroggin: Oh, OK. We submitted an amendment to this code, and that was to remove the section on --

Saltzman: PDC, the Planning Commission, Design Commission --

Hales: What section is that?

Fritz: Twelve eighty.

Scroggin: 2.12.080, section F.

Saltzman: In other words, you're moving the restriction on those commission members for lobbying until we have time to process it more.

Scroggin: Yes, exactly.

Hales: Oh, OK. OK, sorry. Keep going.

Scroggin: OK. So, on the post-employment prohibition section -- in general, these types of policies we think are preventative, good government measures. They serve the purpose of preserving impartiality, independence, and trust in City-decision making by imposing some kind of cooling-off period, and that's what our code does.

This period creates distance from the special relationships and access City officials gain throughout their time at the City, and these types of policies have another very important impact -- they prevent even the appearance of impropriety. Cooling off periods are typically one to two years. We suggest a two-year period to allow for additional turnover and to diminish the appearance that a former official could hold special influence over City decisions.

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Under the City's current code, all employees are prohibited from lobbying City officials regarding any subject they were personally and substantially involved in for one year after their current term of office or employment. That "personally and substantially" policy been difficult to define and is hard to monitor. The proposed amendments instead provide a clear separation of City officials from their public service. It also appropriately narrows the individuals covered by the prohibition. Instead of being Citywide, it focuses on top level officials.

The proposed changes prohibit elected officials -- I'm just going to go through them individually -- the propose changes prohibit elected officials and their at-will staff once they leave the City from lobbying for compensation or other consideration current elected officials and their at-will staff for two years. In addition, City directors once they leave the City will be prohibited from lobbying the director of their former bureau and the Commissioner-in-Charge of that bureau for two years. We think this proposal is clearer and stronger than current language, while balancing the expertise and unique perspectives lobbyists can bring to government.

We'd also like to add some meaningful enforcement mechanisms to this code. At the discretion of Auditor, currently, the maximum penalty for violations of this code is \$500. That has not been reviewed since the ordinance went into effect 10 years ago. The proposed changes sections would increase the fine from \$500 to \$3000 per repeated violation. That's an amount --

Novick: Just on that --

Scroggin: Sure.

Novick: If that's all -- does it still provide for \$500 for non-repeated violations?

Scroggin: Absolutely. It would be at the discretion of the Auditor.

Novick: OK. Because given the language change, I wasn't -- I mean, just reading the penalties provision, I wasn't clear on that. It seems to only talk about the period of repeated violations.

Scroggin: So, it would be up to \$3000 for repeated violations and we would not charge \$3000 for the first violation, for instance.

Novick: OK, but I think it -- it leaves it a little unclear -- it doesn't say anything about non-repeated violations, so it leaves you sort of puzzled. Is there a maximum for a first violation, or is there any penalty at all?

Scroggin: That would be something we would clarify through an open administrative rule process that we were going to move forward with, and to outline the different considerations that we would have, such as the budget of the organization, the type of violation, whether it's very technical in nature or something else.

Novick: OK. But it just seems -- it's just worded very strangely now because it seems to only talk about repeated violations. I don't think it'd be hard to fix in the language.

Scroggin: OK.

Fritz: Yeah, I don't think you need the words "for repeated violations." Because if it's up to 3000 -- otherwise, as Commissioner Novick says, it looks like it's only for repeated violations.

Scroggin: I'm looking to the City Attorney, because that was actually advice that they gave. But I'm happy to look at that and see if we could do an amendment.

Novick: I mean, it sort of implies that there's a lower threshold for single violations, but it doesn't say what the threshold is. It's just confusing.

Scroggin: OK, I think we can clarify that. Thank you.

The reason that we're doing this piece is to bring the penalties closer in line with other jurisdictions who have penalties for this type of law. And that would be Seattle, San Francisco, State of Oregon -- they have \$5000 as their maximum penalty. We think this

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amount allows the Auditor's Office to recover costs associated with the enforcement, including the ability to seek recovery of attorney's fees.

The next steps for the Auditor's Office would be to continue to focus on education and outreach regarding lobbying regulations. Our goal is to get the most disclosure as we can under the code. In particular, we'll be focusing the next four months -- if this should pass -- on increasing awareness of the program in general, with targeted outreach to folks who would be subject to it. We'll update public information, manuals, and increase the number and frequency of trainings. We'll also be creating administrative rules through an open process before the effective date. Thank you, that's all I have.

Hales: OK. I have some questions. Why don't you go ahead with yours, and then I'll ask a number of questions.

Fritz: OK. My first set is on a calendar postings. That's section 070 D.

Scroggin: Yes.

Fritz: It says that we're required to post calendars -- and let me first say, I totally appreciate this whole project. I support the vast majority of it. I'm just trying to understand what the requirements would be and how I would do them. So, it says unless otherwise exempted, calendars required by this section shall include the date and length of scheduled official business. What's the purpose of saying the length of the meeting is important?

Scroggin: Well, one of the requirements to register is that eight hours threshold of lobbying. And if we can have some idea of the length of some of these meetings, that helps us with letting lobbying entities know that they may be subject to this ordinance.

Fritz: OK, I'm -- you know, I have half-hour meetings. If they end 10 minutes early or if they end 15 minutes late and the lobbying entity enters it differently, am I in violation if I say that it was 20 minutes they say it -- or was vice versa?

Scroggin: I think it's how it's scheduled. We would want to see however you intended it to be. If it varied dramatically, perhaps that would be something to update on your calendar. But whatever it was scheduled as would be important for us to know.

Fritz: And this is for all official business, so it's not just for lobbying meetings.

Scroggin: Correct. However, we've narrowed that down so that there's an emphasis on outside meetings and you wouldn't have the extra administrative burden of putting all this information for internal meetings with your staffs.

Fritz: I don't think it says that, so that's something else I'd like to have clarified. And then the second part of that section says, "if scheduled activities include non-City staff and are private, the primary participants or organizations shall be listed." So does that mean if I have a birthday party, I have to list everybody at it?

Scroggin: Well, I think the question would be, are you having a birthday party as part of your official business? That sounds like that might not be something you include on an official calendar.

Fritz: So, activities that reflect official City business. OK.

Novick: I actually was looking at the same language and I think it's relatively clear, but it might make it a little clearer to say, "if scheduled, official business activities including non-City staff" and just repeat the phrase.

Fritz: Yes, that would be helpful to me.

Scroggin: OK.

Fritz: And the other clarifying question I have is about the two years instead of one year, and particularly about including at-will staff. You frame that as high level officials, and I consider all of my at-will staff high level officials. I currently am employing somebody part time for \$15 an hour while she's in school and she's helping with our front desk and other activities. She would come under this category. One of my policies is to try to employ folks

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who are getting their start in public participation in public business, and I'm hoping they're going to get offered a fancy job in either the private sector or elsewhere. So, I'm just troubled by that provision and wondered if you could talk about what's the purpose of that.

Scroggin: The purpose is to capture everyone who is involved in activities that your office may be discussing, and to prevent the conflict that may happen and the appearance of undue influence after that person leaves office and then may have different levels of access than someone else.

Saltzman: Isn't that up to the elected officials to prevent that undue appearance of influence as opposed to the at-will employee him or herself?

Hull Caballero: I think it's everyone's responsibility to watch out for the appearance of impropriety. I would also like to --

Saltzman: You consider at-will staff to be -- I consider them to be public servants. What do you consider them to be?

Hull Caballero: Public servants. Right.

Saltzman: But public servants at the risk of going bad after --

Hull Caballero: No, I think that this is --

Saltzman: That's why they need a two-year time-out from future employment?

Hull Caballero: No. If you go back to my introductory remarks, this is about keeping aligned with the code of ethics where it lays out that we're supposed to avoid even the appearance of impropriety. And I think that the public trust, can the public -- I mean, don't think the public should have to understand what the intricate details of your relationships with your staff are, and I think that it's an appearance issue. If it looks like the playing field is not level, that someone can come back in and essentially trade on information that they have developed when they were public servants, then I think that is what chips away at the public trust.

Saltzman: Well, the current language does prohibit an employee from working on -- lobbying on an issue that he or she has had a substantial involvement in.

Hull Caballero: Right, and we're saying --

Saltzman: And I guess I'm --

Hull Caballero: -- we're suggesting that that is very difficult to define. Is it they spent three hours on a topic or 100 hours on a topic? That's why we're trying to clarify --

Saltzman: Yeah, but you're choosing sort of a blanket approach. And I'm sorry to interrupt, Commissioner Fritz, I'd be happy to cede my time back to you --

Fritz: Go ahead.

Saltzman: But I think you are --

Hales: Why don't you both have at it for a while, and then I'll follow.

Saltzman: I think you're doing two things. One is you're penalizing people that have been loyal, hardworking public servants by saying that for two years, you can't pursue any employment that is remotely related to City Hall --

Hull Caballero: That is not what it says.

Saltzman: And then secondly, you're going to make it very difficult to hire good, inspired people who maybe hope to have careers in the private or in the public sector from ever wanting to go to work in City Hall.

Hull Caballero: And that's not what we're proposing --

Saltzman: No, but that's what I'm suggesting is the impact of this.

Hull Caballero: And I would respectfully disagree with you, Commissioner. What it prohibits is coming back to lobby. So, there's all kinds of employment possibilities for talented public servants when they want to leave public service. All we're saying is that one of the things they should not be doing is coming back to lobby their former elected

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official or their former colleagues. And so it's a very narrowly-tailored prohibition around lobbying, not employment.

Saltzman: Have you ever heard the phrase, "let knowledge serve the city"? That's PSU's motto.

Hull Caballero: Right.

Saltzman: I think there's something to be said for having people who understand the quirky form of Portland government, which is pretty unique, you know. We're one of a handful of governments -- one government left that has this quirky form of government.

Hales: Handful of one.

Saltzman: And in my opinion, I think it's useful to have people who understand and have gained experience in working in that system to help guide decision-making for the public, for their clients, for those of us who serve in office.

Fritz: Commissioner, let me ask you for clarification for myself. I think that the two years is reasonable for the elected officials and the bureau directors. I think we're just talking about the at-will staff.

Saltzman: Right. I absolutely agree with the elected officials and bureau directors.

Fritz: Yeah.

Saltzman: But I'm concerned about the impact on at-will staff for both attracting them and penalizing them for working as public servants.

Hales: So, since I have a lot of questions, I'm going to let Commissioner Fish go next, and then I'll take up my long list.

Fish: Well, I just want to strike while the iron's hot here on the prior conversation you had with two of my colleagues on the calendar issue. So, Deborah, here's the context. We find that from time to time, there are discrepancies between the reports filed by lobbyists and our records. And I just want to -- I wanna just connect the dots on how this is constructive to make sure that we're all on the same page. Under the code, by the 15th of the end of each quarter, the lobbyists or lobbying entity is required to file their report.

Scroggin: Correct.

Fish: And that becomes a public record. There is a safe harbor provision in the code that gives City officials up to 25 days from the end of the close of the calendar to make any amendments without consequence.

Scroggin: Correct.

Fish: So, the way we've interpreted this is that from the moment of lobbyist reports are filed, we have 10 days to do a quick scan to make sure that our records and the lobbyist's records correspond. And the kind of things that we often find is there's a -- the wrong date is listed, or maybe the wrong time or something. I'm not trying to cast aspersions to the people filing, but these are human errors. And so, as I understand it, there is that 10-day window to fix -- to update a calendar or to make other changes if a discrepancy is identified. Is that correct?

Scroggin: That 10-day period applies for lobbying entities. For City officials who are required to post a calendar, that date is 15 days after the end of the quarter.

Fish: At the end of the quarter. So then, I guess that frames the other question, which is, so the City official does his or her best to get it all right. But the moment the lobbyist report hits, a light goes off and says, "boy, there's a problem here that has to get sorted out. Somebody has got an error in how they reported it." Can that be amended thereafter without -- without consequence of fine or penalty by the City official?

Scroggin: I think that language --

Fish: Pardon me?

Scroggin: I think that's something we could consider, certainly.

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Fish: Because my sense that is you in particular are very focused on just getting it right. And if people make good faith efforts, you want to get it right, and that sometimes there are just human errors in how things appear. This is pretty proscribed, but I think there's a rule of reason. And we have found you problem-solving oriented. But I just -- I want to make sure we're not handcuffing ourselves. Because sometimes by the time when that lobbying report comes out, it's an additional tool to sort of verify -- we don't want to discourage people from doing that. Because sometimes you find you or the lobbying entity made a mistake, and you correct it, as we should. And I think at least from the City official's side, it should be done within a reasonable period of time without a penalty.

Scroggin: Right.

Fish: OK, thank you.

Hales: So, I think this proposal has big problems and I don't intend to support it. And I want to go through some details of that and questions for you. But first, some disclosures because it's important to disclose so people don't ascribe motives that aren't real. First, I am not going lobby the City of Portland after I am mayor in any way, shape, or form for any reasonable time period -- probably for the rest of my life. So, I will not be subject to the provisions that we're talking about. So, let's get that out of the way right away.

Secondly, I think I bring a unique perspective, without being immodest, to this discussion. From 1979 to 1991, I served as a paid lobbyist for two different business organizations -- first, the Oregon State Lodging Association and then the Homebuilders Association of Metropolitan Portland. I lobbied the Portland City Council, the Washington County Board of Commissioners, 23 other cities in the metro area, a couple of other counties, and the state legislature. So, I understand lobbying. And part of the perspective that I bring to this also is informed by any of us who goes to Salem, even today. And there are hundreds of lobbyists active in the state legislative process all subject to the Oregon Government Ethics Commission process, which is what we were subject to in the City, I believe, until -- what year did we establish our own separate lobbying regulation from the state?

Hull Caballero: 2005.

Hales: What's that?

Hull Caballero: 2005.

Hales: 2005. So, I served as a member of this Council for 10 years while we were under the state regulations. I see no improve -- I see no discernible difference by having our own regulations. I'm sorry that that sounds threatening to you, because it's your job, but I don't see any difference. The difference do I see, actually, is that there are a lot less lobbyists involved in City government now than there were 10 years ago. I've been really struck by that during this term of office. Where are all the lobbyists? There are maybe -- there's one! [laughter] -- on cue! You couldn't have made a better entrance! So there are literally half a dozen professional lobbyists who ever appear in these chambers. At least, that appears to be the case, and I'll get to that a little later.

In the interim between working as lobbyist, serving as a City Commissioner, and coming back here as Mayor, I worked all over the country -- not as a lobbyist, although some newspapers have described me as promoting streetcars. I was actually a consultant to local governments who hired my company in a competitive process, and then we did engineering design for light-rail and streetcar projects all over the country. But I got to see the political cultures of lots of other cities. And believe me, I saw self-dealing, I saw conflicts of interest, I saw really outrageous special interest influence, and I saw real corruption. Employees in my company wore a wire in one particular jurisdiction where they worked and the FBI came in and arrested 24 people that worked for the department of transportation in that city. So, let me tell you, I can tell you about real governmental

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corruption. And it ain't here! It's not in Oregon and it's not in Portland. So, I'm a little puzzled as to why the City in 2005 bothered to enact its own regulations versus following the Oregon Government Ethics Commission process, which requires forms and disclosures and dollar tabulations and all the rest of the stuff that we duplicate in our regulations.

So, we're getting to the heart of the matter, which is, what's the problem that we're trying to solve? Frankly, I don't see one. Not because I'm blind but I would say, because of that experience, I have a context that frankly you don't have because I know I'm old enough that in 1979 you weren't doing this work. And again, I've had this context of working in places where there's real corruption, where people go to jail. In Miami-Dade County, at any given time, I think there's at least one official serving time. That's, by the way, where we wore the wires. You can look it up.

So, I'm being a little playful here, but I don't see the problem that we're trying to solve. But then I start to see all kinds of side effects. So, let's get out of generalities and get to some specifics because law is about what's right and what's wrong. So, let's get to the real specific cases and let you give us some answers.

Right now -- OK, so, the City works with lots of organizations -- public, private and nonprofit. We can't make a distinction in this code about, well, it's OK to lobby for a nonprofit. Right? We can't say that I don't think, so we have to treat everybody alike. So, Hacienda Community Development Corporation is currently in the process of hiring an executive director. Would it be right or wrong for a current City -- under your proposed code, would it be right or wrong for a current City Hall staff member to seek that position, and wouldn't that put Hacienda Community Development Corporation in a terrible position of hiring someone to work with the City who was barred from working with the City? Would it be wrong for that City Hall staff person to take that job? It's a yes or no question.

Hull Caballero: No.

Hales: It would not be wrong?

Hull Caballero: No.

Hales: But it would be contrary to your code. So we gotta work on that.

Hull Caballero: No, it would not be contrary to the code if they accepted a position. It would be contrary to the code --

Hales: Well then they couldn't do the job!

Hull Caballero: Well, if their job is lobbying --

Hales: Hacienda CDC has lots of relationships with the City, which, under our very broad definition of lobbying, constitute lobbying. So, they couldn't do the job.

Hull Caballero: That's a different issue than whether or not they should take the job, so I'm saying --

Hales: Well, that's a distinction without any practical difference. They shouldn't hire somebody who couldn't do the work.

Hull Caballero: Well, I would suggest if you're the executive director of a nonprofit organization, you have more responsibilities than lobbying.

Hales: So you're saying they should take the job but reconfigure it so that they don't work with the City of Portland?

Hull Caballero: I would suggest that if they've left your office and take that job --

Hales: Not my office, it could be anybody's office.

Hull Caballero: -- anybody's -- then they, under the proposed changes, would be prohibited from coming back to lobby their colleagues.

Hales: And therefore it would be foolish for Hacienda to hire such a person. Zari Santner, the former Director of the Portland Parks Bureau, now, after leaving the Parks Bureau began volunteering for the Parks Foundation on the Wildwood Bridge project and served

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as a paid consultant to help a group plan a new urban design around the Moda Center. Would that be wrong? Would she be prohibited from doing that work?

Hull Caballero: Now or --

Hales: Under your proposed ordinance. She would have to be interfacing with PDC and the Planning Bureau and PBOT and other agency -- Parks Bureau -- in order to plan the Wildwood Bridge project, and in order to --

Hull Caballero: If she was acting as a lobbyist --

Hales: What constitutes acting as a lobbyist?

Hull Caballero: Based on the definition in the code.

Hales: Right, so she would be talking with people in the City government. Therefore --

Scroggin: The City government folks are fine. We're talking about the higher level decision-makers. That's when it's considered lobbying.

Hales: So, if she talked to anybody on the City Council or a bureau director or a PDC Commissioner?

Scroggin: And was attempting to influence official actions of the City.

Hales: Right. So, she would be prohibited from doing that. That would be a loss. Zari has done a magnificent job on those projects. The vision they've come up with for the Rose Quarter is wonderful. Ron Paul, my former chief of staff, left City government and became the executive director of the James Beard Public Market Foundation seeking City funding and other partners for the construction of the public market. He would, I assume, not be eligible to do that if we were alive today and able to make that same decision under your proposal. And I assume that you think that that is fundamentally wrong for Ron to have done that. Because legislation is about what's right and wrong, so I believe you're saying that all three of those scenarios would be wrong.

Fritz: Can I just say something, though? He had been out for more than the amount of time.

Hales: If he -- yeah -- OK, if it was more than two years. But it wasn't more than two years.

Scroggin: Can I just clarify something? I'd just like to say, you know, ethics laws -- from what I have read and what I have seen being here -- they're a lot about appearances. So, it's not always about right and wrong, but a lot of times the government ethics, it's about appearances, and I think that may be the piece we're missing.

Hales: Newspapers are about appearances. Law is about what's right and wrong. So, I disagree with that completely, because the next subject is enforcement. So, again, I mentioned --

Hull Caballero: Could I -- if you don't mind, can I respond to something you said on this section?

Hales: Sure, please.

Hull Caballero: When you were talking about how there's not corruption here and there's not the terrible things you've seen in other communities -- how I would respond to that would be to say that these types of ethics, codes, and rules are about preventing those very things from happening. And when Deborah was --

Hales: Well, I don't agree. Because these things didn't happen before 2005, either, here, because the political culture in Oregon is honorable and we have a very high standard of public ethics. You know, we've had legislative scandals in the past over people accepting vacation time in a lobbyist's condominium in Hawaii. So, you know, we have such a hair trigger when it comes to public ethics that frankly what's on the books in the City since 2005 hasn't made any difference that I can tell.

Hull Caballero: And I would say that I think the disclosure provisions of this code do make a difference about that.

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Hales: I completely disagree. So, let's talk about enforcement. I've been Mayor and serving as the presiding officer of this Council for three years and change now. The current law says that prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that commission. That's the law.

This is a guesstimate 'cause I wasn't keeping track -- I didn't know that this was coming -- but I've noticed that -- actually, Mr. Bernstein is in the room -- he's one of the few people that follows that law. I would guesstimate that maybe half a dozen times someone has actually disclosed that in this chamber, and I would guesstimate that 50 times, there have been lobbyists in this chamber who didn't disclose. The Auditor is the keeper of these records and the custodian of the moment-by-moment video of these Council chambers. Have you sought violations against those folks who appeared here in the chamber in the last three and a half years who were lobbyists and who didn't disclose that they were lobbyists?

Scroggin: I certainly have, and --

Hales: What was the result of those cases?

Scroggin: They were informed of the requirements, which is what we do when there are violations like that on a first case scenario. I spoke with the person and let them know about the regulations. Also, I'd just like to point out that --

Hales: You haven't fined anybody, right?

Scroggin: No.

Hales: Because the behavior isn't improving.

Scroggin: Right -- but the exemption -- one of the exemptions for lobbying is when you are in an open forum, like City Council. And so I think that's --

Hales: Prior to offering public testimony.

Scroggin: Yeah, but I want to point out that it is still public testimony in that case, so there is some level of openness to it. I just want to point it out.

Hales: Right, but they're not disclosing! You're not fining them and they're not getting any better at it. So, we might want to make the code we have work?

Hull Caballero: I would suggest that we do do that, and when we see the discrepancies -- like I said at the beginning, a lot of the code that we have and the program we have was developed to be a disclosure model, and that's why we count on you to do your calendars and the lobbyist report because that's how we match up to see. You are checking, they are checking you, and that's how we do that. If you want something that is much more enforcement-oriented with more investigation --

Hales: No, quite the contrary.

Hull Caballero: -- then that's not the model we have, and we would need the resources to do those things.

Hales: Well, but how are you going to carry out all of this without more resources? And actually have it mean anything? Because the current disclosure obviously isn't meaning anything. They're not doing it. You're not fining them for not doing it. People in the audience aren't noticing they're not doing it.

Hull Caballero: In terms of finance, we never start out with a fine. We -- like Deborah said, she contacts them. Sometimes they don't know the requirements, so they will register if they are over the eight hours. And so it's very much a stepped-up process. We don't start out with a fine. So, if you have some concerns about people appearing in the chamber, then I would hope that you would alert us to that concern, and then we would follow up.

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Scroggin: I've also spoken with your office about this particular piece. I just wanted to let you know that I've spoken with your office about this piece and asked if that could be communicated -- that particular rule could be communicated at the beginning of Council --

Hales: I did that for a while --

Scroggin: -- I think that's helpful.

Hales: Yeah, I did that for a while. It didn't have any effect, either. So, again, I don't want to be too harsh here, but I think we have a body of law on the books that was largely unnecessary because the state Oregon Government Ethics Commission process was adequate to the task of making sure that professional lobbyists were properly disclosing their activities.

Again, it's swimming against the tide, but I'm here to tell you based on 40 years of experience with government -- quite a bit of it here -- that this is a solution in search of a problem. We are the cleanest place in America when it comes to politics here in the northwest. I won't necessarily include California in that, but that's another story. But Oregon and Washington are the cleanest place in the United States for politics. We have a great system for public disclosure under Oregon law. Lobbyists are few and far between in this chamber. Again, Mr. Bernstein, it's nice to have you here but it's very rare to have a paid lobbyist actually in the room. And we are hire great people who work in City government for a while and then go do something else in the community, and everybody knows that this person working for, you know, PCRI, used to be on Dan's staff or that person working for the Parks Foundation used to be on Amanda's staff -- people know that. We take that into account. But it doesn't have undue influence.

But what you're doing with this proposed rule -- if we are weak-kneed enough to adopt it -- is making it really difficult for good people to work here and do anything else in Portland afterwards. And that would be a travesty. Because what Zari did and has continued to do as a volunteer and as a paid person since she was the Parks Director is simply wonderful. What Ron Paul did after he left my office, went to PDC, and went on to be the executive director of the James Beard Public Market is an amazing public service. And I don't want to stop people from doing that.

Fritz: Mayor, I have a couple of amendments to offer before we take the public testimony. I've been looking more at the calendar requirements and I -- going with the lengths thing. That's fine. If it's not clear -- this is section D, part 1, again, colleagues. For the day and the length of official business, I don't see where it says that that's for meetings other than those with City staff, so I'd like to add at the end of that sentence "except for meetings with City staff other than City officials" 'cause I don't think you want me to list every time I'm meeting with my scheduler to go over my scheduler to go over my schedule. That's the first part.

And then to delete, "and are private" in the second sentence. If scheduled activities include non-City staff, I would like them to list the primary participants or organizations, whether they are so-called private or not.

Scroggin: OK. That was to get at various public events where it would be clear already.

Fritz: Yeah, the public events -- we're gonna list that we were at whatever event it was, and that would be the organization. So, you certainly briefed me in my office saying that as long as I am listing the organization, I don't have to list everybody who's there. So, that's my first amendment -- just to clarify that calendar requirement which I think would make it a lot clearer. Is there a second for that?

Novick: Second.

Fritz: Thank you. I don't know whether we want to take this as a package. My second one was to delete section B under 12.080, which is about the at-will staff. I have a bit of a different opinion from the Mayor in terms of bureau directors who are City officials. That

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can be really uncomfortable if they're in a different role soon after they've left the City office. I think my main concern is the at-will staff within our offices who -- as I said, I want them to be able to go on and do good things and in some cases will want them to be able to go and give expertise to the other offices. So, I would suggest that we leave the two years for the City officials, including bureau directors, clarify that for contracts, it's forever, but remove the at-will staff from this requirement.

Saltzman: Second.

Hales: Where does that appear? I'm sorry.

Fish: Top of page five.

Saltzman: Top of page five.

Hales: Oh, I see. It's a whole subsection B there. OK.

Saltzman: I second that.

Fritz: Thank you.

Hales: OK, you wanna -- other proposals for amendments before we take public testimony?

Hull Caballero: Wait -- I'm sorry. Can I just make sure that you want to take out all of section B, or just at-will staff out of that sentence?

Fritz: Just at-will staff in section B.

Scroggin: So, you'd remove the entire post-employment prohibition for at-will staff?

Fritz: Correct. And that actually gets to your concern about what's substantially involved in. I don't -- it doesn't -- I don't think that the public interest is whether the person in my office spent 10 hours on something or 100 hours on something. It's probably of value.

Scroggin: I will just note that is weaker than what's currently in the code.

Fritz: What's that?

Scroggin: I will just note that that is weaker than what's currently --

Fritz: I know. You raised it as something to be fixed. What is the problem to be fixed is what is substantially involved in. I see that this as a problem when the City elected officials or bureau directors come and lobby. I don't see it as a problem when folks who may have had any kind of involvement.

Novick: Colleagues, I know we want to get to public testimony, but that leads me to a conversation I wanted to have with the Auditor's Office, which is with this issue -- I mean, the Mayor's right. We traditionally have a squeaky clean ethics record in Oregon. Or actually, more specifically, we appear to have an unwritten rule that all scandals involve sex, they never involve money. But that is an unwritten rule, it's not a written rule, and we could conceivably someday in Oregon have a scandal that involves money. But that leads to the main point, which is --

Hales: This doesn't regulate sex.

Novick: What?

Hales: This doesn't regulate sex.

Novick: Right, yeah. But I think that in terms of public perception of corruption, what the public is normally concerned about is people making a lot of money off their former public position. And if somebody left City employment and went to work as a highly-paid lobbyist for a big business that does business in the City and makes a lot of money off it, I think people might certainly raise some eyebrows. But if somebody came to work at the City because they're interested in homeless issues and then they got a job at the County working on homeless issues and occasionally they were lobbying the City on how to address homeless issues, I don't think the public would be upset about that at all. So, I think it's worth having a discussion about drawing distinctions between going off and taking jobs and making a lot of money and then going off and taking jobs for nonprofits and other governments. Although, I have to say, after reading Nigel Jaquiss' piece on hospitals

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today, maybe we might want to distinguish between nonprofits and only address those that are really nonprofit. But I just wanted to ask you for your thoughts on that general, you know, philosophical question. Isn't what people are really worried about are people going off and making lots of money off their government service?

Scroggin: So, one thing is that some jurisdictions have a waiver process that allows for an open determination of whether the City's best interest would be served by a waiver to the prohibition, and that is a potential that we could add in. San Francisco has that and had they've maybe had one waiver a year.

Novick: But they don't exempt work for other governments or nonprofits?

Scroggin: I believe that they do exempt work for other governments. I don't believe that nonprofits are exempted, although I'd have to take a look.

Fish: Deborah, can I come back to something you said earlier? Because we've had two amendments offered for which we don't currently have the draft language so I'm trying to --

Hales: We have draft language for one because it's a deletion, but, yes.

Fish: Well, it's a deletion that has a further complication, so that's why I'm asking. If we delete B at page five, then you said earlier we're actually diluting the existing prohibition. Because as I read A at the bottom of page four, there is an existing prohibition for a period of time of a former at-will employee lobbying his or her former boss. So, my chief of staff under this could not leave and come back and lobby me tomorrow, correct?

Scroggin: Currently, under something that they were "personally and substantially involved in," they couldn't do that.

Fish: And if we simply delete B at the top of page five, we're actually -- we're not just eliminating a proposal that you've made in your judgment to strengthen the code. As you said, we're actually weakening the code off of the existing prohibition.

Scroggin: Yes, that's correct.

Fish: OK.

Hales: Well, but they've said that's not really enforceable. And you haven't had a case, right?

Hull Caballero: Based on the definition of "personal and substantially involved," that is what -- it takes a lot of back and forth and judgement on our part. We're saying that we could make it clearer for the employees who fall under this code if we clarify that language and didn't get into "was it 50 percent? was it 60 percent? was it two percent?" of some topic that came up.

Hales: Yeah, but your proposed solution was at all.

Hull Caballero: Correct.

Scroggin: Correct.

Hales: I understand the reasoning behind Commissioner Fritz's amendment. Other suggestions for amendments before we proceed?

Saltzman: Subsection A only deals with us elected officials, right?

Fish: No, it originally dealt with other employees.

Hull Caballero: And their at-will staff.

Fish: They struck that in order to create that.

Scroggin: It was for all City staff.

Fish: You eliminate this, and then this is modified as part of the proposal. So, you go backwards.

Fritz: So you're right, Commissioner, and now I understand the Auditor's question to me. So, we're just striking "no former at-will." That does need to be further amended. It seems to me that we might need to --

Hales: Well, we're not going to get this done today, so --

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Fritz: We're not going to get this. So, I'll work on that with you. We also need -- and I do move the Auditor's amendment to strike F from 080.

Fish: Second.

Hales: So, my suggestion is we leave all these amendments on the table, because we're going to get testimony. This is going to need more work, obviously, if it proceeds, so, um --

Fish: Mayor, can I just say -- I appreciate that because the way that -- we have a red line copy. Commissioner Fritz has asked that we do the red line copies, and it actually makes it a lot easier for all of us to follow, so, thank you for doing that. But the challenge is if you strike one thing, it's delicately balanced, and you're actually modifying another section to correspond. We can have a vigorous debate as a Council about whether or not we want to approve any of these provisions. I want to make sure that there's no unintended consequences of an amendment. And so I think -- and I appreciate Commissioner Fritz suggesting that we reduce things to writing, cross-reference them, and make sure that we know what's on the table and then we can debate it.

Hales: We might also want to involve folks other than this little bubble of elected officials. So, did you have a task force working with you from the community?

Scroggin: We did outreach to various outreach organizations, and we consulted -- I have here who we spoke with. I did outreach to neighborhood coalitions, the League of Women Voters, and the Center for Public Service, Tom McCall Center for Public Innovation, the City ethics group, and others.

Saltzman: Did you do any outreach to at-will employees?

Scroggin: We have a meeting with City -- your executive staff. Absolutely.

Hales: I might suggest that downstream here, we might want to involve some of those groups and maybe some others -- like the ACLU, because people that work here have rights -- in maybe some kind of a further task force effort that gets beyond the closed conversation of a few of us in this building. So, it might be something worth pursuing.

Hull Caballero: And these also were distributed for general public comment as well. We did our best to advertise we were making these changes --

Scroggin: Lobbyists also provided feedback.

Hales: OK. Other questions? Thank you very much. You have some invited testimony, did you say? OK. So, let's invite them. I don't know who they are, so you'll have to invite them. I'm sorry. [laughs]

Sanne Rijkhoff: Good afternoon. My name is Dr. Sanne Rijkhoff. I am an adjunct assistant professor at Portland State University and at University of Oregon here in Portland. I specialize in political science with an emphasis on American political behavior and psychology, and trust in government. I'm here to just provide my expertise on the topic and not to give any opinion about what you should do with the proposal. Try to be neutral and objective with regard to this matter.

Research shows that there are by and large three main concerns when we are talking about the revolving door lobbying -- that's what we are generally calling this matter when we are talking this matter public officials getting a lobbying job after they leave office. And the first of those concerns regards career concerns in lobbying industry, that they may affect government decision-making. So, for instance, if elected officials are worried about their career after their term is over, and after -- I'm sorry, I'm mixing two points now. Let me get back and go back to the first point.

The first concern is raised with regard to career concerns in the lobbying industry that may affect government decision-making. So, lobbyists may be concerned about their own career and about their existence that may affect government decision-making. Another concern that comes up in the research is the prospect of post-governmental careers and the potential financial windfall of that that can change the type of person who

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runs for office. So, if officers or government officials are worried about what they may do after they are leaving their office, it can actually influence the people that are deciding to run for office in the first place.

And then the third concern that showed up in the research is maybe the one that's most applicable here, and those are concerns regarding any disparity or access and influence over the elected representatives creates ethical issues or may create ethical issues and perpetuates the impression that government is only controlled by a tightly-knit elite. That's when we come talk about citizens' perceptions and citizens' public trust in government. Whether these concerns about the revolving door lobbying are actually outcomes of any process or whether they are actually present here at the local government level doesn't really matter for the public. It's about the perception they may be, and it is about the perception that they're therefore possible.

Often, these concerns with regard to the revolving door lobbying undermines public and popular support for democratic institutions. Citizens perceive and believe that public officials are sort of cashing in on their government experience, and they shouldn't be doing that. So, the appearance of undue influence itself cast aspersions on the integrity of government. This is why most governmental agencies and why the state of Oregon also has this ethics provision and has some sort of policy regarding revolving door lobbying.

Furthermore, research on public trust shows that trust in government is decreasing. This is not a new finding. We hear it in the media daily. We know that overall, in comparison to the federal government, local government does fairly well, but ratings of public trust are still dropping. When we ask people what their biggest concerns are, they are these perceptions of conflicts of interest and the perception that their elected officials are not serving their best interests but are actually serving special interests. Again, whether this is true or not doesn't seem to matter, because once people perceive that this is true, it's difficult to convince them otherwise. So, values such as integrity, purpose, and also effectiveness are especially important to citizens.

So, why is this important? As a scholar researching trust in politics and trust in government, we can kind of give several reasons for why trust in government is important. And they're very obvious. We need trust from citizens to have a working democracy. Citizens need to participate in democracy. But also, we know that trust increases cooperation between the government and the public so we can actually create better policy and create better outcomes for the larger society. Citizens overall want to be a part of the government. They want to be heard and they want to give their voice. So often, meetings like this are a perfect opportunities for citizens to actually talk with their elected officials and let them know what they like to see.

Unfortunately, many citizens develop negative orientations about the local government. This negative experience outweighs positive experience. The positive experiences are viewed as, "This is normal business. We pay our taxes, the government should provide for these things and yeah, it's great this worked out positively but that's sort of the normal way of business." They tend to remember the negative experiences. And especially when those experiences harm public trust, it's really hard to get away from that and the trust may be harmed permanently.

Luckily, scholars have also come up with certain strategies to provide local governments and other government officials to include so that the citizens' questions to the government or citizens' doubt toward government are limited, and their relationship with government are actually improved. So, three strategies are reaching out to citizens. Show them what the government does. Show them how it ensures to serve the interests of all citizens and not just special interests. Show the citizens that they are being heard.

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The second strategy is listen to the citizens in decision-making and providing opportunities to make their voices heard not just in Council meetings or in public hearings, but also in surveys and in focus groups. Invite them to meetings. Often, this is done and citizens don't answer, but it's also up to the local government to try to invite and include citizens in the process.

And then the third is maybe the hardest one to do. It's perform well. Don't make any mistakes and avoid any perceptions of conflict of interest. So, even though the government can perform really well, citizens may take that as for granted as this is what the government is supposed to do, but avoid any perceptions of conflict of interest to make sure that the citizens really see that the government has their best interest at heart. And also, communicate those good performances to citizens.

Of course, the strategies are not solving any problems with public trust -- we cannot have 100 percent public trust rate -- but they do help. They do help with the confidence of the citizens in government and they do help with perceptions. So much in politics happens without public attention. So much happens in committee hearings, in decision-making that is not directly available to the public or the public doesn't pay attention to it from themselves. And the public does pay attention when something seems to be going wrong or something is going wrong.

The topic of lobbying so one of those that kind of takes place behind doors for many citizens, and that's why they're fairly skeptical. So, reducing any perception of potential conflicts of interest or potentially serving special interest would always be a good way to go. Lobbyists are providing valuable information and expertise to the government, and I think that maybe that would be something the government should focus on more in communicating with its citizens instead of really just trying to keep this interaction closed and behind doors.

When I was listening to the previous conversations, there was the comment made about the citizens are afraid that politicians are making big money or that they're cashing in on their experience, and that's indeed one of those main fears of the citizens. They are afraid that they're kind of helping to sort of through the legal system to create this elite decision-making model. And often, staffers are viewed as the extension of elected officials. It's hard for citizens to kind of distinguish between, "this is my official that I elected in this seat" and the group that supports the official throughout all the years is a different part of it.

So, I wanted to give you a bit of a summary on the matter on this topic, and where the current research stands. And that is really is about the perception instead of the actual outcomes or actual results for that. I want to thank you for your time, and I'm happy to take any questions if you have them.

Hales: Thank you for yours. Just first, your testimony provoked a comment, and then I do have suggestion or at least a query about the topic or two to research here because this combination of psychology and public policy is very interesting. First, the comment is that, you know, last night we had a public budget forum. There are people in the chambers now, there were 300 there. There were no paid lobbyists and the room was suffused with - I don't believe that there was any press, although there's press here now.

Fritz: David Ashton.

Hales: David Ashton was there.

Fritz: East PDX.

Hales: The room was suffused with the feeling that people had their say, and it was -- I think all of us felt like the second of our two public budget forums that we have an open and accessible process in which in this case a lot of young soccer players got to come in and advocate for their soccer program in the Parks Bureau, and a lot of parents of kids that go to preschools at city community centers got to come in and advocate for that. And

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again, don't take my gloss on it, go look up the tape and watch the three hours. But my perception was that was genuine democracy, uninfluenced by special interests and with an elected body genuinely listening to their citizens. You know, sounds like self-praise, take it as that if you want or go read -- go watch the video and reach your own opinion. But it contrasts with this proceeding in which we are purporting to talk about the public that only a handful are here.

Now, here's my question. I think that there are a couple of areas in public policy -- it would be interesting if you could research this -- where essentially, because of the fear of looking -- the fear of looking bad. Elected officials are weary of stopping the march. One is ethics legislation, which we're talking about. The other is security. There's this relentless march of always more security. We have to have metal detectors now in our City buildings. And there never comes the day when the security professional says to the elected official, "You know, it's a safer world. You can take some of that junk out of here." And so when I arrived as Mayor, I had to make the decision -- or I chose to make the decision -- it's OK, we don't need those stupid flippers on the ground floor of City Hall and someone asking which office you're going to in order to be safe. We can do something else. Someone had to take the political risk of swimming against the tide, and I'll celebrate that I did that. It's still a little controversial on this Council, but I think it was the right thing to do. It restored this to being a public building. But there would never be a day when a police chief or a security professional -- who after all is on the payroll to provide security -- would say, "You know, Mayor, it's a safer world. You don't need that junk. Get it out of here."

Well, it's kind of the same with ethics. There will never come a day when an ethics regulator comes to a public official and says, "You know, we didn't really need to duplicate the state code and we don't really need all this code. It was working fine. You can go back to a less-regulated environment." So, I think it's an interesting problem for those who study government. If it's a one-way street, how do you ever get back to balance?

Rijkhoff: That's a great question. I'm not sure if I'm able to answer it entirely. I think that's indeed a political risk that a politician takes. I'm sure that for an elected official, like all of you are, the public perception works really hard in favor of you or against you. And if you're from a security perspective, it's almost political suicide to say, "No, I'm not tough on crime" because everybody is expected to be tough on crime. Not saying that someone is soft on crime, but saying that we're doing and what we should be doing, and it's OK like this.

Like I mentioned, I'm not here to plead in favor of the proposal or plead against it, I'm here to raise awareness about that public perception of awareness of potential conflict of interest. And I think if the City Council could make a convincing and persuasive argument that what is currently provided is sufficient, then it is at that point, indeed, the political risk that you take whether citizens perceive that is the case or not.

Saltzman: But, I mean, don't you think that -- I think the Mayor's point was there's people who it's never going to be sufficient for. That it's always going to be, "you gotta do more." And you know, with all due respect to our election officer, she went to a conference -- probably a taxpayer-paid conference -- heard about best practices, what other cities are doing, and Portland is very competitive. We like to be on the top of the heap. You know, so, therefore we come back and suddenly we have some new recommendations and it's time to update our ethics law. Where I think the Mayor's pointing out the 2005 law seems to be working well. So, I guess that's the point he's trying to make. There's never going to be a sufficiency in certain people's eyes.

Hales: But we are in the position of being against ethics, just like we would be against security. And so, politically, that's very difficult for elected officials.

Rijkhoff: Right.

Hales: It's an emperor's new clothes problem.

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Fish: I would say, though, in fairness -- I know we're having a -- at some point in this debate, you're going to give us college credit for this. I do think that we are at risk here of leaving important things out, which is it's precisely because we typically have so few people in the chambers and the people who here are generally so unrepresentative that we hear from people in the community that they want to see more sunshine. Because sunshine is the way that they have confidence in tracking what we do because we disclose things. I frankly haven't -- the lobbying rules may or may not be a success, but I don't often hear from lobbyists complaining about it. The safe harbor provisions actually exclude a lot of the groups because they aid our role for whom will be burdensome. So, I come at this a little differently.

I think sunshine is intrinsically a good thing, and I think that the more transparent that we are the more confidence that people have in our work. How we talk about that -- to the Mayor's point -- is important. Because I, too, bristle at the idea that ever since Amanda, Steve, Dan, you and I got elected, somehow our character became less worthy. My experience in government is very high standards of character and ethics generally. But I think this idea of doing our business in the sunshine in a very transparent way as a way of -- depending on your point of view -- building or maintaining public trust is a very important thing. And it's not just me saying this. It's the reason there are all these wonderful public interest groups representing grassroots people fighting for it.

I would actually argue, in fact, I hope we have this same debate -- although even go deeper -- if at some point in the future there is a desire to bring back public a discussion about public financing of campaigns. Because frankly, I have often felt that the language we used there, Charlie, is even more pernicious. And I'm a big believer in transparency in contributions and I would love to see Citizens United overturned, and I'd like to see stricter contribution limits. But, you know, the idea at some point the last time we debated a public finance here, the provision was called "clean money," which inherently suggested that the money that a lot of my friends take is less than clean. And I think that we have to be careful about how we frame these things. Because there may be a public interest in moving a particular direction but I don't think that we necessarily have to establish base corruption as the point of departure for having those discussions. And I know we wouldn't do that if we were discussing public finance.

I hope we have the -- I hope we can also in this context recognize that there are some inherent goods that we hear from ordinary people who are not generally here because they're working or they cannot hire Steve Janik or don't have a lobbyist or whatever where they feel more connected to their government because we make this extra effort to be transparent. And frankly, I even think that appearance standard is an important standard, because I know how high the ethics are of my colleague. And I know that people try to follow the letter and appearance, and I think that it inherently reaps dividends in building and maintaining public trust.

Hales: Thank you so much. I appreciate you being here.

Novick: Actually --

Hales: Oh, question.

Novick: I just have to get in on this. I appreciate your saying you're not going to restore trust in government by passing more ethics laws.

Rijkhoff: Right.

Novick: Because I've done something of a study of the history of trusting government, and trust in government was at an all-time high in 1964 when we didn't have many ethics laws or government in the sunshine laws, but we had had 20 years of uninterrupted shared prosperity and people remember beating the Nazis. And now, we've had middle class income stagnating since 1973 and we've got more ethics laws but people don't trust the

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government. And I suspect that unless we do something about income inequality, we'll continue to see lack of trust in government, and rightly so. That doesn't mean that we shouldn't pass strong ethics laws, but I'm sure -- it sounds like you agree that that's not the only thing we do.

Rijkhoff: That's absolutely correct, context always matters as well. We see public trust go down even in minor fluctuations when the economic circumstances are bad or even when - - usually even in an election year because there's so much more attention and focus on the government. So, yeah, no, public trust is not only based on the integrity of the government, it's based on so many other variables.

Novick: Really, trust goes down in election years?

Rijkhoff: Mm-hmm.

Novick: Wow, I didn't know that. Makes sense though.

Fish: Steve, this is the exception, though -- in your campaign.

Hales: Not so sure about that.

Fish: But I think one of the things that we also need to acknowledge is that a precipitous decline in civic literacy is at the root of a lot of these challenges. And, you know, the last poll done in Oregon where 50 percent of the respondents didn't answer correctly the question, "How many U.S. senators do we have?" That a lot of people couldn't name them. It does seem to me that as we have declining civic literacy in part because we're not teaching the civics correctly in part because we have -- sometimes the mainstream media doesn't really cover local events in a way that would give people meaningful information. As civic literacy declines, it's not surprising to me that trust also declines, because I think you have to first have a baseline of understanding to make certain judgments. And I think those of us on the ballot know that as people are less familiar with what we do, it's easier to disparage what we do because there's no baseline of sort of established norms about talking about what we do. We just sort of -- it's -- whatever myth has enough money behind it can make a dent.

I will say around trust that going to the worst recession in our lifetime, the City, after getting pounded with the recession -- we still, according to the Auditor's survey, are at about 50 percent in terms of the public satisfaction with what we do -- which, when you consider where Congress is, is a minor miracle. It's actually a minor miracle that we are at about a 50 percent rate.

Hales: Thanks again. We appreciate you being here, thank you.

Rijkhoff: Thank you.

Hales: Are there any other invited speakers, or should we turn to the signup sheet? Come on up, please.

Fish: We'll be breaking for dinner in about half an hour and coming back the second round --

Hales: It's been that kind of day. Good afternoon.

Debbie Aiona: Hi, I'm Debbie Aiona representing the League of Women Voters of Portland, something that I say every time I come up here because I know the rules. [laughter]

Hales: You are the exception that proves this.

Aiona: So, the League was an early supporter of the City's lobbyist registration program, and along with other good government and public interest organizations, assisted Commissioner Sam Adams during the development process. As with any City program, regular evaluation and updates increase effectiveness and address changing circumstances. The League is pleased to support Auditor Hull Caballero's proposed improvements.

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From the beginning, there was a desire to set a reporting threshold that would capture the activities of not only nonprofit volunteer organizations like the League and City Club and associations such as the PBA, but also other highly influential lobbyists operating in City Hall. The hourly threshold was reduced from 16 to eight hours in 2007 for that purpose. Instituting the financial threshold is a welcomed addition, and we encourage the Auditor's Office to monitor its effectiveness over time and take additional steps if necessary.

The broadened scope and length of the prohibition on former City employees' ability to lobby will help improve the public's confidence in the integrity of our City government. There should be a clear line between public service and private interests, and this provision is a big step in the right direction.

The increased financial penalties for violations are appropriate, given the fact that they have not been adjusted since 2005 and do not cover the cost of enforcement. It is reassuring to know, however, that the Auditor's Office will write administrative rules that describe the factors she will consider when setting fines for violators. A \$3000 fine for an all-volunteer organization like the League would have a much greater impact than a fine of that size on a large corporation.

I want to address a little bit about the conversation that's been going on. You know, we recognize that Oregon and Portland are not, you know, hot beds of corruption and criminality. But even in spite of that fact, I think it's important for the public to know what's going on behind the closed doors, and that to me is one of the things that this lobby program does. I also -- to talk about the higher level City officials being prohibited from lobbying for two years -- you know, when I look at those lobby reports and see the name of somebody who used to have a job in City Hall, I think that person probably has a lot easier access to coming to speak to you or your staffs than ordinary citizens or even representatives of volunteer organizations like the League. And it just -- I don't know, it's not terrible or anything, but it just feels like that's something that sort of undermines people's feelings about how decisions are being made. And that's why I think it is important to think carefully. I mean, maybe you want to think of adjustments to do some sort of lesser prohibition on at-will City Council staff, maybe not the chief of staff, but maybe down to the next step down. But I do think that a two-year prohibition seems fair. And I think in the case of Zari, she was working as a volunteer on that project. This new provision wouldn't apply. But you'd have to double-check with the Auditor about that, so --

Hales: But what if it had been paid?

Aiona: Yeah, I agree, on the paid, she'd be -- yeah, she wouldn't be able to do it.

Hales: And you think that's appropriate?

Aiona: Although, if she's just working with City staff, my sense is that's not lobbying. If she was helping design some sort of a new thing around the Rose Garden -- I guess I could be understanding this completely wrong -- but my sense is she isn't coming to you and saying, "I want to do this." She's working with the Parks Bureau staff to think about --

Hales: Well, they make a presentation to the Planning Commission. But take Ron Paul's example --

Aiona: I don't think that counts as lobbying.

Hales: Ron Paul worked for me, worked for PDC, and then went to work for the James Beard Public Market Foundation seeking City funds -- he was never shy about it.

Aiona: Yeah, I definitely realize that --

Hales: I wasn't here to lobby, but there were other people here to lobby.

Aiona: But it's just two years. Two years -- that's it.

Hales: You're saying he should not have done that?

Aiona: He may not have done it two years.

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Hales: But you're saying he should not -- if that scenario were recreated today, that would be wrong?

Aiona: I think a two-year cooling off period is fair, and then he can do it all he wants. And he does do it -- he did do an excellent job at it. I saw him many times presenting about the public market. But the two-year prohibition seems like a fair amount of time.

Hales: And are you concerned we would lose a lot -- I am -- in terms of the people being willing to serve on the staff here and what we would gain from Ron Paul doing what he did in the city after he left City service or what Zari's done in the city? Or, you know, Mike Lindberg, the only elected official that I can think of from the City Council in our lifetime who has engaged in any lobbying since he left the Council?

Fish: Jim.

Hales: Oh, OK -- Jim Francesconi as well. So, fairly rare instances But frankly, in my view, they're all positive. Of course it's understood in the public that they used to be an official here. So, I'm a little -- I'm very worried about what we lose in the effort to appear to be pure.

Aiona: But again, as the professor talked about, appearance is also important.

Fritz: But isn't the transparency what we're after?

Aiona: Well that, too, but I think that this cooling off period is also important. I agree with you that transparency to me is the most important thing and that's what we really, you know, we really need to know.

Saltzman: Why do you perpetuate with your choice of words "behind closed doors"? What do you mean by that?

Aiona: Well, because the meetings are -- I engage in meetings behind closed doors with you, but we report them. So that's what I'm saying, I think the lobbying program --

Saltzman: We report every meeting that we have.

Aiona: So do I.

Saltzman: So, why do you say --

Aiona: I'm saying --

Saltzman: You use a phrase that contributes to the low esteem held by elected officials by using that phrase "behind closed doors." The insinuation is we don't meet with the public, we only meet with lobbyists. And that's not true. Have you ever not been able to get a meeting with any one of us? No.

Aiona: It depends, right.

Saltzman: No. I think the answer is no. The point is, we all have open door policies. Anybody who wants to meet with us can meet with us. All they have to do is request a meeting. I'm sure I speak for all five of us in that regard.

Hales: Were you there last night? I didn't see you.

Aiona: No, I didn't.

Hales: The contrast with last night is just breath-taking.

Aiona: Oh, I'm sure. I've been to big public meetings like that, and it is. It's wonderful.

Fish: Debbie, can I throw you a little softball?

Aiona: Go ahead.

Fish: The Mayor has I think raised a couple of excellent examples. And by the way, every time you mention Ron Paul's name, I hope that we soon have a conversation about how to truly honor his legacy.

Hales: Amen.

Fish: And before your term's over, Mayor, because you have been a champion for that. Do you draw a distinction between someone like Ron Paul who goes out and leads a quasi-public spirited effort to build a public market, and whether he went to work for Exxon and came back trying to undermine our Climate Action Plan or something? I'm just making it

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up. But if there was a waiver provision or distinction to be made, do you draw a distinction between those two paths?

Aiona: It certainly makes sense, yeah. It's definitely worth exploring that kind of -- I don't want to say for sure I know the answer for that.

Fish: Charlie -- the Mayor has mentioned a couple examples of things which I think instinctively sound like advancing the public interest around a park or market, which to me seem to me -- I'm not drafting an amendment here -- but do seem to me qualitatively different than using whether we're likely to be underpaid at all. There's sort of a guiding -- there's a city interest in a public benefit here, which is different from just purely mercenary work.

Hales: And I didn't just pick those for effect. I mean, again, you work in Salem, too. I mean, Salem is full of lobbyists working for corporations. We hardly ever see one! Right? We see lobbyists working for community development corporations like REACH or NAYA. They have to describe themselves as lobbyists, right? Those are the lobbyists we see. And I didn't just pick those examples because I didn't want to talk about the City staff members who went out to work for Exxon -- I can't think of anybody! This is Portland!

Aiona: I know, I know.

Hales: Everybody goes to work for a nonprofit!

Aiona: Absolutely.

Hales: So, I just can't think of the pernicious scenario -- and the trouble with issues like this, whether it's security or this, is that -- or term limits, if I may make a really strange comparison. But we get mad at Congress, and we enact local law. Because we can't change Congress. Congress is a swamp. There's a place that needs more ethics legislation -- and term limits, too, right?

Aiona: Yeah.

Hales: But they have neither!

Fish: Charlie, I'm proposing an amendment. I'm proposing term limits for this body.

[laughter]

Aiona: The League agrees with you.

Fish: I'm concerned about the next shoe dropping. I'm going to move that.

Aiona: Well, I definitely think that there's, you know -- if I heard right, you're thinking that you'll continue this conversation. I do think that those kinds of things should be considered. Is this person going out and helping a nonprofit or working for a nonprofit on something? You know, maybe there is a way to make distinctions on the revolving door policy.

Novick: Debbie, I just wanted to let you know most of my staff have confided to me that their real ambition is to go to work for the League of Women Voters lobbying for ethics reform -- [laughter] -- and I would hate to deprive them of that opportunity.

Aiona: We're volunteers, though, remember? Alright, thank you very much.

Hales: Thanks, Debbie. Others that are invited, or do we want to turn to the signup sheet? Go ahead, please.

Moore-Love: I show three others.

Hales: Come on up. Good afternoon. . I don't think you're first but third, but I think she's next.

Kate Titus: Good afternoon, Mayor Hales and Commissioners. Thank you for staying so late for this testimony and for all the work that you're doing. I'm Kate Titus and I'm representing Common Cause. I'm the Executive Director of the Common Cause Oregon chapter. And I submitted written testimony -- which you'll get copies of -- expressing our support for the measures. Rather than go over that right now, I want to comment on what's being said because I think that's more relevant, hearing the comments on the floor. One

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thing I'd like to say is just listening to the lobbyists, like myself, or people in a public service elected official role, like yourselves --

Hales: I'm sorry, did you need to disclose?

Saltzman: She did.

Hales: OK. [laughs]

Titus: That's not the reason for my comment, though. But listening to any of us in these roles speak about ethics rules is a little bit like listening to white people talk about racism. And not to make anyone feel uncomfortable, I'll just speak to my experience. I am white and I think of myself as a good person and I don't intend racism, and also, since I'm not the brunt of most racism, it's easy for me not see it and believe it doesn't exist. So, when I talk about racism, it's very easy for me to write it off. And I think we have to be careful, all of us in the role of lobbyists and public officials. Recognize that our scope of understanding the ethics issue is somewhat limited, and not to assume that our own individual experience with it and opinion is really representative of what the broader public that we are accountable to sees and experiences.

I think there's a fundamental misunderstanding of ethics rules that's come up in the conversation. This is not primarily about us setting rules to deal with the bad guys. I mean, it does prevent corruption of bad guys, but first and foremost we're actually talking about setting clear guidance for the many good guys -- like hopefully all of ourselves -- who go into public service wanting to be accountable to the public.

I think the nature of this is that we're not talking about just preventing our own self-interest in going astray. The reality is we are all facing many conflicted interests daily, and it's other people's interests of us. We may all have the very best intentions, but the reality is we have to navigate multiple interests all the time in the roles that we're playing. And so, there needs to be clear guidance of how to navigate those roles to ensure the public trust, uphold the public trust. Many people have raised that up -- that it's as much the appearance as anything -- but also to ensure that our own actions are putting the public interest first. And I know we all like to think that's what we are doing at every moment, because that's what we're intending to do. But if you talk for five minutes with any social psychologist, you know that there's a level at which we're all influenced by various incentives unintentionally and below even our own conscious awareness. So, we don't even understand often the ways that we are being influenced.

That's the purpose of the ethics rules, primarily. So it's not impugning anyone, and I don't think anyone needs to be defensive. But we need clear guidelines, and I think it's really great that the Auditor's Office has taken the initiative to update and continue to keep our ethics rules strong.

The one last point I'll just highlight -- this is in my written testimony -- but best practice around the cooling off period or revolving doors is when there's any substantial personal involvement in an issue, actually, you never -- you've given up your right to lobby on the private and the public side of that interest. Two years for other things and most officials is considered standard good practice. You will see one year many times, but it's often considered a little too superficial and cosmetic. So, what the Auditor is proposing is in line with best practice around the country in terms of two years.

And I know that there's a tension. It does -- it can drive away good talent and make it difficult. I appreciate the challenge that all of us face in sometimes having to limit ourselves or our staffs from taking on the roles. But the reality is, it's not about any of us individually -- Ron Paul, yourself, and myself. We have no entitlement to professional advances. If we choose to go in and represent the public, then what becomes uppermost is we set up systems that ensure that accountability to the public interest is always first.

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That's our intention of course going into it, but we have to make sure that there are guidelines for navigating those conflicts of interest. So, those are my comments.

Hales: Thank you.

Craig Rogers: Craig Rogers, Portland citizen. I support this proposal, and the reason why I'm speaking is because I did hear the remark alluding that things were perhaps squeaky clean in this city and in this state. Nonetheless, a year ago, our Governor Kate Brown emphasized transparent and accountable. I believe that was in part in reaction to who she was replacing because the Kitzhaber administration -- the last administration -- was not necessarily transparent and accountable. And a local example is with the parking meters. And I believe that the FBI was involved with that. That's probably something that whoever was involved with that didn't really want it out there. And an example that I was involved with was the basis numbers during the street fee that actually some of my colleagues had to go to court to get that basis number, and I believe when they got that number, it was wrong and it showed that actually the biggest employer in the city of Portland was colonics clinic with 32,000 employees. So, I think that transparent and accountable is important, and I really support the intentions of this. Myself, I've been in leadership roles with Coca-Cola and the teamsters union, and there were certain guidelines that I had to abide by. And not only did I represent the members and the employees better, but they made me a better person.

Hales: Thank you. Good afternoon.

Lightning: Good afternoon. My name is Lightning, I represent Lightning Watchdog PDX. One of the concerns that I heard is that from the elected officials and the directors -- I, myself, in my opinion, think that the staff also needs to have the two-year and/or more limit placed on them. And the reason I say that is that what I don't want to see is if you have an aggressive lobbyist company and they understand the importance of having that inside information if they can possibly get that advantage -- and what I don't want to see is the company making offers to potential staff that are currently working for the City with a statement of, "We can hire you in one to two years when you're done working here." And also in a way making the staff individual feel like, "Well maybe I can show them why you might want to hire me." So, I want to have a cut-off point made year that when you're a public servant, don't expect to go work for that -- become a lobbyist immediately. It's not going to happen. Don't expect offers to be made prior to you leaving City Hall.

And it's the same thing that I have problem here, too, is that let's talk to the City Attorney who's worked for the City for years. Where do they fit into this equation if they leave and go to and become a lobbyist? I mean, of all the people that I would have the most concern of any information on City business would be through the attorneys, because they know what's going on at this City. They understand the details of it, they understand certain problems, they are the ones that I would be watching very close to possibly ever becoming a lobbyist based upon their knowledge of what goes on at the City. So, I have a lot of mixed feelings on this. And I heard the Mayor, if I was correct, say that "I don't want to be a lobbyist when I leave here."

Hales: You heard that correctly.

Lightning: But when you make that statement, then what would be the concern about having a two-year cooling off period for everybody at the City? Because you don't want to be a lobbyist, but there is a concern for the public to look at this and say they have a lot of information that I don't necessarily want them to just go become a lobbyist and begin to influence policy. I want to have the same advantage. I want to have the public from the special interests to the general interest, and this lobbyist issue is a big concern to me.

Hales: Right, 'cause the difference, Lightning, under our code is that you become a lobbyist not when you go buy an expensive suit and show up on the fifteenth floor of an

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office building on the street with a gold letter on the front, you become a lobbyist if you become the head of a local nonprofit that works with the Parks Bureau or with any other City bureau on providing public services. You are a lobbyist under our code if you do a lot of things, not just work as a paid lobbyist for clients.

Lightning: And at that point, what I'm saying is that the lobbyists out there that have the true knowledge of what they're trying to do and how they're trying to get certain things done are the ones that are going to focus on the most knowledgeable people at the City to try to have them work alongside them or special interest groups that they want to ensure that they can have maybe possibly some influence. And that's a big concern to me on a -- on not having something set into place. And in my opinion, Mayor, I'll say this -- you made a statement, "I don't have ever want to be a lobbyist when I leave City Hall." In my opinion, any elected official and the Mayor should never become a lobbyist under the definition of lobbyist -- which I do agree there is a lot more interpretation on that and understanding on what that truly means by this ordinance.

Hales: Yeah, the trouble is we use that word, which applies to professionals.

Lightning: Right.

Hales: Maggie Tallmadge, who works for the Coalition of Communities of Color, also serves on our Planning and Sustainability Commission. Is she a lobbyist when she shows up on behalf of the Coalition of Communities of Color? She's paid, she's on their staff, she's meeting with City officials on subjects of equity. I think she qualifies as a lobbyist.

Lightning: That's my point. I think there needs to be interpretation on that term and a clear understanding and I'd like the City attorneys also get involved because they have a more clear understanding on what that term really means. And my position is that I don't want to see certain information leaving City Hall in a reasonable manner and utilized in people's position, that I think that there needs to be a cooling off period, I really do, especially on the staff. Because in my opinion, staff is just as important as these elected officials and the Mayor up here, and I would fairly say this -- that a lot of that staff has just as much knowledge, if not more knowledge, than some of you sitting up here. That's my concern. Thank you.

Hales: Thank you very much. Others on this item? I will recommend that we ask the Auditor to form some kind of a work group with some more representation from our offices. I'm not going to be here next week, so I don't think that this could come back to the Council that quickly. I would like to maybe set this over for 30 days and give you a chance to form a work group and work on some of the issues raised today.

Hull Caballero: I would be happy to follow up on the issues that were raised and to talk more with you all about those issues.

Hales: Great, good. Thank you.

Hull Caballero: Can I just respond to something? Commissioner Saltzman, I just have to come to the defense of Deborah Scroggin. This is not -- we came here today because this code exists already, and we have had some activity in the last year where we got to investigate cases and to try out those enforcement mechanisms and we found there were gaps there and problems. And so, we came here today in good faith to try to strengthen the code that exists. I said at the outset that we were not trying to wildly expand things and that we were trying to keep it within the resources that we already devote to this program. Deborah did not go off to a conference and come up with some wild-haired idea to come back here, and I am just very disappointed that you characterized why we were here that way and that is an unfair representation of Deborah's role.

Saltzman: Well, I guess I differ with you, because when I met with you on this rule, I expressed to you from the outset my concern about extending this two-year no-contact period -- whatever you want to call it -- and I asked -- cooling off, yeah. And I asked where

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she got this idea and she said at a conference, it was a best practice listed. You were there --

Hull Caballero: Yeah, and it is a best practice. And I think --

Saltzman: She said she learned it at a conference.

Hull Caballero: I don't believe that's what I said --

Hales: No, she said --

Hull Caballero: I don't believe that's true. I don't think she learned this at a conference --

Saltzman: Oh, OK, I'm just --

Hales: Well, we can settle that later. Let me suggest --

Saltzman: I won't testify on memory 100 percent, but that's pretty -- I'm pretty clear on that. I would not have gone out on a limb like that if I didn't believe that to be the case.

Hull Caballero: I think if you disagree with provisions -- and you did express that -- that there's ways that you can do that. But I wanted to call you on the fact that that was I think very unfair to Deborah.

Hales: Alright, duly noted. So I will continue this to May 11th --

Novick: Actually, Mayor, I just wanted to -- speaking solely for myself, I just wanted to make one comment, which is that I think that there's pieces of this proposal which strike me as no-brainers that I would think we could implement pretty quickly and that I hope people would agree with. I thought the changing from eight hours to eight hours or \$1000 sounds perfectly reasonable, and raising the penalty threshold from 500 to 3000 for multiple violations -- that strikes me as imminently reasonable, too. So, it may be that we can split apart the less controversial and more controversial pieces of this proposal and enact some like those very quickly with no work grouping.

Hales: OK, that's a good idea. Maybe we can try to do that as well. OK, so I'll continue this to May 11th and give that process a chance to work. Thank you very much. OK, let's take the final item on the calendar, please.

Item 374.

Hales: Commissioner Fish.

Fish: Thank you, Mayor. And by the way, originally we divided up the 90 minutes five minutes to the Auditor on hers and 85 minutes with mine, so want I want to apologize, we may be behind schedule here.

Hales: Have at it.

Fish: I'm pleased to bring this ethics reform package to Council today for your consideration. It builds on the reforms adopted by the Council in 2005 and the pioneering work of the City of San Francisco. It was developed in partnership with the Auditor, the elections officer, and a number of well-regarded local public interest groups. And I would say very importantly, it is straightforward and easy to administer. Let me start with some context.

City of Portland is committed to open, transparent, and accountable government. The public has a right to know who it is influencing important public policy decisions at the City. In 2005 -- as we've discussed at length today -- led by then-Commissioner Sam Adams, the City tightened its rules on the registration and the reporting for lobbyists. A decade later, the political landscape has changed quite a bit. Political consultants now exercise enormous influence that arguably exceeds that of lobbyists. They enjoy privileged, confidential access to the people they helped to elect, and therefore, it is no surprise they are doing more lobbying at the local and national level. My ordinance is based on the notion that more sunshine is a good thing and the public has a right to know who is influencing the decisions that we make.

Here is how it would work. The ordinance defines who qualifies as a political consultant. It lists activities typically done by political consultants. And when a political

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consultant provides services to a City elected official, both parties are obligated to disclose the relationship to the public. The simple act of registration and reporting will provide the public with more information about who is influencing important decisions.

Now as I mentioned, my proposal is modeled after the reforms pioneered in San Francisco, but we adapt and right-size them for our community. And unlike San Francisco, this ordinance does not -- would not create a prohibition on lobbying for any period of time after activity as a political consultant has ended. While I initially supported this concept, we had been advised by the City Attorney that it may run afoul of the free speech provisions of the Oregon constitution and of course that is Article 1, Section 8.

This ordinance also closes a loophole under state disclosure laws. Under state law, a candidate for office must disclose payments to a political consultant. However, if a political consultant provides services, quote, "for which no compensation is asked or given," end quote, a campaign is not required to disclose the relationship. My ordinance proposes to close this loophole by connecting disclosure to the activities not the compensation of the consultant.

The proposed ordinance defines narrowly who is a political consultant. Specifically, a political consultant is someone who engages in political consulting services as a trade or a profession, and those services are defined in some detail. Volunteers and City employees are exempted.

If this ordinance is adopted, the City will not prevent someone from acting both as a political consultant and as a lobbyist at the same time. However, for the first time, the public will be able to know when this is happening. In our democracy, political consultants do important work. This ordinance will ensure that in Portland, they do it in the light of day.

Mayor, I have a panel that's prepared to testify, and just procedurally, would you like me to offer the amendment first and bring the panel up?

Hales: Whichever you'd like.

Fish: I have an amendment which I'd like to present before the Council which makes a very simple change to the ordinance.

Hales: There you go.

Fish: Does everyone have it?

Hales: We will.

Fish: I believe this ordinance has been discussed with each of my colleagues. An issue came up -- we got some feedback about the fact that from time to time -- or let's say, more frequently -- consultants provide services to a campaign committee for the benefit of the candidate. It was an oversight on our parts in terms of the drafting, so this amendment would define a political consultant as someone that provides services to a City elected official, a successful candidate for office, or a successful candidate's principal campaign committee registered with the Oregon Secretary of State. Is there a second?

Saltzman: Second.

Fish: That's on the table. And Mayor, I'd like to invite our panel to come forward. Give me one second here, I'm buried in paper. I would like to invite the following people to come forward: Kate Titus from Oregon Common Cause; Aram Andriesian from Represent Us; Hugh McGavich, a concerned citizen; and Debbie Aiona from the League of Women Voters of Portland.

Hales: Good afternoon and welcome.

Fish: Welcome, everybody. Kate, would you like to begin?

Kate Titus: Yes, sure. I am submitting this testimony on behalf of Common Cause in my role as the Executive Director of Common Cause Oregon. I've been up here before and spoke to common causes. I am here to express support for the ordinance. We've reviewed it and given some thought, and I've also reviewed it with other colleagues within Common

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Cause -- our legal director and others who deal with this in other states -- and feel confident this is a good direction to go in.

I wanted to just speak primarily about why I think this ordinance matters and in my testimony, I speak a little bit to the reasons that we have ethics rules generally, but since I just spoke to that I won't repeat myself. But I think inevitably, the role of political consultants is one that creates those conflicts, and it's not simply a matter of a few bad apples who are trying to game the system in some way or use the information or the expertise or the access they have gotten in one situation to gain advantage in another. Even those political consultants who would really like to avoid any conflicts really can't do so because they cannot firewall their own brain. So again, it's not a matter of bad intent, but the nature of a consultant role and the increasing ways that consultants are playing the roles, I think, creates these conflicts, and it's to our advantage to have both transparency and eventually guidance in terms of how to navigate them.

I would also say that from a national perspective, this problem appears to be on the rise and I expect it is likely to get worse. As campaigning and lobbying evolves, we're seeing political consultants come into more and more roles where there are conflicts. So, I think we haven't seen this be a significant problem. It's been raised up here in Portland, but have not really had to deal with it. But I think it's only a matter of time where we will -- for instance, in New York where we've seen the mayor and the governor really under intense scrutiny and lambasted for their situations that they've been in dealing with political consultants. So, I think it's smart for Portland to get ahead of the problem before it raises itself up repeatedly and the public and press response to it grows harsher.

I'll just say briefly that I think that this is a good approach. I think it's a good first step. Transparency is always the first key when dealing with conflicts of interest. It's a necessary piece and it's the foundation for doing anything further. So, that's a great place to start. I think eventually, we're going to want to go beyond transparency setting some guidelines for how to navigate these, I think looking to San Francisco's model or guidelines for recusal. But I think given this is new territory, simply making sure that these relationships are transparent is a great first step. I also think that eventually we may want to broaden the definitions so it doesn't exempt those professional fundraisers and pollsters who only do that from the definition of political consultant. My understanding is that it significantly makes it easier to manage and I think that's a good trade-off. If it's more practical to implement by narrowing the definition simply, that's a good place to start. But at some point, we might want to review that and think further about it. But overall, I think the policy as written is reasonable.

Fritz: Would you just explain that piece to me? It is late in the day and I'm not following.

Titus: My understanding, if it's still in the measure -- and Commissioner Fish can answer this --

Fish: Yeah.

Titus: Is that in the definition set of political consultants --

Fish: So, I'll give you the citation because my colleagues have it. It's 2.14.020 Definitions, sub-capital C. There's a carve out for attorneys who provide only legal services, accountants who provide only accounting services, professional fundraisers, or pollsters who provide only polling services.

Fritz: And why did we take out pollsters?

Fish: Well, because we thought that was sufficiently removed from the consultant. Consultants often hire pollsters to provide information. I can't think -- I'm not familiar with -- I'd be hard-pressed to think of a pollster who becomes a lobbyist. They tend to have a unique role and they provide information to a consultant that then takes that information. We deliberately -- and I think your testimony made -- I think framed this nicely -- we

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deliberately tried to come in with sort of phase one that was easy to explain, narrowly tailored, and easy to administer without any substantial new costs so we could test drive it and see what additional changes we want. And this is -- and we also borrowed heavily, Commissioner Fritz, from the experience in San Francisco.

Fritz: OK. I received some input from Felisa Hagins at SEIU. Is this language --

Fish: So --

Fritz: -- does that respond to her concerns?

Fish: So, the concern that APANO and SEIU and other organizations have raised is they want to make sure that the definition is tight enough that someone isn't inadvertently caught in the political consultant mesh, and so I am going to propose a legislative history because there's going to be rule-making that is designed to make clear that the universe of people covering this is not meant to be endless, that it really is focused on people who are primarily involved in the business of political consulting. We want to start with that class of people and see how this works. And just like the public interest groups who under the lobbying code wanted to make sure they had a safe harbor so they could -- you know, under eight hours or whatever -- so they could do things without being burdened by regulations. We don't want this to be so expansive that frankly it results in a situation where people don't know whether they're covered or not. We want some clear lines to begin with.

Fritz: And are you also trying to make it so that nobody has to be registered as both a lobbyist and a political consultant or not?

Fish: No. It's a dual registration because the person may be functioning in one capacity in a dual capacity -- they're not prohibited from which. We just think there's a heightened level -- we think the public has a heightened level of expectation of transparency if someone who is both a political consultant is simultaneously lobbying because obviously, that person has -- I was trying to think of an analogy. The only person similar to a political consultant who might be lobbying me is my wife. And I only say that because just as my wife is privy to lots of confidential information about me covered, thank god, by the marital privilege, to the extent my political consultant is also aware about things about me which I disclose in order to get good services, they have a unique relationship with the elected.

Fritz: Alright, thank you.

Hales: OK.

Fish: Thank you, Kate.

Hales: Did you --

Titus: That was really the essence. I commend you for looking into this. Thank you.

Fish: Thank you.

Hales: Welcome.

Aram Andriesian: I'm Aram Andriesian, I'm representing Represent Portland. First, I'd like to thank Commissioner Fish and his staff for writing this ordinance and for inviting me to testify today. I'd also like to thank Commissioner Fritz for connecting me with him. That was very good of you.

Earlier it was mentioned that the smaller groups at City Hall don't represent Portlanders. I want you to know that although we are small and growing, I represent a grassroots movement made out of soccer moms, graphic designers, neurosurgeons and more. Pretty much the only thing that we have in common is that we're Portlanders who are passionate about improving our democracy, and we're willing to volunteer our time and be really late to class in order to do that.

Hales: [laughs] Sorry about that.

Andriesian: No problem. [laughs] While we care about pretty much the gambit of honest elections issues, one of our main values is ensuring anyone who lobbies is playing by the

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same rules as lobbyists, regardless of their title or official position. This is a common sense approach, and this addendum to Chapter 2.14 would close a gaping loophole in Portland's largely respectable ethics code. Represent Portland supports this and hopes to see it pass today.

That said, I hope that everyone here recognizes this ordinance as a small steppingstone and not a stopping point. The lack of a revolving door clause between time spent as a consultant and time spent lobbying that same official serves to weaken the impact of this ordinance immensely. While there are concerns over Oregon's constitutional guarantee of free speech as it relates to this ordinance, I hope someone will arise to the challenge of reinforcing it into the years to come.

Represent Portland's members envision a future where cities like San Francisco look to us as a paragon of political transparency, not the other way around. We will continue working on good legislation like this until that becomes a reality. Thank you all for your time.

Fish: By the way, thank you for your contribution. And Commissioner Fritz, thank you for that contribution. Yet another of the many dividends of serving with Commissioner Fritz and I -- the one -- as you know, the prohibition on lobbying after you cease being a political consultant is something I'm very interested in, and it's functioning now in San Francisco. There's two issues that we've learned about. One is that San Francisco has about 18 people in their ethics office administering their law with a huge budget, and so it's administratively a lot more expensive and burdensome, and we want -- we did not want to impose an unreasonable first round of requirements on the Auditor and her office.

The second is the two constitutions, the California constitution and the Oregon constitution, are sufficiently different. We in Portland know that because virtually every variation on sit-lie has been declared unconstitutional under the Oregon constitution. So I thought rather than risk having the entire package caught up in litigation, we get something launched and then we could add to it.

Fritz: And this is a great example of -- thinking of the previous ordinance -- of somebody who took one of my constituent spots, came and told me what he was wanting to work on, and I said, "well, I know Commissioner Fish is working on that, go talk to him," and you got in at the ground level, you're helping to -- you helped shape this proposal. It's an excellent example of actually, the Portland City government is open and accountable. I'm sure you showed up on my calendar and have helped to craft this ordinance. So, thank you very much.

Hales: Thank you. You can go to class if you need to go away. Or maybe you can skip it and use us as an excuse. [laughter]

Andriesian: I've got to get to Wilsonville in rush hour traffic, so I don't think it's going to happen.

Fish: Good luck on that.

Hales: Welcome.

Hugh McGavich: Good afternoon. I'm Hugh McGavich, thank you for allowing us to be here. I am a concerned citizen and because Aram got invited to Commissioner Fish's office to discuss this, he invited me. So, the further the loop I got pulled in as well, so thank you very much.

I'm here in part on behalf of Represent Us but substantially as a concerned citizen, and it was interesting going through the sausage-making of putting together an ordinance from the desired right-size to follow the San Francisco 60-month prohibition between leaving political consulting to lobbying. The two years sounded like a reasonable compromise to me, I'm sorry that could not get through this time. I now see how it's gotten to the point that we are at openers. And you've identified a problem, which is constructive,

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and you've created mechanisms for identifying and reporting certain activities. That's constructive. That's a step forward

The omission of a timeframe is problematic in that I can envision where a political consultant goes in to one of your five offices -- and you're the only five this ordinance covers -- and giving information and guidance as a political consultant and then saying, "by the way, now I want to lobby you on this." And I think that that's just tremendously -- that would be tremendously inappropriate, and the appearance of fairness would be -- it would be really foul. I think that there needs to be some sort of distancing. If you've gotten as far as you can get this time, OK, but this is a primer for where you have to go later to avoid those appearances of impropriety and conflict of interest and to let the sunshine in.

I appreciate the civics lesson of sitting down here for the last couple of hours -- not that I'm a martyr for having done it, you've been here all day, and you are all to be commended for the civility you've exhibited towards everyone who has come before you and this meeting and everyone I have been to, so thank you very much for that. The ordinance should be passed, as it appears that it is the best that it can be at this time.

Hales: Thank you. Just a quick question -- I wanted to make sure that you know what the current law is. If I understood you right, you were describing a situation in which a political consultant was sitting in our offices talking about giving. You mean political giving?

McGavich: No, sir --

Hales: Because that's against the law. [laughs]

McGavich: The distinction I'm making -- the magic words here -- is the political consultants come and give things. They give advice, they give guidance, they give direction. Whereas the lobbyist comes to "get" something. So, that's my distinction.

Hales: Oh, OK. I understand. Just wanted to make sure you understood that conducting political campaign business on City property is illegal under state law. So, we don't.

McGavich: OK, well, that's a distinction that I did not know either, so.

Hales: Yeah. Very important.

Fish: Debbie, welcome back.

Debbie Aiona: I'm Debbie Aiona representing the League of Women Voters of Portland. The League is pleased to support the political consultant registration and reporting proposal. The League works at all levels of government to increase access to information and protect the public's right to know. We support reforms of this nature because they reveal information on the pressures exerted on the policy-making process.

Based on our conversations with Commissioner Fish and his staff, we understand that blurring the lines between political consulting and lobbying is a relatively new phenomenon. We commend the Commissioner for developing a proposal that addresses this new reality and takes an important first step in shining a light on these relationships. The League urges your support.

We are also pleased that the Auditor's Office plans to incorporate this new program into the existing lobbying registration and reporting system. The information will be more readily available -- I'm sorry, accessible to the public -- and this approach should add to the ease of administration. The League encourages the Auditor to evaluate the effectiveness of this program after it has been in place for a period of time. It is possible Portland might want to follow San Francisco's lead with even more comprehensive regulations if necessary. Thank you, Commissioner Fish and to the Auditor for all the work on this.

Fish: Mayor, I just want to specifically thank the panel for not only attending meetings and providing great feedback but wordsmithing, language, testing assumptions, and really helping us to fine-tune this. I share the remorse over taking out the prohibited conduct

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piece, but I don't -- my enthusiasm for investigating that and determining if there's a path in the future is unabated. So I thank you very much for your service.

Hales: Thank you all. Others you wanted to call on?

Fish: Unless there's others signed up, Mayor.

Hales: Public testimony on this item?

Moore-Love: No one else is left.

Fritz: Could you just clarify the reporting requirements, Commissioner, under this?

Fish: It's a dual reporting requirement, so both the elected and the consultant must report on a quarterly basis -- must file, must report with the Auditor's Office. It's a dual report, and it's not -- this for obvious obviously legal reasons, you are not required as with the lobbying registration and disclosure to disclose what you talk about. It's simply that you had provided consulting services in that quarter.

Fritz: So it's not requiring that on day six I had a five-minute conversation or whatever?

Fish: No. It is to identify that you are in that role so that it becomes transparent, and then if you happen perform another role, there's a public record that you are performing both roles.

Fritz: So, giving the example of a consultant who was involved in the Fix our Parks bond measure. That is a past relationship but is that one that I would -- when this goes into effect, I would document all of the consultants that I've ever used?

Fish: So, this goes into effect in September, and it has a one quarter lookback. So, if -- and it covers consulting services provided to the elected official, the successful candidate, or his or her political action committee. This as drafted does not cover a committee for a bond measure.

Hales: It's a political committee, though, isn't it?

Fritz: Alright, but I think it's something to consider. And I appreciate this is the first step, too. We kind of want to know -- I mean, if it goes into effect in September, lord willing I might win in May, and so I wouldn't have a consultant in the reporting period. In fact, I don't ever one anyway, so this may be moot. But the point is it's not just in the previous quarter. We want to know -- or is it your intention it's forward looking?

Fish: May I make a suggestion? Because I -- the issue you're raising about not a candidate's principal campaign committee but a campaign committee on behalf of a measure, a ballot measure. Because my amendment makes clear that the services are rendered to you or to your committee, then they have to be disclosed. It became harder to define the relationships around a political action committee set up for a ballot measure because there's lots of cooks in the kitchen. There's lots of people who technically benefit. It's less clear what the relationships are. So, our initial effort here is limited to the elected official, a successful candidate, and a principal campaign committee for the elected, not another campaign committee that's established for the purpose of driving a ballot measure.

Fritz: So then, in the following quarter, after the election is all done, thank goodness, whenever the quarter is after that, what's the reporting requirements of that same or a different political consultant to say "I contacted X"?

Fish: Let's use a concrete example. In my last campaign, I hired Jake Weigler to be my consultant. Once the campaign ended, if Jake came to see me six months later after I was sworn in for the new term to talk to me about my political future, to discuss my fact that I've had precipitous decline in my polling, that at the rate I'm going I won't see another term or whatever -- well, he's providing political consultant services to me. We would have to disclose in that quarter he was my consultant, even though there's no active election. It's just that -- and my sense in looking at some of the headlines around the country right now confirms it -- you know, a political consultant is often someone that handles your major election, but then you sort of get married to it throughout your political career because

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they're the kind of person that can give you ongoing advice about how to be effective at your job. All we're saying is that in each quarter in which that person provides that service to you, you and the consultant have a duty to disclose it to the Auditor. Just the fact that you have that relationship.

Fritz: And that's whether or not they ever do any lobbying.

Fish: Correct. Because they would be picked up as lobbyists and if they did lobby, and then you would have a situation where the public would know that my consultant was also lobbying me. We're not putting a prohibition on that but we're shining a light on it. In my case, my political consultant is not allowed by mutual agreement to lobby me. But this approach is heavy on sunshine and disclosure, light on regulation and in part because of reasons like cost and constitution and others. And as has been noted, it's a first step. It's piggy-backing off the existing framework. It's not unduly burdensome, but shines a light on that relationship between elected and political consultant.

Novick: Commissioner, I have a question, which is, what do I do about my wife's aunt with whom I'm having dinner in another hour and a half? My wife's aunt happens to be a professional political consultant, and it is quite possible when I have dinner with her, she will have some left wing bee in her bonnet and she'll start ranting and she'll tell me, "you should give a speech about this." And I might even think it's a good idea. As I read this, it says the political consulting services include developing and assisting a strategic communication such as news releases, talking points, speech-writing. Now, I have to tell you, there might be times when I wish that I could tell my wife's aunt, "no, no, no, you cannot suggest anything to me because you're not registered," but there might be other times when I don't feel it's politic to tell her just to stop talking. So, would my wife's aunt have to register in order to rant and rave?

Fish: No.

Novick: Why not?

Fish: Because the primary purpose of the work is not providing political consulting services to you.

Novick: Right, but the way I read -- what it says is that the term political consultant does not include a person who does not engage in political consulting services as a trade or profession. And she does.

Fish: Excellent point. So, when Commissioner Fritz earlier flagged the question which is sort of the first cousin which you're raising, which is, what if there is someone who is a political operative for an organization that has a conversation with you about your future in your politics -- because that person's primary purpose is not to provide political services to you, under the rules that we're going to -- that the Auditor is going to draft, with legislative intent, that person would not be covered.

Novick: So, in order to be covered, does the person have to have been paid by you to provide political consulting services?

Fish: No, that's the loophole that we close. Under state law, the trigger for disclosure is some kind of payment, and the loophole is someone declaring that they are a volunteer and therefore foregoing compensation. That consultant would not show up on a C&E.

Novick: But this does not seem like there is going to be a clear distinction because -- let's say -- Mark Wiener has been my political consultant. He's also a close personal friend of mine. If two years after the last time I paid him for something we had a conversation as friends and he commented on something, I could see under what -- I actually don't know whether under these rules he would have to have had registered or not. In the context of that conversation, his primary intent might not be to advise me of my political career but to just -- we're having a conversation about some political issue.

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Fish: Steve, I think one way to get at that -- and we can come up with all kinds of hypotheticals of -- the rule-making will have to get us at this. Unsolicited political advice is not intended to be covered by this. And the fact that you have lots of friends who are thoughtful people who also happen to be political consultants and you like to talk politics -- we are not trying to turn your dinner and your dinner parties into a nightmare of reporting requirements. However, since you used the example of your consultant, if you have an ongoing relationship with a first-year consultant who is giving you advice, compensated or not, then yes, you will probably err on the side of reporting that in that quarter that he provided some services to you. You don't have to disclose what they were, you're not -- there's no -- he's not subsequently barred from doing anything else. But the closer it gets to that line, you might want to disclose that he was providing consulting services. We decouple the trigger here from compensation. It is the service that is the trigger, not the compensation.

Novick: Right, OK, but where you draw the line is whether that person's primary relationship to you is a political consultant or is something else?

Fish: Whether their primary role is to be a political -- to provide political consulting services to a City elected official. And there's lots of people that we interact with that are with organizations, nonprofits, advocacy groups where their primary purpose in life is not to be your political consultant. But they also may be custodians of interesting information about the political landscape they're going to share with you, such as a group that says, "you know, Oregonians think sick leave is a great thing. You should support it." We're not trying to make that conversation into a reportable conversation because that person is your quote unquote "political consultant."

Novick: The other question I had -- actually you might have addressed this when I was briefly out of the room -- is I heard a conversation of whether pollsters should be included. I think someone else raised the question of whether professional fundraisers should be included, and I actually think that professional fundraisers, if you're going to have a rule like this, definitely should be included because the kind of advice people give you about what would be best in your political career in terms of getting money from people is -- I mean, I think people would want to know about that. Who's advising you on how you should comport yourself in order to raise the most money.

Fish: We carved it out because we found it more difficult to show that sort of connection, that's a Council decision. But I will say, Commissioner Novick, that the rule-making for this proposal is going to require -- under the rule-making, the Auditor will invite the public to comment and there'll be a process to try to create some rules which anticipate some of these questions. I hope that if this is rule adopted, you will participate in that process to create some clarity on where you think that there is a gray or an edge. We are trying to make this as clear as possible in terms of enforcement.

Saltzman: So, I also stepped out of the room for a second, but does this apply to all elected? City Council and the Auditor?

Fish: It currently applies to the five of us.

Saltzman: Should not apply to all Citywide elected officers?

Fish: We didn't draft it as such. The Council is free to have -- to make that determination.

Saltzman: I would think it's good. I mean, political consultants work for Auditor candidates probably in the past as well. I guess I would make that amendment.

Novick: Second.

Fish: Madam Auditor, would you care to be heard on that? We happen to have an Auditor here who can testify.

Mary Hull Caballero, City Auditor: I think that the Auditor's Office is carved out of this process in an earlier iteration when there was some discussion about appeals going to the

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hearings office. Since the hearings office is in my office, that created a conflict. And so now I think the code says it's going to circuit court, so there's no problem with the Auditor being included in that at all.

Fish: Thank you for that very clear explanation.

Hales: Good. That works. Thank you.

Fish: We now have two amendments before the Council.

Fritz: Can -- I have a clarifying question. I was trying to find out the answer but I'll just ask it here. The amendment that you proposed, Commissioner, adds a successful candidates' principal campaign committee registered with the Secretary of State.

Fish: Right.

Fritz: Can you explain the reason for that addition?

Fish: Yes. So, the way it was originally drafted, we were trying to figure out what was the relationship between the consultant and the elected that created a reportable event. Upon getting feedback from both practitioners and others looking at this, we realized that typically, in a campaign, it is the campaign committee which retains the consultant. So, when I run for re-election, Friends of Nick Fish is the entity which hires the professionals in my life, even though they're clearly providing services to me. By not including campaign committee, we were inadvertently creating a loophole where a consultant could provide services to you but be recorded as being engaged by your committee and it would not trigger a duty to disclose. And since the way we structure our campaigns, we typically run all of our money through our campaign committees -- by law we are required to have a committee -- and they are the party that pays for the services, retains people, we don't do that individually. We just wanted to clarify that the consultant who provides services includes -- that provides the services to our committee on our behalf. Which is typically how the consultant relationship is structured with most campaigns. Jake Weigler was hired by my campaign committee, not by me personally. I wasn't on the hook to hire him, yet he provided services to me as the candidate. So, we're just clarifying -- and it was a good catch by the folks we were talking to and by the City Attorney's office that we don't want to imply inadvertently that you can get around this requirement by saying, "Well, that's not my consultant, that's the consultant on my campaign committee."

Fritz: OK, I understand that. The campaign manager may or may not be a member of a campaign committee as registered by the state. Is that correct?

Fish: Um --

Fritz: What I'm wondering about is you're trying to -- you are intending to get the volunteer consultant as well as the paid consultant. So, the paid one would be paid by the campaign committee. Is there maybe a refinement -- maybe this is another step later where it's a volunteer -- the person who may be a paid political consultant but is not being paid by this campaign is giving advice to a campaign manager who is not on the committee.

Fish: That person is covered -- I understand where you are going in trying to create a -- it's like almost like a shell -- it's like a shell game to try to insulate the elected from the relationship. A consultant that provides services on behalf of the candidate, directly or indirectly, under this law, under this proposal, for which they receive compensation or no compensation, is required to disclose that they're providing services. And I think that the -- I think potentially the issue you're making can be clarified through rule-making, but it is my intent that there not be any -- this is meant to be low barrier. If you are a political consultant and you are providing services to a candidate or elected, under this, you must register and disclose.

Fritz: OK.

Fish: But I appreciate that you're raising an issue that perhaps in rule-making we can clarify.

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Hales: Should we act on the amendments?

Fritz: Do we have open testimony on this?

Hales: We already did have testimony on this, I think. Unless I missed anyone? So, let's take action on the first amendment, which is the change to subsection C which Commissioner Fish provided and in printed form. Further discussion of that? Take a vote on that, please.

Roll on amendment.

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

Hales: Now, the other amendment. I was just looking at the ordinance. I think maybe need to do a little quick surgery here, and that is it looks to me like finding number five needs to have the phrase "especially the Mayor and City Commissioners" removed from it. And then definitions, A, City elected officials, means the Mayor, comma, or a City Commissioner, comma, or the Auditor. I think that might do it.

It's still a little -- I'm trying to think this through. I think conceptually it makes sense to have the Auditor subject to the same rules because the Auditor is an elected official too. But the Auditor is adopting the rules, the Auditor initiates action in circuit court -- uh -- hmm. I'm trying to think that through as to whether that makes any sense for the Auditor to be the person filing in circuit court on a case involving the Auditor. Help me out, City Attorney.

Saltzman: Can't they recuse themselves?

Hales: Well, I don't know. That's why we ask -- or at least that's why I ask. [laughs]

Linly Rees, Deputy City Attorney: I'm batting substitute today, I'll do my best. I think the answer is that in most circumstances, it obviously will not be a problem. I think we can probably use the administrative rules to figure out a process for the Auditor delegating that function of making a decision. If we find out we can't, we can certainly come back with an amendment. I don't see it as being a tremendous barrier and I do understand -- I think the amendment to add the Auditor makes some sense. So, we can certainly work with that.

Hales: So the two changes that I just iterated -- do you think that that does it for now in terms of both finding number five where it's just mentioning the Mayor and City Commissioners until we change it, and then definition A adding the Auditor there. It appears to me from just a quick look that that might do it.

Rees: Yes. I think just for grammatical beauty, I think I would have it read it means the Mayor, comma, City Commissioner or Auditor. I think you had an extra "or" in there.

Hales: Alright. Grammatical beauty is one of the options.

Fritz: No Oxford comma? I'm very disappointed.

Rees: If you'd like an Oxford comma, that's fine.

Fish: The Mayor has forgotten more about grammar and syntax that most of us know here and I am offended --

Fritz: I'm glad to hear about your attention to detail, Mayor. It does raise another question to me looking through this in 2.14.07 prohibited conduct. It says a City elected official shall not utilize a political consultant who has violated this chapter. That might seem a bit harsh if there was an inadvertent or a first-time offense that they didn't understand the rules and whatever and corrected it as soon as it was brought to their attention. We had that discussion previously that you get to amend your lobbying rules. To say that a political consultant who's violated the chapter is never ever going to be employed ever again in the City of Portland doesn't seem --

Fish: No, it's a -- I believe it is a present tense. Shall not utilize -- oh, I see your point. It's not meant to be a lifetime bar. I appreciate your point. It's really shall not utilize a political consultant who has violated this chapter and continues --

Fritz: How about repeatedly violated?

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Fish: Or during a period of repeated violations. You're right, it was not meant to be a heavy hand of --

Fritz: One strike and you're out forever.

Fish: I would accept a -- I would accept a friendly amendment on that. Shall not utilize a political consultant who repeatedly has violated this chapter?

Fritz: What I just said.

Hales: What do you think?

Novick: I think "repeatedly" is a little --

Hales: Whoever would like to take a shot at that.

Novick: -- because repeatedly --

Fish: How about, "who is in violation"?

Hales: You see the problem?

Rees: Well, and I'm also -- the issue here is enforcement by the Auditor, putting them in the situation. I think that with the direction -- if there is some intent that you can give to the Auditor's staff so that when they come up with administratively -- if you want to put in repeatedly and give some idea of what you mean by that meaning we don't intend for somebody who on their first offense makes a minor ticky-tacky error, we mean for it to be somebody who is doing certain things. That would be helpful to the Auditor.

Saltzman: "Flagrant" -- would that help?

Hales: That's probably hard to define.

Fish: Counsel, can we give legislative intent at the time of vote?

Rees: You certainly can, but I think --

Hales: Or would you like to set this over and have more time? I'd like to get it done.

Fish: We have a month to bring this home, but I'm just saying we can wordsmith it now or do it next week and wordsmith it with the vote.

Rees: I do think, though, at this point, it is stated in the absolute. And I think if you want to vote next week -- it's not an emergency. If you want to be able to vote next week, you probably need to have a modifying word in there at this point.

Fish: What do you recommend to soften it so we're not using the death penalty for every -- any violation, including a technical violation?

Novick: Commissioner, can I offer a suggestion?

Fish: Please.

Novick: What about if we said that you shall not knowingly utilize a public consultant who is in violation of this chapter? Because it seems to me that what we want to achieve is that if you, the elected official, know that your political consultant is a violation, you should stop using them until they come into compliance.

Fish: I think that's a smart change. By putting the knowing in, you're setting up a standard of knowledge and you're raising the burden a little bit.

Hales: I have got the first modification -- not knowingly -- but what was the second?

Fritz: Is in violation.

Hales: Is in violation of? So --

Fish: I think that that's a significant improvement. Thank you, Commissioner Fritz, for catching it. Thank you, Steve, for wordsmithing.

Rees: Add the concept of until said consultant comes into compliance?

Fish: That we can do by rule.

Rees: You wanna do it by rule? OK.

Fish: I think it's implied, it's until there's -- the implication is until you get into compliance. Can we move that as an amendment, Mayor?

Hales: Yeah, I'm just going to include that in the package of changes we have to this one, which includes the inclusion of the Auditor with the appropriate grammar and the changes

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to 2.14.070a that we just talked about. Everybody comfortable with that? So, a vote to adopt those amendments, please.

Roll on amendment.

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

Fritz: Commissioner Fish, I really appreciate all your work on this. Aye.

Hales: Aye.

Fish: Mayor, can I -- one last matter. This goes to a vote next week. You may not be here, I don't know what our complement of team is. May I make a very brief statement?

Hales: Sure.

Fish: I want to thank Linda Law, Ben Walters, Jim Blackwood, and Sonia Schmanski for the tremendous work that they put into this. The lawyers really gave us their A effort in helping us to draft this -- the wordsmithing on this is complicated -- and we really appreciated their work. Jim Blackwood in my office and Sonia Schmanski did great work. I really want to thank the citizen volunteers from the distinguished local public interest groups who came to the table and helped us get it right. And I'll have additional comments next week, but I do view this as a first step. And if adopted next week, as I expect it will be, I think that we can rightfully be proud of being the second city in the country to put in place this mechanism which I think is a common sense reform which again will bring -- which uses the tool of transparency to give the public more information about how we do our business. I'm extremely proud of the work that's gone into this. Thank you.

Hales: Thank you very much. So, that passes to second reading and we are recessed until tomorrow at 6:00 p.m.

At 4:31 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.

APRIL 14, 2016 6:00 PM

Hales: Good evening, everyone, and welcome to this April 14th meeting of the Portland City Council, a hearing on our proposed Comprehensive Plan and amendments to it. Would you please call the roll, Karla?

Fish: Here. **Saltzman:** Here. **Novick:** Here. **Hales:** Here.

Hales: OK. Welcome, everyone. Because this is a land use process, I have a little more formal script than usual. Bear with me, and also bear with us and we get used to having this function at least tonight in this room because City Hall is being used for a community celebration. So that's good.

Welcome. Thank you taking the time to be involved this evening and to give us your input. We rely on your testimony to help shape this plan. Many of you have been participating in this process for many years. We're approaching the finish line, and I want to thank you for your continued involvement.

Before we start, I want to go over some logistics. Tonight, we're focused on getting feedback on possible amendments that were published in a report on March 18th. Copies of that report are available on the BPS website -- no doubt most of you have seen that -- and they've been placed in the records. Amendments are based on testimony that we received earlier in the process in earlier hearings. Members of the Council including myself have also proposed several additional amendments, and those are in memoranda that are also available on the BPS website and are in the record.

There are two related hearings on the Comprehensive Plan. Both are continued from our initial hearings that began November 29th -- sorry, November 19th of last year. So, Susan Anderson is going to describe the two items for us, give us some context, and move us forward into the hearing process. Susan, please come up -- oh, and Kat Schultz from our Planning and Sustainability Commission.

Moore-Love: I haven't read the items yet.

Hales: I'm sorry -- please do.

Item 375.

Item 376.

Hales: Director Anderson.

Susan Anderson, Director, Bureau of Planning and Sustainability: Thank you, Mayor. Good evening, Commissioners. Susan Anderson, Director of the Bureau of Planning and Sustainability. With me here is Katherine Schultz, Chair of the Planning and Sustainability Commission. I want to start by thanking everyone who has been a part of this process. Obviously, we couldn't do that. It's been thousands of people, but I truly think that at this point, we have -- when I talk to other communities literally around the country and around the world in some cases -- we have set a new high benchmark for what a comprehensive plan can be, a very thorough and a leading-edge comprehensive plan, and I really do believe it's going to serve us well over the next 20 years.

That said, the plan's not done yet and we still need to consider several key issues, many of which you will hear about tonight. I really appreciate everyone who has come out this evening to testify. The plan has grown, the plan has changed absolutely because of

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the thoughtful participation of thousands of people at literally hundreds of meetings over the past five years.

As a reminder and for context, the Comprehensive Plan serves as our guide, it serves as our framework and blueprint for policy and development. It's built on the foundation of the Portland Plan. It focuses on ensuring that Portland is a prosperous, healthy, equitable, and resilient place. I would encourage you, when you have issues that are in front of you that you are trying to decide which way to vote, you're trying to decide more clearly about the choices in front of you, use the Portland Plan as a guide.

Now I'm going to briefly run through the agenda. There are actually two hearings tonight, as the Mayor mentioned. The first hearing, item 375, relates to the supporting documents for the new Comprehensive Plan. It includes things like the revised economic opportunity analysis. The second hearing, item 376, is about the new Comprehensive Plan itself. It includes the goals and policies, it includes land use map and the list of projects. We will hear testimony for 375 first, and likely that will be somewhat brief in comparison to the second item.

Before we move on to that, I wanted to offer Katherine an opportunity to give you a little bit of background about what it's been like to be on the Planning and Sustainability Commission over the past few years. This past summer, the commission voted to provide to you a formal recommendation. That recommendation was based on six very long hearings and more than a dozen long work sessions. They collected and read more than 4000 public comments. So, I personally want to thank all the members of the Planning and Sustainability Commission for their time. This isn't a paid position. This is something that they do and take a big chunk of their life to be a very active participant in the community. So, I really appreciate Katherine's leadership and I appreciate leadership of the past chair, André Baugh. He has been a very diligent leader and was great at pulling together very disparate ideas and to be able to bring a recommendation to you. Katherine?

Hales: Thank you.

Katherine Schultz: Thank you, Susan, Mayor Hales, and Commissioners. Before you consider the amendments to the recommended plan, I'd like to highlight a few things the commission emphasized in our recommendation.

The heart of this strategy is to build more complete communities. As much as half of Portland's anticipated growth is forecast for centers and corridors -- places like Lents, St. Johns, Barbur Boulevard, Hollywood. We seek well-designed growth that completes communities and benefits Portlanders through improved walkability and safety, expanded housing choices, stronger business districts, and a full return on our investment in transit. If Portland is to meet its goals to be affordable to a broad range of households, market rate and affordable residential development must increase. Adding more housing in centers and corridors creates more options for people at different stages of their lives, and it gives middle and lower income residents more geographic choice and access to opportunities. The opportunity-rich, close-in neighborhoods will continue to lose diversity unless we make significant commitment to building more affordable housing in those areas.

The plan is also about creating an adequate supply of land for jobs in different sectors of Portland's diverse economy. It is important to maintain manufacturing and distribution jobs because they serve as an upward mobility ladder for a large sector of the population, especially people of color and those without access to higher education. Our recommendation was shaped by the desire to address growing income disparity and declining middle class employment opportunities.

The plan also commits to protecting Portland's air and water quality, habitats, and natural resources. For instance, the plan aims to weave nature into Portland's neighborhoods and direct growth where it is environmentally sustainable and cost-effective

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to serve. The plan aims to reduce the need to drive, enable shorter trips, and give people more transportation choices. We cannot continue to measure the success of our transportation system by only measuring vehicle congestion. Safety, equity, and public health are also important. Giving people the choice to not drive preserves limited road capacity for those who need it most, including Portland's businesses and freight. The recommended transportation project list includes significant investment in East Portland to build out more complete streets, connect people to transit, and carry out the already adopted bicycle master plan. This is an important investment in equity.

The commission also put considerable thought into issues of displacement. Development and public investment can benefit existing residents through better access to shopping and services, improved walkability, and better transit services. This will also enhance a neighborhood's attractiveness to new residents and it will increase property values. For many, neighborhood revitalization is a positive change. For others, it provokes concern. Negative consequences can include involuntary displacement of lower income households and a change in ethnic and racial makeup of a neighborhood's residents and businesses. To address these concerns, we urge you to adopt the anti-displacement policies in our recommendation.

We know that comprehensive plans do not govern City budget decisions, but there are several aspects of the recommended plan that cannot be successful without significant investment. These include brownfield cleanup, transportation systems, and affordable housing. We strongly urge you to make these a funding priority.

Finally, I'd like to address the scope of the Comprehensive Plan. Comprehensive Plans are about physical development of the city, growth, and related infrastructure. In our recommendation, we have pushed to address topics that are not traditionally included in comp plans, but we believe they are critical. This includes technology and communication infrastructure, tenant rights, and concepts of environmental justice and community benefits. Thanks.

Hales: Thank you both very much. I want to also acknowledge receipt of additional letters, email, and comments that have been collected on the -- through the online map since March 18th. That testimony has also been added to the public record.

In order to give as many people as possible the chance to speak tonight, I'm going to limit testimony to two minutes each, so please be brief and to the point. It's important to get the substance, it's not so helpful to repeat what other people have said because again, we need to get the issues before the Council. You can obviously let us know through email and calls whether you support or oppose a particular idea that's in discussion, but it's most important that we get the particular issues in front of us. Please specifically mention what amendment that you're testifying about. And again, if you could refer to the identifying number in the amendment report, that's very helpful.

If there are elected officials or Planning and Sustainability Commission members here we want to invite them to testify first. We also often give the courtesy to people with young children, so if there are folks here with kids that need to get home for homework or sleep, we'll give them the courtesy as we usually do, and likewise people with disabilities.

We'll take this testimony tonight and then we'll again have a hearing next week on April 20th and at that point, we'll end public testimony and close the record on the amendments. Excuse my allergies, by the way. I will speaking frog-like to you all evening. The Council will then have work sessions on April 28th and May 5th to discuss the testimony that we hear and to vote on proposed Council amendments.

I've asked my colleagues to identify any further changes that they want to make to these amendments -- and I'll hold myself of course to this standard -- by April 25th. At the conclusion of the May 5th session, we'll have a Council amended plan ready for final

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adoption which will then be placed on the Council calendar for May 25th with a final vote on June 15. So, that's the process and the timeline. We appreciate you being here to give your input. Are there any elected officials or Planning and Sustainability Commission members here? There's one. Come on up, Commissioner Smith.

Chris Smith: Thank you for the opportunity. I'm Chris Smith, I am vice chair of the Planning and Sustainability Commission. I'd like to expand on the question that my chair addressed, which is the scope of this plan.

My colleagues and I included a number of -- as Susan described -- leading edge ideas in this plan. A couple that I was particularly happy to champion are in the realm of digital inclusion -- specifically, open data and broadband equity. During your hearings, you received no testimony in opposition to those policies, yet there are three amendments, P11, P68, and P85 that would significantly weaken those policies. And the justification of those is "beyond the scope of the comp plan."

So, I'd like to pose the question: what is a Comprehensive Plan about? And I think if we were in any state other than Oregon, the answer would be a fundamental planning document covering a wide range of topics. In Oregon, we have the additional answer which is that it is a required component of the state land use system. And certainly, we appreciate that role within state law.

What I'd like to suggest for you is the comp plan should -- the state land use system should be the floor for the comp plan, not the ceiling. I think the ceiling should be whatever our community says it should be. And I'd offer you an illustration specifically on the area of broadband equity -- you'll hear I think on both topics from people in the audience tonight. But just as a thought experiment -- if you consider the comp plan through the citywide street systems map component, it cares a great deal about the quality of the water and sewer pipes in every neighborhood in the city. Our broadband equity policy suggests that the City should care just as much about the digital fiber that carries the internet to every neighborhood in the city. But if the amendments are successful, we will strip that policy away and the quality of internet access in each neighborhood will be something we leave to the market rather than to City policy. I think we could not claim a role as a leading edge plan if we allowed that to persist, so I would urge you strongly to defeat those particular amendments and listen to the testimony from the community in those leading edge topic areas. Thank you.

Hales: Thank you very much. OK, I don't think we have any other elected officials or Planning Commission members. Anybody with small children who needs to deal with that urgency? If not --

Saltzman: We're going to be using the lights to indicate the time?

Hales: Yes. I think those lights indicate green is you're on, yellow is you have 30 seconds, and red is time's up. That correct? OK. I guess we can move immediately to the signup sheet, is that right?

Moore-Love: OK. For Item 375, the first three, please come on up.

Hales: Good evening. OK, Ellen, I think you're on first and your microphone is already active.

Ellen Wax: Thank you. I'm going to be very brief. Good evening, Ellen Wax with the Working Waterfront Coalition. We sincerely appreciate a supporting vote of an EOA midrange growth forecast, the right range that is supported by the facts. Fifty years of past trends for the Portland Harbor and Columbia River show an average annual growth rate of 2.9 percent -- a medium gross growth rate, not a slow, low growth rate of one percent. A medium forecast estimates correctly the demand for harbor land and cargo moving through the harbor.

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The Working Waterfront Coalition appreciates Council making a policy choice that positively impacts Portland's future, our industrial harbor future, and our middle income job future. Adopting the medium growth forecast sends the right message that our City supports harbor businesses and harbor jobs. Thank you.

Hales: Thank you very much.

Patti Iverson Summer: Thank you for the opportunity to testify. This is my second time testifying for this -- this committee, and I want to express my deep appreciation for Mayor Hales and Commissioners Novick and Saltzman for supporting the amendment to move the importance of the international cargo movement and the use of harbor for that international trade back up to a medium status.

Hales: And put your name in the record, too.

Iverson Summer: Oh, yes. I'm sorry. Sometimes I don't say that because my name takes longer than two minutes to say. It's Patrice Ann Iverson Summer. I'm the owner of Global Trading Resources. We're an international transportation customs brokerage and forwarding company, so I live and breathe international. And I can only tell you that the decrease they've seen in the movement of international cargo is attributable to one cause, and that's labor. I also will say that there are many people working behind the scenes to see that that situation changes.

Port of Portland is well-situated to handle international trade. It is a gem on the west coast with many, many opportunities. I don't know if you realize that the Port of Portland customs and border protection is one of two ports designated legislatively as a fully operating customs port. We have striven hard to have all of the federal agencies that are needed to facilitate international trade through this port. We have a river system, a barge system, and a rail interconnectivity that equals all of other ports on the west coast. We have difficulties with a long trip up the river, but I think the opportunities that avail on the west coast -- particularly as congestion increases in other ports -- avails tremendous opportunity to this area.

So, the job opportunities are immense. The job opportunities in international tend to be higher-paying. We move cargo exports, imports, and it would be a shame to see all of the work that's done over 30 years go for naught.

Fish: Mayor, if I could just make one clarification. We have a lot of amendments and a lot of paper and I just want to clarify something. There are plenty of amendments that are going to have one, two, three, four sponsors, but that is completely separate from the support they might enjoy on the Council. It's simply the mechanics of how they were placed before. So, if you see something that has two sponsors, that's because the Mayor required that there be a second for a certain amendment to be placed. It doesn't mean you're fighting upstream to get three other people.

Hales: Yeah, good point.

Fish: So I just want to clarify that. Don't assume that that is an indicator of where the Council is on an amendment.

Hales: Yeah, I'm glad you pointed that out. We all knew that, but we forgot to make that clear to everyone else. Thank you. OK. Welcome.

Rob Mathers: Good evening. I'm Rob Mathers, 5880 NW St. Helens Road, and a board member of the Working Waterfront Coalition. I'm here to support Council's adoption of the latest version of the economic opportunities analysis which includes an updated analysis of marine terminal land needs and a shift from the low scenario to the medium scenario of the marine cargo forecast.

This change is wholly supportable from both the supply and demand perspective, and it better reflects the generally higher-aiming aspects of the City's Comprehensive Plan, particularly in terms of maintaining vigorous economic growth and further achieving a

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healthy, diverse economy. My hope and expectation is that the updated EOA with medium cargo forecast will be adopted unanimously by Council.

I have a comment about a proposed policy amendment to the Comprehensive Plan that's item number P56, but I'll submit this testimony to the clerk in writing. That's it. Thank you.

Hales: Thank you all very much. Good evening, welcome. Just push the little button on the base of the microphone there.

Greg Theisen: Mayor and Commissioners, thank you for the opportunity to testify regarding the economic opportunity analysis. My name is Greg Theisen, planner with the Port of Portland. I'm testifying to make sure the record accurately reflects the integrity of our planning efforts and our participation in the cities.

The Port has consistently stated that we and our tenant are always working to squeeze more efficiency out of our terminals. It simply makes sense to maximize return on investment, and from our perspective, we do that by maximizing the use of our existing facilities. We consistently made this a point through the river plan north reach project, West Hayden Island, now the comp plan. But this business approach his cannot ignore that our market continues to move in the direction of facilities like the 150 acre EGT grain export terminal recently built in Longview, Washington. We need to compete in that market because it's our market. It is this community's market. This trend has been accelerated by completion of the Columbia River project.

Some examples -- in 2003 and in 2012 we and our tenant made improvements to the railyard and trackage and loading equipment to allow Kinder Morgan to handle soda ash more expertly. We installed a third loop to increase capacity at the boat terminal with the class one railroads we expanded two railyards allowing for expansion of their existing storage capacity. Now, it further expands their facility. We have spent many hours describing how we are maximizing existing property development while wanting to compete for new businesses in a market where bigger sites are in demand. We have incrementally expanded capacity at existing port facilities. We're always working with our existing tenants to grow their business. For now, we anticipate existing sites can continue to increase throughput and because of that and the most recent round of investments by tenants and others resulting from the channel deepening. We believe the midrange forecast is apt. Practically speaking, at some point, because of land limitations for storage or transportation constraints, we will need to grow our terminal base beyond existing facilities. Thank you for your consideration.

Hales: Thanks very much. Anyone else on the supporting documents item? Then we'll move to the amendments. Do that then, please, Karla.

Moore-Love: We have 91 people signed up.

Hales: Good evening. Welcome.

Rebecca Mode: I'm here to comment on the chapter five amendments P45. Rebecca Mode, M-O-D-E.

Fritz: I'm sorry, what were the amendments?

Mode: P45 as well as P15, enable and encourage development of middle housing. Downzoning of my property at 506 NE Thompson will prevent middle housing from being built.

Dear Mayor and Commissioners, I'm requesting once again my property at 506 NE Thompson Street to be opted out of the Elliott conservation district selective downzoning. I request for my property to retain its current R2 zoning. The reasons are as follows.

With R2 zoning, I can build middle housing next to my existing duplex on the empty front half of my 9375 square foot lot -- do this leaving my existing duplex intact and still retain a large backyard. With the proposed R2.5 zoning, I'll be required to do a lot division,

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which I don't have to do with R2. This lot division costs an average between \$15,000 and \$35,000. That lot division will trigger some reassessments, which will raise my taxes approximately \$8000 or more without building anything. These additional fees associated with R2.5 zoning will put the financial reality of building out of reach for my family. Even if I were able to afford it, since I have an existing duplex, I would be required to split off 5000 square feet and that would leave me with 4375 square feet where I could only have a single family home and possibly an ADU.

There are several middle housing properties already on my block. They fit in nicely with the historic nature of the existing homes. They will all be nonconforming with R2.5 zoning. I've submitted testimony, so I won't name them off. They're not currently documented correctly on Portland Maps, so if you go to research the validity of this, for whatever reason, they are not documented correctly. I don't know why that is. They fit in nicely with our neighborhood. Leaving my zoning, R2, will allow me to add more great middle housing without harming anyone.

Hales: Thank you very much. You submitted that in writing as well?

Mode: I did.

Hales: Good. Thank you very much.

Fritz: I'm sorry, I missed the street address.

Mode: Sure. 506 NE Thompson Street.

Joseph Elkhal: Good evening, Mayor Hales and Commissioners. I'm here to testify in favor of minor East Portland amendment, address 13909-13923 SE Stark.

Hales: Your name, too?

Elkhal: Joseph Elkhal. Map ID number is B5.

This building was built in 1972. I purchased it in 2003. I did some research back in the county records. Right now, the zoning is R1, and it's proposed -- the proposal is mixed use civic corridor. I think this is a great idea for this property. It'll bring it back to where it was initially designed. I have some supporting documents from the person who built the property and used the property for many years from 1972 to 2000. And it was built as an accounting office and it was further leased out to an accounting firm that purchased that accounting firm, without mentioning names.

After 2003, it was used as accounting firm up until 2008. From 2008 to 2015, it was used as a nursing school to graduate CNA ones and CNA twos. So, the property's explanation is nonconforming use. I think this is a great designation to bring it back to what it was originally designed for. I have a letter from the person who built the property. It was with the County -- it was zoned with the County under the County auspices -- Multnomah County -- before it was transferred over to the City. Somehow from when it was transferred from the County to the City, the zoning -- there was some loss of zoning terminology and it was zoned R1. I went through the Planning Commission downtown. It was just difficult. So, I think this is a great opportunity to bring this back to the proper zoning that it was initially designed for. Thank you.

Hales: You're going to submit that information in writing?

Elkhal: Everything. I have some lease documents and a letter from the person who built the property and a map or floor plan of the office building. You can see it doesn't have any showers and it was never built as a home or apartment complex. It was designed for an office.

Hales: Thank you. If you would both turn your microphones off, I think --

Travis Henry: Good evening, Mayor Hales and Commissioners. My name is Travis Henry and I'm here to testify in favor of amendment M47, as amended by Novick amendment number one. Our company, Cairn Pacific LLC, has approximately 92,000 square feet of

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property under contract in Northwest Portland adjacent to the Willamette Heights neighborhood right behind Montgomery Park. We testified in January about this area.

Our concern is that its existing zoning is EG and the comp plan update is going to remove housing as a conditional use. We see this as kind of a gateway to the northwest district and ultimately are interested in revitalizing the area. If you guys have had the opportunity to drive by, it's in an unfortunate state. The roads have been neglected and overlooked for decades. I've included a map and exhibit that kind of shows the history of development on the property as well as some photos of the current status. There's a quasi-business there that has what appears to be a hunting blind and washed-out roads, large puddles. Our interest is to remove this as a liability from the City in terms of the failing infrastructure and to provide an opportunity for a revitalizing development that will bring livability and vibrancy to the neighborhood.

In order to do that, you need a larger collection of property, and so we're looking at this point to -- with the Council's approval -- look for a mixed use type development there that would provide an opportunity for the missing middle housing. A band of R1 zoning along the southern border of the property would provide for row house or townhomes to meet the missing middle. And then also workforce housing and office, mixed use, retail, etc., along the Nicolai border. Thank you.

Hales: If I remember right, across the street on the south side of the property are townhouses.

Henry: That's correct. And on the north side is the -- basically Nicolai Street, which we believe should be the border between the Guilds Lake industrial sanctuary and other residential uses.

Hales: Yeah, OK. Thank you. Good evening. Again, just push the button, give us your name, and proceed.

Scott Eaton: Good evening, Mayor and Commissioners. My name is Scott Eaton, I'm principal with Cairn Pacific. I'm part two of the prior testimony.

My partners and I have extensive experience in Northwest Portland. We were involved in the brewery blocks, the Benevento where St. Jacks and Lompoc Tavern are now located. We just recently finished the Slabtown New Seasons and LL Hawkins, and we are getting ready to start redevelopment of the Leland James building on the Conway property as well.

After studying the site, one of the things that we were confronted with was a situation where the single family homes in that neighborhood were directly abutting what would be employment zone with no buffer. It became apparent to us that we had to create the buffer with our actual development, and so when you look at the slope of that site, we needed a zone that could accomplish commercial that faced Nicolai and residential that then faced uphill to the neighbors. That's the reason for the request for the EX, and hopefully, you've been able to get out to the site to see that it's kind of a unique situation. We do have a letter attached to your packet that shows support from neighbors as well as from the NWDA. I'd just like to thank you and your respective staff members for the energy that you have put into hearing this.

Fish: By the way, thanks for finding a new home for Besaw's.

Eaton: We love that place. And Cana, too. She's awesome.

Hales: So, we've got your map. Thank you, that's helpful. So you've consolidated this property. Is the logical stopping place -- it's kind of a leading question, but is the logical stopping place for EX zoning the end of your property, Wilson Street, or somewhere else? I mean, you happen to own land there. There's a question of transition. At some point, you're at the base of Forest Park around the curve there. Where should the EX zoning stop, in your opinion?

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Eaton: Well, it really -- I mean, that's why we have the R1. The R1 is a softer buffer between --

Hales: Yeah, no -- I meant going north.

Eaton: Oh, going north. It really needs to stop at Nicolai.

Hales: OK. Thank you.

Eaton: Thank you.

Hales: Good evening. Turn your mic off, please, Scott. Thank you.

Daniel Pirofsky: Good evening. Daniel Pirofsky, 22nd and Multnomah in Sullivan's Gulch for 30 years. Thank you for the tremendous effort that Council and BPS continue to offer as we adopt the plan.

I'm very grateful to Mayor Hales for three amendments -- M21, M62 and M63, all pertaining to Sullivan's Gulch. Neighbors have testified requesting amendments to the draft, so it's reassuring that Council listens and considers comments. On M21, I speak for many residents who endorse my testimony in December regarding the south side of NE Multnomah from 19th to 21st. We strongly oppose mixed use within a residential neighborhood, already one of the densest in the city due to its organic development and integration of middle housing. If the City studies middle housing, they need only look to Sullivan's Gulch as an example for how it works. We thank Mayor Hales for removing the mixed use designation from an area that has commercial properties and is not a civic corridor. We have close walking access to commercial areas on all sides. Commercial activity would create more traffic and parking pressures on Multnomah and especially on 21st, with its critical access south over the Banfield. Commercial activity is unnecessary and potentially harmful of our livability, and we urge you to retain the high density multi-dwelling designation. So, please see my written testimony for comments on the future siting of Sullivan's Gulch trail that runs right across the back of that property.

On M62 and 63, I thank you for these amendments which designate the north side of Weidler between 17th and 21st to high density multi-dwelling and RH zoning, and between 21st and 24st to multi-dwelling 1000 with R1. RH zoning should be the standard floor area ratio of two-to-one. This area is residential and one block from commercial properties on Broadway with no need for mixed use. Many properties are large homes divided into duplexes, triplexes, fourplexes, middle housing already contributing to the plan goals for residential density. [beeping] For years, it has been difficult --

Hales: Wrap up quickly, and then I have a question.

Pirofsky: Please see my testimony for how we would like to improve the Broadway area and by not allowing commercial to creep but to stay on Broadway, where businesses are having a difficult time getting pedestrians and cyclists to get there. Thank you.

Hales: Thank you. My question is this actually affects a lot of the proposed amendments -- that if we get it right in places like Buckman or Eastmoreland or Sullivan's Gulch in terms of the underlying zoning designation. If we get it wrong, we create an incentive for demolition. If we get it right, we create an incentive to use the structures that are there now perhaps a little differently than they're used in the past, but there's an incentive to keep the structures. Do you think this is what will happen with this designation? That the good buildings will remain?

Pirofsky: Yes. I see no reason why that should not happen. Because we already have a very well-integrated with apartment buildings here and there, and there's a few coming in to -- on this Multnomah property there will be another apartment building. So, there is a balance working in our neighborhood. And the commercial is right next to us so we don't have to push it around, we just have to maintain a lot of these older homes that have already been divided into this kind of middle housing. We have lots of that there.

Hales: Thank you very much. And don't forget to turn off your microphone. Thank you.

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Marcus Estes: Hello there, my name is Marcus Estes. I'm a local tech entrepreneur and I'm here on behalf of a newly-formed organization called the Portland Independent Chamber of Commerce of which my business is a member. We were called to attention around item P11, the open data policy. I in particular was asked to come forth and speak about this because in my past, I've been a consultant on some of these open data projects for other municipalities across the country.

The revisions here that have gone into place recently have essentially neutered effectivity of the clause. With great empathy about the amount of implied work and labor that would be necessary to fulfill the clause, what I'd like to offer is just some concrete examples of why it's a good idea to keep it in place. Oftentimes when a municipality has data that is theoretically open, when a nonprofit organization goes in to show how a certain school district is dealing with graduation rates and make a pretty map out of it, the answer of how to get the data is fax somebody and wait seven days and maybe get print in the mail. So essentially, it's a lot of wasted cost that's absorbed by the nonprofit sector. It would be a lot better to not only see this language be retained in its original form in our opinion, but also do some work going forward finding some working groups and putting in additional work in the next 20 years about how Portland vends its data to its citizens.

Hales: Thank you.

Fritz: Since that was my amendment, I just wanted to respond that we want to have the broad policy goal in the Comprehensive Plan, and many of these other things are details which would go into code or administrative rules or into practice. So it's not that I disagree with the language is the right thing to do, it's just a matter of what goes in the Comprehensive Plan and what belongs somewhere else, in my opinion. You may disagree.

Estes: Understood. Also, briefly, the complex issue there about how much it relates also to land use. We do see there is an application. It's also obviously broader than strictly land use, but -- thank you.

Hales: Thank you all very much.

Mat Millenbach: My name is Mat Millenbach, I live in the Lloyd district. I'm here to testify in support of amendment M586, which is located in the Sellwood neighborhood. I used to be a resident of the Sellwood neighborhood and am a past president of the Sellwood Moreland Improvement League.

This amendment would designate a number of Metro-owned properties along the Springwater corridor as open space and change the zoning from R5 to an open space designation. We believe that this is the appropriate designation for these properties, as they were acquired in furtherance of the natural areas programs of Metro. I've been asked by the SMILE board -- this was one of the projects I was responsible for when I was on the board. They asked me to testify in favor of it tonight, so I will read their resolution.

Be it resolved by the board of directors of the Sellwood Moreland Improvement League that the public properties acquired by Metro along the Springwater corridor in the neighborhood be designated in the Portland Comprehensive Plan for the purpose for which they were acquired. The board therefore supports Mayor Hales' amendment number 56 to change the zoning designation for these lands from R5 to open space. This was approved by the SMILE board of directors by a vote of 11 to zero on April 11th, 2016. Thank you for the opportunity to come talk about this.

Hales: Thank you very much.

David Schoellhamer: Good evening. My name is David Schoellhamer and I'm the chair of the SMILE land use committee. SMILE opposes Mayor Hales' amendment 35 to expand mixed use development on to narrow residential streets. We support Commissioner

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Novick's amendment 24 to increase residential density near the Tacoma Street MAX station.

SMILE values the charm and walkability of our neighborhood, which was recognized by Sunset Magazine as one of the best city neighborhoods in the west. We have 2.7 miles of mixed use corridors such as 17th Avenue. These are surrounded by side streets that are entirely residential. This development pattern provides quiet residential streets and nearby restaurants and shops to walk to. We oppose Mayor Hales' amendment 35 because it would expand mixed use development on to narrow residential streets adjacent to 17th Avenue, eliminating the separation between residential and commercial development that helps make our neighborhood livable and charming. This amendment would increase congestion of residential streets, reduce solar access, and threaten children walking or biking to nearby Sellwood Middle School. This expansion is unnecessary because 17th Avenue already is zoned for mixed use development.

SMILE does support wise land use and density that is compatible with our neighborhood, such as Commissioner Novick's amendment 24 the amendment would designate an area of R5 zoning near the Tacoma MAX station as R2, placing density in proximity to transit. R2 is a common zone in the surrounding area in SMILE, so this amendment is not out of character with the neighborhood, unlike Hales' amendment 35. R2 will likely provide more affordable housing than R5 on which over-size single family homes can be built. R2 has an off-street parking requirement, alleviating a great concern in our neighborhood. Thank you.

Hales: I was looking for it and didn't find it -- cross streets for 35 are -- ?

Schoellhamer: Sherrett, Clatsop, and Harney.

Hales: Thank you. Good evening.

Ellen Burr: My name is Ellen Burr. Mayor and Commissioners, thank you for the opportunity to testify today. I'm here as a member of the Sellwood Moreland Improvement League to oppose Commissioner Saltzman and Novick's Comprehensive Plan amendment 12 to retain the existing high density RH zoning in northwest Moreland. Our written testimony is detailed, so I'll highlight some of our concerns.

In early 2014, the SMILE neighborhood was contacted by Bureau of Planning and Sustainability staff Marty Stockton and Debra Stein asking us to work with them to downzone the Westmoreland area of our neighborhood in response a to late 1990s up-zoning in support of the orange line Harold Street station, which is not going to be built in the next 20 years, if ever. BPS continues to support these changes approved by the Planning and Sustainability Commission and does not support this amendment made at the request of one property owner, PSC Commissioner Jeff Bachrach.

Our testimony includes the timeline of this critical and valued part of the Comprehensive Plan extensive public process. We did not propose R5 zoning to match the existing primarily single family homes, but proposed a reasonable middle ground of R1 and R2.5. We also look forward to development of new mixed use zoning along McLoughlin for additional density and much-desired neighborhood-oriented commercial. The comp plan says RH is intended for the central city gateway regional center, town centers, and transit station areas. That's not the SMILE neighborhood. We surveyed the RH in the city and cited in our testimony the root to the Holgate light rail station for Mr. Bachrach's property is about six-tenths of a mile across seven-lane McLoughlin, four-lane Holgate, and through the 17th Avenue concrete industrial desert. The barriers to adapting to the amount of density RH would include pedestrian-bicycle safety issues, the increase of McLaughlin traffic with the widening to six lanes, and lack of a buffer to lower density. Thank you.

Hales: Thank you. You're going submit written testimony as well?

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Burr: Yes -- and email.

Hales: Thank you all. Good evening.

Renato Quintero: Good evening. My name is Renato Quintero. Thank you, Portland City Hall and Mayor Hales. I am a janitor and the vice president of the property service for SEIU Local 49. They represent over 1800 janitors in the Portland metro area. I'm here today on behalf of my coworkers to explain my support for the proposal Council amendment to policy 3.3 of the Comprehensive Plan.

As I've worked as a janitor for the last 14 years, in that time, I have seen the Portland real estate market explode creating wealth for downtown developers while wages for many workers remain low. Portland has become a very popular place for people to live, but the economic recovery has not reached working families. Many of our members try to support their families on low wages, and on those wages they have to make decisions about paying rent, paying groceries, or providing for the kids.

Working people deserve a fair shot in our economy. Portland should not just be for wealthy people. We need a city that is just and fair for everybody, not just for a few. We want City Council to help us build a city where people have access to good jobs, health care, and affordable housing. The amendment to the Comprehensive Plan are good start to making Portland a fair city for everybody. Thank you for the opportunity to testify.

Hales: Thank you very much. Good evening.

David Noren: My name's David Noren. Ms. Hagins asked if I could submit written testimony and speak on her behalf. You have written testimony from me as well. I'm an attorney. My address is PO Box 586 in Hillsboro, 97123, and I represent SEIU Local 49. We support the amendments that P15. Those are the amendments to policy 3.3 and 3.3d.

You touched on these I think when you had your work session March 1st and were wrestling with concerns about how to express the provision of community benefits, the concept of benefit agreements, and so forth, and your staff has reworked the language and we fully support what has been presented to you. The new language does include now concern about mitigating the impacts of income disparity, displacement, and housing affordability and provides direction to incorporate requirements into the zoning code to provide company and community benefits -- again in kind of broad terms at this point -- in exchange for increased development allowances.

Now, these provisions really implement the vision and guiding principles of the plan. We see these as a bridge between those very broad objectives and the nitty-gritty of the zoning code. You're almost done with the Comprehensive Plan, but zoning codes can be rolling up real soon as the Central City Plan information comes to you. This provides very helpful direction to the Planning and Sustainability Commission as they work through that and provide assistance to the citizens to help work for code language that will implement these. Thank you.

Terry Parker: Terry Parker. I am here to support my neighborhood in support of comp plan amendment P99 that allows for adequate parking with new multi-unit residential development. Design and development policies specifically address the mitigation of off-site impacts on adjacent residential sites. Charging single family home households a fee to park on residential streets in front of their own homes is not mitigation. The burden of mitigation must remain with the new development, not with existing residents and businesses. Urban form corridor policies address accommodating growth and balancing all modes of transportation. Balancing all modes of transportation must require providing adequate off-street parking for new development and adding a fee to bicycling when bike lanes take up street and curb space. These policies must supersede the fantasy world mindset of parking management policies that seek to encourage lower car ownership and limit adequate parking for car storage in new multi-unit residential development. If the City

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truly wants to reduce car ownership, the City can do so by setting an example that eliminates the City-owned entire fleet of cars, most of which are utilized as single occupancy transportation.

Missing from the comp plan amendment is the definition of adequate. Although it may be different for the central city, on March 21st the Rose City Park Neighborhood Association land use and transportation committee defined the word "adequate" as three parking spaces for every four residential units. It was approved by the neighborhood association board on April 5th. This language reflects the City's own studies that have found that 72 percent of households in new multi-unit developments have one or more cars.

Over the next 20 years, car trips are expected to increase by 49 percent regardless of how much mass transit is added. The expectation is that three parking spaces for every four unit standard be applied to any residential development on Sandy Boulevard, a major traffic and freight corridor, and anywhere else in the Rose City Park neighborhood. As a reminder, the people who drive are currently the primary financial stakeholders for TSP projects. You need to start representing these taxpayers, establish some financial equity, and reject discriminatory car-hater policies in chapter nine. Thank you. [applause]

Hales: Thank you. You've got some friends here.

Fritz: Probably because you've got so much in two minutes, Mr. Parker --

Hales: Revered performance there.

Fritz: I wanted to you to know Commissioner Novick have agreed on a slight variation on this proposed amendment that you just testified on, and that would be to add a comma and consistent with the preceding --

Parker: Is that what I have here?

Fritz: Possibly. I just wanted to make sure you knew that --

Parker: Thank you.

Fritz: And that the Transportation Commissioner and I have agreed that that would be a good way to go.

Hales: Thanks very much. Good evening. Go ahead. Push the button.

James Harries: Good evening. My name is James Harris, I live at 10500 SW 25th Avenue. I'm here to testify on amendment B92. My neighbors 10040 through 10048 are recommending an R10 zoning. And I'm here to support that, but I submit there was an oversight because I'm just down the street at 10500 and below me at the end of the properties are developments that are currently five houses per acre. So here if it's the way I think it stands, we'll have R10 per your amendment, we'll have R10 for a previous development, and I'm stuck in the middle with R20. I submit it would be consistent and entirely proper to zone it all R10. At one time, I did have an approval for a subdivision but at the current proposed zoning, I cannot do that. So, I would request that you expand that amendment to include adjacent properties.

Fritz: Give me your address again, please. The one that you want -- should be changed.

Harries: Yes, my property.

Hales: And that number is?

Harries: 10500 SW 25th.

Hales: Thank you. Good evening.

Jan Mawson: My name is Jan Mawson and I live in Southwest Portland. Mayor Hales and Commissioners, I am pleased to offer my testimony today, though in opposition to amendment P45. With regard to land use planning in Portland, let's acknowledge up front that this has not been a good process. Long range planning has been going on for 40 years, so our current housing shortage crisis should not be a surprise.

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The City's approach to date has been to attempt to apply increased density uniformly across the city. This has resulted in new housing, but it's also resulted in widespread citizen displacement and unhappiness, demolition of good housing stock, the homogenization of the city's architecture in neighborhoods, and the disintegration of community cohesion. Although some of these negative impacts may be the result of unintended consequences, what is being proposed today is more of the same -- racing to a solution without fully contemplating what the outcomes will be.

This amendment fails to recognize the uniqueness of Portland's neighborhoods, and it will inevitably lead to continued divisiveness as more demolitions will be the logical outcome of this approach. Let's slow this process down and consider the downside to applying another broad-brush solution to development in Portland. While middle housing makes sense in some locations, in others it is completely inappropriate. A case in point is Multnomah Village, where I live. This amendment could well result in the decimation of the intimate scale residential areas surrounding the historic main street which unfortunately is now being proposed as a center rather than a corridor.

A better way forward lies in a more subtle and textured approach that builds on the character of individual neighborhoods, affords citizens the right to live in housing of their choosing, and provides citizens with a voice in their community. Portland historically has attempted to be the trendsetter in urban planning to tackle challenging problems in a smart and forward-thinking way. [beeping] This one-size-fits-all solution is too simplistic. I would hope as we move forward to grapple with density, Portland -- including the government and community working together -- would be up to the challenge and not settle for the easy way out. What you have before you is the easy way out. Thank you.

Hales: Thanks very much. Good evening.

James Peterson: Hello, my name is James Peterson. I'm land use chair of the Multnomah Neighborhood Association. We submitted all kinds of testimony from all extremes on this comp plan from light to sound to density to corridors. And for some reason, none of them -- none of our testimony have made the amendments. It would really be nice if all the testimony was put into a searchable database so that they can be reviewed by all of us so it would really be part of -- so the citizens would have equal standings, be able to make sure that the Commissioners reviewed all that testimony.

We're opposed to -- Multnomah is opposed to amendment 45 because it's being implemented through the zoning code. It's one thing -- Multnomah is about a 50 percent ratio of multi-family units or rental units and housing units, and we're trying to protect the residential houses that we have. The way the amendment 45 is written, there's a quarter mile radius where it will be determined at some future date or from future process in the zoning code. It would be much better if it was actually done site by site, as it was then in the southwest community plan. And that's what's happened. That's why we have so many demolitions, because the base zone doesn't equal the minimum lot size. Development is happening. Right now, it's my understanding a house on -- we're getting demolitions all over and it's just not appropriate.

Hales: Thank you. We've got your written testimony as well. Thank you all. Good evening.

Jon Denney: I'm Jon Denney with Portland Nursery at 90th and Division. I wanted to say thank you for amendment M50 and thank you for your support. I think it recognizes that this is a unique location that has the ability to have housing that's not necessarily wanted in other areas or is displacing existing housing and has the transportation north-south bus, east-west bus, freeway, the express bus coming from Gresham, and of course the light-rail station within about a block.

As you know, we're a family business. We plan on being a part of this community. We would -- our long term goal would like this to be a center for urban horticulture. But if

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not, we do think that housing would be a good use of the property. That's why I think that doing the R1 in place of the R2 where it was right by the light-rail station would be a real improvement.

If I was splitting hairs, I would perhaps like to see the mixed use come down to Clinton instead of creating the split zones, particularly on 2617 SE 92nd and 9103 SE Clinton, which are some large vacant lots. The mixed use would give us the ability to plan for the future for the nursery or for housing, and again -- but I want to thank you. The recommendations are a huge improvement for us as a business, and they really will help us. Thank you.

Hales: If we went further and the mixed use did extend down Clinton, where would the logical place for the retail portion of that mixed use be? On Clinton itself, or?

Denney: Well, with the express bus coming from Gresham, we don't know how that's going to affect our access off of Division. So, we would like to have the ability to reorient the store off 92nd if it would -- it might make more sense to do that. And so by having that capability, it would give us that flexibility for the future -- not knowing what's going to be happening.

Hales: Thank you, that helps.

Carol Finney: Hi, my name's Carol Finney. I'm another one of the owners of Portland Nursery. I'm here to talk about Commissioner Saltzman's amendment S8 regarding the property at 5050 SE Stark.

Currently, BPS is proposing continued split zoning of the property but they are moving the line back, thankfully, to include the existing building. Currently, only the parking lot that faces Stark Street is commercial. We ask, though, that the whole property be deemed commercial -- mixed use, excuse me. There is talk about allowing retail -- or returning to where retail operations are allowed on residential property, but we haven't had any confirmation of that. So, if we continue with split zoning on this property, if we want to improve our greenhouses, which are on the proposed residential property, we have to go through the whole conditional use process. Very expensive and onerous. And I want to mention those greenhouses were moved in the '60s from Sauvie Island. They're really old. We'd love to see something new and flashy, like some of our competition outside of Portland has. So, thank you for consideration of Commissioner Saltzman's amendment.

Hales: Thanks very much. Good evening.

Wendy Rahm: Good evening. I'm Wendy Rahm. I'm a member both of the American Institute of Architects historic resource committee and the Bosco-Milligan Foundation board, but I'm here speaking on my own behalf as a West End resident. I want to thank Commissioner Fritz for including an amendment P14, recognition of the West End as a distinct neighborhood with a distinct character that merits being called out. I also want to thank Wendy Chung, Restore Oregon's Peggy Moretti, the Coalition for Historic Resources and most especially Mayor Hales for crafting amendments that strengthen historic preservation in our city.

Preserving neighborhood character and old buildings is not a NIMBY issue. I may not be here, but I hope these buildings will be for the next generations. I recommend Council support all the preservation amendments. I would like to call out a few of my favorites. P20, the need to identify distinct neighborhood identities and to expand preservation and design review tools for them. The West End certainly needs both of those.

P28 and P38 on the value of already-identified historic resources, and the need to expand and update the historic resource inventory to identify buildings of merit that are over 50 years old for rehabilitation and use.

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P30, on historic and cultural resources. Thanks for the improved wording that is more specific in targeting use and rehabilitation rather than demolition.

P34, strengthened language to identify and protect resources for use and rehabilitation. However, I suggest the word “incent” instead of “encourage,” which is vague and lacks teeth in that P34.

P40 for noting that buildings both beautiful and ordinary play important roles in enhancing community identity and sense of place.

I would like to suggest two deletions in two amendments. P35 and P38. [beeping] I recommend deleting, quote, “within statutory limitations for owner consent” and, quote, “within statutory limitations.” They are unnecessary, since these limitations are encoded in state law. Being encoded in state law is probably sufficient for all parties.

I’d like to close by thanking you all for doing so much to improve the code to give some teeth to the policies that preserve history for future generations. Thank you.

Hales: Thanks very much. We’ll take note of that. I think there are a couple places in the plan where we reference state law but as we saw last session, state law can change.

Rahm: Yeah.

Hales: Thank you.

Novick: Ms. Rahm, I just have to note some of us refuse to believe that “incent” is really a word and consider it a made-up abomination. [laughter] That might be part of this.

Rahm: I don’t know, I bet the Oxford dictionary has it.

Hales: The Council has ruled on that question, but your point is well made.

Fritz: I also thought we had decided to call it “middle density housing,” not “middle housing.” That came back in again.

Hales: You know -- I think so.

Fritz: Just to be clear -- in case anyone else was wondering if we’re talking about hobbit houses, we’re talking about middle income -- middle density houses.

Hales: OK. Next people, please. Stan, why don’t you go first?

Sam Noble: Good evening, Commissioners. My name is Sam Noble. I own the home where I live near SE 62 and Stark Street on Mt. Tabor. I’m here to speak in support for amendments M28, M54 and S8. These amendments designates SE 60th and Belmont as mixed use neighborhood, extend the urban center designation up SE Belmont from 42nd to 49th Avenue, and designate the entirely Portland Nursery property as mixed use dispersed. I have no relationship with these properties other than the proximity of my house.

In a recent work session, Commissioner Fish commented on the need to convince people to drive less. Well, here’s one really good way -- give my neighborhood more commercial services and make sure we have the critical mass of people to support them without getting there by car. Near 62nd and Stark, there aren’t many commercially zoned properties. SE 60th and Belmont is close enough that I would be embarrassed not to walk, even in the rain.

I want higher zoning designation for two reasons. The first is that the more valuable the zoning, the more likely this giant empty commercial lot will actually be developed rather than languishing in favor of more lucrative investments. The second reason is that the houses near me are fairly far apart and there aren’t many multi-unit buildings. Density this low impedes support of non-auto dependent businesses.

You may hear from my neighborhood association that the safety of this intersection precludes a higher intensity development. What they really mean and will often express in person is it’s incredibly frustrating to be stuck behind a car turning left at this intersection. I don’t think the inconvenience of somebody who lives in an amenity-rich area should be prioritized over the evolution of my neighborhood. I do care about the safety of this

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intersection -- I cross Belmont here several times a week -- but I'm asking Council to use this opportunity to commit to adjusting the light timing in the short term and help see this property develop to its potential. I support the extension of the urban center designation on Belmont for the same reasons.

Hales: Thank you very much.

Doug Klotz: Hi, I'm Doug Klotz. The Portland neighbors for sustainable development would like to express our support for the comp update, which will move the city in the right direction. Here are some policy amendments we support.

P15, which supports Anti-Displacement PDX language to mitigate the effects of development on income disparity displacement and housing affordability.

P32. We support this amendment which will prohibit drive-thru in the central city, limit them in centers and corridors. This is a continuation of a 20-year city policy. It is needed to keep building a pedestrian, bike, and transit-friendly city and compact neighborhoods. Some have asked, who would oppose drive-thrus? The answer is anyone who wants to walk on the sidewalk or travel on the street on a bike without being impacted by all the extra auto traffic generated by the drive-thru. That includes the elderly who don't drive, the disabled who aren't able to drive, youth, and those who can't afford to drive. All these people need to safely navigate our city without the dangerous traffic from drive-thrus.

We support P45, the middle housing project, and would hope this Council would direct the committee working on it to take a broad approach to what can be changed and what is used in those zones.

Policies we oppose. We're very concerned about P44, 51, and 60. These seem to be part of an effort by the shopping center association to get approval for big box stores with acres of parking in every neighborhood of the city. We oppose these amendments unless they are modified to support other policy goals.

There's some mapping we support. M54 and M55, which extends the mixed use urban center on Belmont from 42nd to 49th and on Division from 44th to 51st. This extension will allow the D overlay, which allows a stepped-back fifth floor, which allows developers to use the incentives in the mixed use zone to provide affordable housing units. Without that fifth floor, there's no place to use it.

We oppose M74, the Eastmoreland down-zoning. We feel that staff carefully weighed the arguments and reached a fair decision on this. To reverse that sets a bad precedent.

In the area of lower Stark and Belmont, we oppose S20, S21, and S22, and also Novick number two. We feel the staff got it right on the first time on all of those properties. Thank you.

Hales: You're going to submit that in writing, I hope?

Klotz: Yes.

Hales: Thank you.

Jim Diamond: Mayor Hales, Commissioners, my name is Jim Diamond. I live on SW 2nd in the Collins View neighborhood. I'm the chair of the Collins View Neighborhood Association and I'm here to speak on behalf of the CVNA in opposition to amendment S16.

Collins View Neighborhood Association strongly opposes the inclusion of any of the Lewis and Clark properties at lower Boone's Ferry on SW Terwilliger Boulevard in the campus institutional zone. In this connection, the following are noted. The campus institutional was intended to those include properties within the college master plan and conditional use permit. These properties are not. In 2009, the case number cited in the text which you've received, the hearings officer denied Lewis and Clark College's request to add these properties within the master plan boundaries. The same reason that Collins View Neighborhood Association opposed this in 2009 exists today -- in fact, these

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problems are even worse. Lewis and Clark College did not raise this request during the planning process held by the Bureau of Planning and Sustainability on the Comprehensive Plan or the further review of the plan by the commission.

A Lewis and Clark College representative participated fully in the public advisory committee for the campus institutional zone within which the boundary was considered without raising an objection. To allow the change at this time would have the effect of bypassing the greatest part of the public process and the careful scrutiny given to the Comprehensive Plan. City Council should not allow itself to become party to bypassing careful consideration and public input for the plan.

You've received similar testimony opposing this inclusion from an earlier letter from CVNA, from members of our neighborhood association, and from the board of directors of SWNI. I've examined the testimony listed at the Bureau of Planning and Sustainability website devoted to the update. The document refers to testimony by Lewis and Clark College and CVNA. There is no such testimony by Lewis and Clark College within the indexed list of public testimony to City Council, and the supposed testimony by CVNA actually is our testimony supporting Parks and Recreation's RVNA master plan, which we were happy to support. We cannot support this. You can read the rest of my testimony in the letter. Thank you for your attention.

Hales: Thank you very much. Appreciate that. Thank you all.

Chris Chen: Chris Chen at 3616 SE Knapp Street. Good evening, Mayor Hales and Commissioners. I'm here today in opposition to amendments M74, M75 and B88 which propose to downzone portions of Eastmoreland where I live. As a taxpayer, I think it's problematic to take action like this for land so close to a newly built MAX line. As a Portlander, I think down-zoning in Eastmoreland will worsen the housing crisis and push additional demand to adjoining neighborhoods. As a property owner, I have a slightly more nuanced perspective which I'd like to share with you.

I own the property at 3616 SE Knapp Street, the former Eastmoreland grocery, which ceased operations in November 2012. In a recent Council work session, Mayor Hales reminisced about a deli in Eastmoreland. I believe he was referring to my property. He seemed disappointed at its closing. It sat vacant for two years before I purchased it. Over that time period, multiple prospective buyers came along but none were able to make a purchase pencil out. Unfortunately, the vacant building continued to deteriorate while waiting for a buyer. I personally spent \$270,000 and more in renovations and repairs to save the building and make it habitable. Additional investment is necessary to bring it up to code for mixed use.

My neighbors have been supportive of my eventual desire to open a breakfast cafe or coffee shop in the space, and thankfully, the Comprehensive Plan makes this possible by zoning my property for mixed use. But here for me lie the same obstacles that deterred those earlier prospective buyers: high property values in a low density environment. If Eastmoreland welcomes its share of Portland's expected growth over the next five years, I believe this will change.

The street in front of my property narrow, the right-of-way is only 50 feet. It's technically not feasible for most of my prospective customers to arrive via automobile, and I think this is fine. The business I want to own will primarily serve the neighborhood, but this kind of business only succeeds if people are willing and able to walk. This means living less than a mile away. These amendments M74, M75, and B88 are going to prevent the growth I believe needs to continue. Thank you for your time.

Micah Meskel: Thank you, Mayor Hales and Commissioners. My name is Micah Meskel and I'm the conservation field coordinator for Audubon Society of Portland. I'm testifying on

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behalf of our 18,000 members in the Portland area. Tonight, I'm only going to focus on one amendment, and our written comments will be much more extensive.

Portland Audubon Society strongly opposes amendment M33, which would convert 57 acres of valuable wildlife habitat at Broadmoor golf course in northeast Portland. It goes backwards on the original comp plan designations and previous City-led comp plan committees which extensively discussed future uses of Broadmoor. Throughout these processes, the City repeatedly assured that they would only consider converting frontage portions of the property along Columbia Boulevard to industrial use while committing to permanently protect the high value interior habitat.

Portland Audubon does not support conversion of open space to industrial land, though under the assurance that only the frontage of the property with remaining portion protected, we decided not to actively oppose this compromise. This amendment, M33, throws this compromise and discussions with the City to the wind and instead proposes to develop 57 acres -- a majority of the site -- away from Columbia Boulevard, fundamentally breaking faith with the extensive public process.

This 57-acre parcel Broadmoor is inaccessible from the current road grid, entirely ranked as high value habitat by the City. A majority of the site is currently covered with environmental overlay zone. It's surrounded on three sides by wetlands, including the Columbia Slough and Catkin Marsh, which the City has spent millions of dollars of public money restoring, and it provides habitat for 11 at-risk bird species as well as state-listed western painted turtle. This site should never be considered for conversion.

We're deeply troubled that they would consider converting an open space to industrial use, but conversion of 57 acres of high-quality habitat demonstrates a complete disregard for the value of wildlife, open space, community livability, and clean air and water. We urge the Council in the strongest possible terms to reject this amendment. Thank you. [applause] [cheers]

Hales: Good evening.

Dan Root: My name is Dan Root. Thank you for allowing me to speak. I'm speaking against the amendment N14 to the Comprehensive Plan that is requesting a zoning change to single property in the Sylvan Highlands neighborhood. The property is on SW Canyon Court and opens to 61st drive. The amendment has been put forth in such a fashion that it solely benefits the property owner. While I do not represent the Sylvan Highlands association, it is also publicly opposed by them.

The owner and his attorney have presented this proposal to the Planning Commission. The commission weighed the data and recommended it remain as a limited single dwelling to the absence of local services and poor transit access. Additionally, it was felt that any change should be put together in a broader context of the entire area, not in a piecemeal fashion. Unfortunately, this thoughtful process is being bypassed by this amendment when people equipped to truly understand the issues have concluded that it is not appropriate. The result becomes the absentee property owner's financial gain at the expense of those who live in the area and truly care about it.

While the discussion of increased density within the city is important, it does not clearly apply to all areas equally. In the case of this side, it is accessed by former logging roads that because of their beauty are frequented by pedestrians and cyclists. Additionally, they are commonly impassable in winter weather. Some have no sidewalks, such as 61st Drive, and there's no possibility of putting sidewalks anywhere on 61st Drive. The location is close to downtown by four miles, but it is not a core area, it's not easily accessible to public transportation, and nearly everyone who lives there uses cars to get in and out of the area. Biking is not a reasonable option unless you're a really good cyclist because it's

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an 800 foot climb to get down to the core downtown and 500 feet to get to the core of Beaverton. You have to be pretty good.

The property owner intends to build, quote, high end housing – condos -- and such dwellings are not only expensive but commonly bring more than one car, including SUVs, to deal with the roads. It's also immediately adjacent to an environmental overlay and the density for sake of such proximity to such areas puts them at risk.

Hales: Is this the property on the corner?

Root: Yes.

Hales: OK, thank you. Sum up quickly, please, because you used your time.

Root: This proposal is really counter to any idea of efficiency of proposing density. It will actually increase the cars on the road, increase pollution, and increase inefficient transportation. It also totally changes the character of a road which is pastoral in nature. Please support your City planners and vote against this amendment.

Hales: Thank you all. Thanks very much. Let's take the next group, please. I forgot to do the admonition, by the way. It's fine so far, but if you agree with someone's testimony, give them a wave of the hand rather than applause just 'cause one, we can see better who supports them, and two, it takes less time. If you oppose their testimony, give them a polite hand gesture to the negative, but no booing, either, please.

Shelly Baker Gard: My name is Shelly Baker Gard and I'm a resident on 1647 SE Sherrett and I'm opposing the Mayor's amendment M35.

My family has lived at this particular residence for over 30 years. During that time, I and many of the surrounding neighbors have become avid gardeners. Our particular property is designated a National Wildlife Federation backyard. The Brummel Enterprise proposal is going to ask for the ability to build, remove two rental homes which are occupied by long-term renters and build four-story structures right next to our house and across the street. This would eliminate light for me and my garden in all of the neighbors in the area. It's simply not necessary, because Brummel Enterprises already has three vacant lots on the 17th street corridor that they can develop. This provides plenty of accommodation for urban scale development as proposed by the existing Comprehensive Plan.

In addition, I want to cite real quickly some of the policies that would be opposing this amendment. The policy 4.11, access to light and air; policy 4.12, privacy and solar access; policy 4.18 and 5.38 -- there's the same, compact single family options; equitable access to housing, goal 5.b; policy 5.14, gentrification and displacement of renters, housing diversity, and growing food. We all are gardeners growing food and providing habitat for wildlife.

Hales: Thank you very much. Thank you. Good evening.

Stanford Warnock: Good evening. My name is Stan Warnock and I'm here in support of amendment b21. I did send comments through the map app, but I wasn't sure if I did it right so I wanted to come in person.

In 1978, my wife and I built a 10-unit apartment at 1602 through 1620 NE 84th Avenue on lots 19 through 26, block three. Amendment b21 affects those lots. In 1994, when the property to the east of ours was being developed, we bought one additional -foot lot. It was lot 18. I'm asking that lot 18 be added to the amendment so that all our property would be the same plan map designation. I contacted Nan Stark in the City Planning department and she thought that adding lot 18 was a good idea. Thank you very much for your consideration.

Hales: So, the balance of your property is proposed to be zoned R1?

Warnock: No. It was developed basically at an R2 zoning. That's what amendment b21 would designate it. Currently, it's R2.5. The lots 19 through 26 and lot 18 are all zoned

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R2.5 and the amendment b21 changes that to R2. It would just leave our one 25 foot lot in limbo. She thought that was a good idea to clean it up.

Hales: Alright, thank you. That makes sense. Good evening.

Gene Lynard: Good evening, Mr. Mayor, Commissioners. My name is Gene Lynard, I live on Brugger Street in Southwest Portland in the Collins View neighborhood. Been a Collins View resident for 26 years and a Collins View board member for the last 23 years. I'm here tonight to speak in the opposition to S16. It's the amendment to rezone the Lewis and Clark owned properties at Boone's Ferry and Terwilliger to campus institutional.

The amendment came at us recently out of left field. The campus institutional zone was intended to include those properties within the college's master plan and the conditional use permit. Those five properties identified in amendment S16 are not now included in the college's master plan, as Jim Diamond recently said. Also, Lewis and Clark College did not raise the request during the Bureau of Planning and Sustainability work on the Comprehensive Plan or further review of the plan by the Planning and Sustainability through the commission.

Collins View Neighborhood Association, SWNI as the coalition of neighborhoods in Southwest Portland -- there's 16 in the coalition -- Bureau of Planning and Sustainability, and the Planning and Sustainability Commission are all opposed to this amendment, and we hope the majority of the Portland City Council is also. Thank you. I'm going to yield back.

Hales: Thank you. Thank you all very much.

Jack Hopkins: My name is Jack Hopkins. I've lived in Portland, Oregon for a little over 71 years. I own three pieces of property in the close-in eastside Buckman neighborhood association. I think the committee -- or commission, I'm not sure of the right nomenclature there -- did a great job. Not only did it please me in two out of three of the properties that I have, but almost everybody we talked to that's a landowner or business operator is very pleased with this product coming from real government because sometimes we don't trust real government to do what's right for real people.

My tenant at 1808 SE Belmont is a nonprofit organization named Metropolitan Family Services. I bought this property as an investment because I knew the woman who was the previous CEO. I've come to like and respect the woman who's the CEO of the organization now. And not being quite as savvy as some real estate people, when I got the draft in October of this new plan, I thought that meant that's what was going to happen. And I told her that I spent a considerable amount of money on what should be tenant improvements -- that I'd pay for them to help them along and also make the building more universal should they outgrow it and leave. So, I think the zoning that they have -- I want to say that I'm against S20. Thank you.

Arlene Williams: Good evening. My name is Arlene Williams. I live at 5401 SE Henry Street. I am here to support the amendment to the amendment B110 in the April 11th memorandum. I have the support of the Woodstock Neighborhood Association and the majority of my neighbors from the affected lots. And I have detailed written testimony. I thank the Council for your support and hopefully your affirmative votes on B110.

This block of SE Henry Street is already a mixed zone with existing high density. We have affordable housing and diversity, but the street does not meet fire code. The public safety issue on this dead end street is very important to me. Many years ago, I fought fire, both wildfire and structure fires. That is why I know the fire code is so important for a long, crowded dead end street like the one I live on. On any dead end street with only one way out, the public safety risk increases with density. When it is a substandard street like mine with no turn-around, that risk is amplified even more. Thank you for paying attention to this issue and to adjusting the plan to change the zoning designation to R5.

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Looking forward, I urge City leaders to see wildfire becoming just as important as flood in adapting the city of Portland to climate change. Last summer's drought is an example of what could become the norm. For the sake of residents and fire service personnel, please ensure that the fire code is always a fundamental factor in planning and zoning decisions. Thank you very much.

Fish: Can I just give a PSA? We actually didn't have a drought last summer, but we did use the Columbia well water a little sooner to blend it in just as a hedge. But we are an anomaly in Oregon because we have the two largest water supplies in the state.

Hales: Thank you very much. Good evening.

Alyson Berman: Hi, good evening. My name is Aly Berman, I live in Northwest Portland. I'm here because I was disappointed to hear that Council members put forward amendment M33 to convert 57 acres of wildlife habitat at Broadmoor golf course -- currently designated as open space -- into industrial lands. Our open space is critical to the health of wildlife and to the health of our communities and is meant to protect fragile environmental areas, provide outdoor recreation, and help with water quality among other benefits. Broadmoor has dozens of large, healthy trees and more than a mile of riparian habitat used by birds, reptiles, and mammals, and some like the western painted turtle are listed on Oregon's sensitive species list.

The Bureau of Planning and Sustainability staff confirmed that this conversion would add to a surplus of industrial lands that now exist in the proposed Comprehensive Plan. I see no reason why we should turn this habitat into industrial lands when we already have more than we need. This land is noted as high value on the regional natural resources inventory. I ask the Council not to change the zoning on Broadmoor and to make a new commitment to protecting Portland's open space, starting with Broadmoor. Thank you.

Hales: Thank you all. Good evening.

Gary Ploski: Good evening. My name is Gary Ploski and I live in Northwest Portland. I'm here to ask you not to convert the 57 acres of valuable wildlife habitat at Broadmoor golf course into industrial lands.

Broadmoor borders the Columbia Slough, Catkin Marsh wetlands, and Port of Portland environmental mitigation site, which is why it was designated an open space and environmental overlay. Green herons, wood ducks, brush rabbits, plenty of neo-tropical migrants like the western tanager and the western painted turtle, a species on Oregon's sensitive species list, all can be found there. Not only is it important for wildlife but it's important for Portland to protect our precious green space for our communities. Please, vote no on amendment M33 to convert Broadmoor to industrial lands. Thank you.

Hales: Thank you all. Good evening.

Anton Vetterlein: Hello. My name's Anton Vetterlein. I'm the Homestead neighborhood land use chair speaking on their behalf. Homestead is opposed to amendment M20 which is also similar to S63 and N9, which would extend mixed use zoning west on Gibbs Street and would change the land use designation from mixed use dispersed to mixed use neighborhood.

We're not opposed to redevelopment in this area and in fact would like to see more housing in neighborhoods serving businesses in the six block area closest to OHSU. During the southwest community plan process, we sought and received an increase in zoning of that area, but there's not been a single redevelopment project in that area since it was rezoned 15 years ago. There's still plenty of redevelopment potential in the existing commercially zoned area and it's not necessary to expand it.

As you'll notice from this proposed amendment on the map in front of you, the amendment that expands mixed use area seems to favor a single property owner by

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gerrymandering the zone into the residential area. If it was truly a well thought-out proposal, you probably would have looked at doing it on both sides of Gibbs Street or running it along 11th Avenue as well. We're not asking for that, we're asking you to keep the Planning Commission approved map for this area.

The other part of amendment M20 that was oppose is to change the land use designation from mixed use dispersed to mixed use neighborhood. We believe that the mixed use dispersed better fits our desire for small neighborhoods serving businesses. Given the intensity of development at OHSU and the VA hospital and the problems with accessing the hill, we don't want business that will attract more vehicle trips up the hill up to Marquam Hill. It's also very important to note that we do not want any zoning that allows commercial parking on Marquam Hill. The parking environment on the hill has been deliberately limited by City policy in order to limit vehicle trips on the constrained streets accessing the hill. That would be the Marquam Hill plan, the parking meter district, and area parking permit program. Thank you.

Hales: Been involved in this for a while, just help me refresh my memory. The theory all along -- and I'm looking at the map -- in the existing plan was that the area of CM in the old plan was where the commercial development that supports local commerce was supposed to happen.

Vetterlein: Yes.

Hales: In some cases it already exists.

Vetterlein: A little bit.

Hales: Yeah. So, are you saying that's not fully developed?

Vetterlein: I mean, there's a few businesses there, but nothing new has gone in other than just rotating businesses through existing storefronts.

Hales: And that's proposed now as mixed use neighborhood?

Vetterlein: Well, it's the CS and the CM right now.

Hales: But I mean in the new plan, it would be mixed use neighborhood?

Vetterlein: Well, the new plan, the Planning Commission says mixed use dispersed. I think your amendment proposes mixed use neighborhood, but we prefer dispersed.

Hales: OK. A, thank you. Thanks very much. Good evening.

Ryan Goosmann: My name is Ryan Goosmann, I'm with 6920 6912 SE 52nd Avenue tavern called Area 52. The location there -- my business partner perished on me right as we were in the process of taking the property and making it a commercial -- what was it. was it -- oh, an incorporation. She was sole proprietor. Anyway, long story short she perished on us. We didn't have the documentation finished with our accountants and all that stuff and they changed the grandfather laws. I was involved in the property in 2010 and she died in 2013, but they changed the grandfather clause to put some compliant thing that says that we can't stay open until past 11:00.

And I got to pray to you guys, you gotta understand, 90 percent of our business is between 10:00 and 2:30 in the morning. And we have done everything in our power -- went to Darlington Brentwood association to have those guys help us out on this situation. We shared with them who we were and what we're doing with the property. I wanted to build a beer garden, OK, beautiful -- I went into the building slowly developing the whole property into something instead of such an eyesore as money dictated. But working on this, we could not even put a fence outside of this because it's a noncompliant property. So that's why we're begging and pleading for a commercial right to be able to just make it a tavern. This tavern has been a tavern for 50 years and it is a local staple for a lot of people around there that rely on us for food, breakfast, lunch, and dinner. And literally -- we know we want to take care of our neighbors. We want to be there another 50 years. And the legacy that Joe and Nancy had -- I mean, they were like parents to me. I just grew up in the

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neighborhood. You know what I mean? I'm begging you guys, please help me stay open until 2:30. If you could do something to help me do that, I greatly appreciate it. That's all I have.

Hales: Thank you. What's the address?

Goosmann: 6920 SE 52nd Avenue and 6912. Thank you very much.

Hales: Thank you very much. Thank you all.

Bob Bernstein: Good evening. I'm still Bob Bernstein. We've met before. I wanted to talk about -- I oppose M33 strongly -- pardon me?

*****: [inaudible]

Bernstein: M33. Broadmoor. Partly on grounds of integrity. Over and over, the Comprehensive Plan and the Portland Plan waxes eloquent about protecting the environment and doesn't. And individual members or whole groups do things to undercut the environment. I'm all for jobs. I want people to have integrity. If they put words in print, I want those damn words to mean something. I don't want them empty promises with no agency backing them up. So I'm concerned about BPS, you know. They made their statement earlier and really there was no mention of maintaining any existing habitat. Nothing about that at all. I think either BES needs to be involved when you're looking at large parcels like this, or there needs to be some agency backing your word. Otherwise, it's easy to do an end run-around them. It's sickening, basically.

You have significant wildlife habitat. You have critters on the state sensitive animals list -- or species list. And I'm all for jobs, but the earth doesn't owe anybody a living by its destruction. OK? When you talk about the term balancing -- and I've heard the term balancing used for this proposal -- I had a teeter-totter in my neighborhood park. I know what balancing is. It goes like this and like this. It goes both ways. It isn't just the environment gives and other people take. Because I know how that works. Oh, we'll play the jobs card, now the environment is this big. Oh, we'll play the jobs card again! Now the environment is this big. We'll play it one more time. Eventually, there's nothing there. Just like the words on paper. That's all.

Hales: Thank you very much. Good evening.

Ruth Harper: Hello, my name is Ruth Harper. I live at 3427 N Gantenbein. I'm here today to testify strongly against amend M42. I know that several of my neighbors will be following me, speaking very eloquently, giving you lots of good facts, so I'm going to share with you a perspective that maybe you haven't yet heard from or considered, and that is of a young mom in the neighborhood. And I know this is a long-term plan, so I'm not speaking today on behalf of me because my kid's going to grow up quickly, but in terms of the long-term, here's my point. This block, this particular parcel -- although it may be tempting on Portland Maps to envision it as commercial is actually a perfect spot for high-density residential. And right now, most of the properties are already zoned R1 and the neighbors embrace that, expect that, and want that, and we know what that means and here's why I think it's particularly valuable for families as R1. It's one block from the school, which in 2017 is going to be elementary. And I chase my kid down Fremont on his bike to go to the playground. The neighbor kids and my son play on the sidewalk out front. This block is also kind of a weird block in that it's really deep and there's no alley. So, R1 development where you could have multiple houses built kind of creatively on some of the lots that are empty there right now would actually be a perfect setup for young families, modest houses, lots of space for the kids to play. In contrast, I think the commercial just isn't needed. It's a residential pocket between two massive commercial corridors that are still developing. There's already 50,000 square feet of commercial going in. We need residential. Thanks so much.

Hales: Good evening.

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Dave Johnston: Good evening and thank you for hearing us. I'm Dave Johnston, I live at 0550 SW Palatine Hill Road in Portland. I'll also be the land use chair of the Collins View neighborhood and served for the full two years on the advisory committee for the campus institutional zone. You should be receiving Dixie's and my letter of the 14th with the letters from the neighborhood association and the Southwest Neighborhoods, Incorporated attached. I'm here to talk about amendment S16 which proposes to include properties at lower Boones Ferry and Terwilliger within the campus institutional zones. And I note that we have previously testified on the Comprehensive Plan before those amendments were published, urging adoption of the plan with respect to Collins View as the Planning Commission had approved it and Bureau of Planning and Sustainability had submitted it.

So, we still urge that approval, but without amendment S16. And we commend the commission and the bureau for their thorough work vetting the map and the aspects of it. We note that in the list published March 18th, the bureau's recommendation for that amendment is no change from the submitted map. And they also say these properties are not within the master plan boundary. I note, too, that the land is also environmentally sensitive and within the southwest hills resources protection area 120 and next to 123. It's also on the list of federal wetlands and is an important spawning and habitat stream for salmon. So, thank you, and we hope the amendment is not approved.

Hales: Thank you very much Dave. Thank you all. Dixie, why don't you go ahead while they're getting settled. Just push the button there.

Dixie Johnston: Dixie Johnston, co-land use chair of Collins View Neighborhood Association. And we consider ourselves one person. I hope you'll get a little bit of humor from my testimony. I'm talking about S16. And we do support the Bureau of Planning in their recommendations for this site. They have not made this decision lightly.

We have worked closely with different City bureaus concerning this site for more than 20 years now and we know that they would love to have more intense development there. Unfortunately, those darn hills and the steep slopes and the landslides, the trees falling on houses and on people -- it just doesn't work. And with this being a very sensitive environmental area, we would like very much for all of you to support our planners. We have worked with many different City agencies over the years, we've worked with Metro, a number of different environmental groups. We've had a lot of help from Audubon and so on. This sensitive area -- there are overlays and rules not just from the City and from Metro but also state and federal. So, it is not an easy area for development. The transportation and the environmental issues are rather severe. So, thank you very much.

Hales: Thank you. Good evening.

Michelle Guitteau: Good evening, thank you. My name is Michelle Guitteau, I'm an Eastmoreland resident and I'm here in support of amendment M74, which is proposed to change the Eastmoreland plan from a single dwelling 5000 to a single dwelling 7000 designation.

I just want to say that, first of all, it's my understanding that the vast majority of homes in the Eastmoreland neighborhood already best fit in an R7 designation. It's my opinion that the R7 designation would better preserve the relaxed and open character of the neighborhood as well as the values of the home rather than changing it to an R5 designation.

Also, this neighborhood houses mostly families, and as a mother and someone who also works in healthcare, I feel like changing the designation would potentially allow for decreased safety of the neighborhood and reduce the opportunity for children to play in this neighborhood which I think could greatly affect the health of those children as they move into adulthood as well.

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I also just want to say that it seems that the bus lines and the orange line transit are already at max capacity at key travel times for people coming from our neighborhood, and so I'm not sure that increasing the density of our neighborhood would be supported currently by public transportation.

Hales: Thank you very much. Thank you both.

Ken Diener: Hello, my name is Ken Diener. I'm speaking on five amendments. Strongly opposed to number five, the middle density housing concept, as written and supporting amendment S21, S22, and S20. The four pages that I handed to you relate to those four concepts in order.

My page one specifically talks about middle density housing, number five. This middle density housing number five specifically in concept is OK, it sounds all good, the words they're using are nice and appropriate for Portland's concept, but as it applies to this map, this map is essentially similar to the Lewis and Clark thing that we've heard -- basically unappealable issue and this map was never submitted into the map app. None of these hundreds of lots -- it's a bait and switch by the Planning Bureau. None of these lots were ever noticed.

We've been notified of a letter, Mayor, on April 11th that you just wrote about a new planning concept overlay or plan district discussion. That looks good. It's only a paragraph long, but that is in the right spirit of things. But it has no point and no place in the comp plan because it has not been discussed, there's been no testimony and none of this should move forward. As I say, these hundreds of lots that the Planning Bureau put into number five as a map has no place in this process at all.

Amendment -- as I said, the words you use, it's an incentive to demolition. The new teardowns would be less green and less sustainable. It's in violation of the anti-displacement policies and it's also in violation of all historic designation and historic comp plan goals.

S21 on page two -- [beeping] -- if you look at that, there's only 25 units in compliance with the proposed change. A hundred and twenty-five units is not compliant with the proposed change --

Hales: So, you've used your time, but let me ask you to continue to put some stuff in the record about this issue. Because what I've been trying to do in these amendments with respect to places like Buckman and Eastmoreland and Euclid Heights and other places where we've got -- it's not always single family density, but no matter what it's great old buildings. So, the question is, how do we eliminate a zoning incentive for demolition of the buildings? And it's different in your neighborhood than it is in Eastmoreland or Euclid Heights because of the character of the built environment. So, we're not sure we got this right yet, we're trying to get to that place -- or that result, I should say -- in neighborhoods that have pretty different densities and forms. But the goal is the same, which is you've got photos of what we're trying to preserve. You know, don't tear down that. You might need to take that and make it into three units instead of a big house, but don't tear it down. So, that's the goal that we're trying to reach. The zoning tool is not a perfectly-tuned device to get to that goal, so please keep it coming.

Diener: And so, S21, S22 and S20 have it right. Remove those from the plan.

Hales: Yeah, OK. Good. Thank you. Thank you very much. David, welcome.

David Sweet: Mr. Mayor, Commissioners, my name is David Sweet, I'm land use transportation chair for the Cully Association of Neighbors, and we have a dilemma in culled. On the one hand, we really welcome the new parks, the improvements to our transportation infrastructure, the enhancements to our commercial areas. They improve our quality of life. On the other hand, we recognize that these improvements are making our neighborhood more attractive to developers, investors, and home buyers, driving up

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prices and exacerbating displacement. These concerns are reflected in our brand-new inclusive Cully policy, which is adopted unanimously by our neighborhood association this week, and we're so proud of it that I handed out copies of it.

When our neighborhood first commented on the draft comp plan in 2014, we called for policies to anticipate and mitigate displacement that follows public and private investments. We are pleased to see those policies in the recommended draft and we are happy to join with Anti-Displacement PDX in support of the P15 amendments. We look forward to seeing these policies realized with specific strategies enacted into the City Code.

In our 2014 comp plan comments, we also proposed to prevent displacement by allowing the development of more, smaller homes in single dwelling zones to provide market-based affordable housing. We're therefore quite pleased to support amendment P45 to allow the development of missing middle housing and single family zones. Unhappily, we're already seeing \$700,000 and \$800,000 new infill houses in Cully. Allowing more units on expensive single dwelling lots can help us to retain the rich diversity that we value. This policy would be even more effective if it were expanded beyond centers to include corridors and frequent service transit units. Thank you.

Hales: Thank you. Good evening. Welcome.

Laura Young: Good evening. My name is Laura Young and I am the district manager of the Cully Boulevard Alliance and the chair of Cully Association of Neighbors. I'm going to just hit the highlights of my written testimony that I've provided already.

I wish to express the Cully community's great appreciation for Mayor Hales' proposed Comprehensive Plan amendment number M44 to change the zoning of the multiple tax lots on the eastside of 57th Avenue from multidwelling 2000 R2 to mixed use neighborhood. This zone change will allow greater flexibility and opportunity in partnering between the Cully NPI, community-serving organizations, and potential developers for the greater development of the community now and in the future.

Additionally, I would like to express our thanks for amendment B121 which will amend the current single family R5 zoning to multi-family R2 on NE 67th Avenue between Prescott and Going Street. The current single family 5000-square-foot lot size does not reflect the vision of the Cully Boulevard and local street improvement plan adopted by the Council in 2012, nor does the zoning provide adequate buffering between the neighborhood and the commercial zoning of the adjacent properties on Cully Boulevard.

My final request for Council support reflects one of the most urgent needs in our community, and as such, I wish to express our community's most sincere thanks to Commissioner Novick for proposing amendment TSPID40037 to the Cully Boulevard safety improvement phase two to the near timeframe of one to 10 years. I would like to acknowledge Commissioner Novick for taking immediate action to address the known pedestrian safety hazards on Cully Boulevard and Mason Street after the tragic loss of our community member on March 19th. I will also note two other community members were also struck and seriously injured while attempting to cross Cully Boulevard at Mason Street in the last year, and the community fears for its safety here now more than ever. So on behalf of the Cully NPI and the Cully Association of Neighbors, I request and urge this Council to adopt these Comprehensive Plan amendments M44, B121, and TSPID40037. Thank you.

Hales: Thanks very much. Thank you all.

Stephen Huckins: Hi, my name is Stephen Huckins, I'm a resident of Portland and the Eastmoreland neighborhood. I have four points that I'd like to make. Not used to doing this, so.

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My wife and I attended the February meeting of the Eastmoreland Neighborhood Association. At that meeting, we learned that the City was proposing to zone the northeast corner of Eastmoreland to R2.5 -- this is where we live. This was a surprise to the Eastmoreland Neighborhood Association and had not been discussed with the association. It was kind of like a tag -- on to the Woodstock plan, but not associated with Eastmoreland.

The Eastmoreland Neighborhood Association voted unanimously in opposition to this change in zoning. The zoning would include our property, like I say, and it doesn't include a commercial area and the traffic is already pretty good going down that road. So, we do not support the rezoning of R2.5 on the northeast corner of Eastmoreland.

Point two. We've lived in Eastmoreland now for 25 years. We wanted to move there because it was nice, it was stable, it was well-maintained, and it's close to downtown where we thought we would have most of our jobs. Eastmoreland is made up of big and small houses that are generally well-maintained. It's been very nice up until the last short while in which demolition in our neighborhood is occurring more and more frequently. In many cases, above 36th where we live, small affordable homes are being demolished and being replaced with expensive homes. We are in support of amendment M74 that zones Eastmoreland neighborhood R7. We think that less will change the nature of the neighborhood where you have a huge house built next to a small house. And it doesn't fit. [beeping] Point three --

Hales: Try to wrap up quickly on three.

Huckins: OK. We want the City to strengthen the position of the neighborhoods controlling home demolition, construction, reconstruction, and zoning changes.

Point four, we want the City to apply all new taxes generated from infill projects to improve transportation flow throughout the city -- kind of got that idea from Ted Wheeler. He wants to put it towards homelessness but I think it should go for traffic.

Hales: OK, thank you. Can you submit that in writing?

Huckins: I have submitted it in an e-mail to all of you and to the CPU testimony.

Hales: OK. And your property is on 36th itself?

Huckins: 3715 SE Martin.

Hales: OK, thank you. Thank you very much. Good evening.

Peter Teneau: Peter Teneau, North Portland. I'm testifying in opposition to M33. Thank you.

I see Broadmoor property as a jewel in one of Portland's crowning achievements, the Columbia Slough restoration. It was an honor to serve earlier on the Columbia Slough Watershed Council. The council remains a body where diverse interests -- environmental, industrial, the City, BES, federal, state agencies, and the public with citizen representatives -- focus on wetland issues. The goal was originally to see what could be done about what was once a fetid discharge ditch of slaughterhouse offal. The goal was to clean up this forgotten sewer and then restore, enhance, and preserve it as a natural asset.

Over 20 years, the committee doggedly hammered out plans to achieve the goal. Many creative solutions ensued with the involvement of neighborhoods and endless amounts of volunteer effort. We literally adopted the hidden strips of water extending 13 miles from Kelley Point to Fairview Lake. There were great cooperative restoration and maintenance efforts, educational programs, kayaking and canoe excursions organized all in an effort to bring the slough out of its slump and into Portland's consciousness while honoring the environment and its wildlife. As a consequence, the project to date was a huge success for all to see and enjoy, but it is not finished.

No, no, do not discharge the zoning of the remaining 57 acres of Broadmoor. Enough of it has already been industrial zoned. Do not sell out to what was forward-thinking and wise. Preserve open space and designation for Broadmoor. Why? One,

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because Broadmoor sits on the very heart of the Columbia Slough complex. Two, its very size greatly counterbalances the meager fragmentary protection so often limited to a narrow stream's site strip. Three, Broadmoor is an integral part of the slough at a point most accessible to the public for recreation, education, enjoyment. Four, Broadmoor already has street cover and wildlife to be easily converted to natural habitat. And five, the property includes wetlands which if converted to industrial would have to be mitigated offsite -- how crazy is that? It is already mitigated where it is, the perfect place.

Hales: Thank you, Peter. Thank you very much. [Applause] Impressive you got that in. Go ahead, please..

Tim Kieltyka: Evening. I'm a resident -- Tim Kieltyka, resident of 1633 SE Sherrett. I'm here to offer my testimony against amendment M35. I will touch on some high points others have not.

One, the livability, the open air, the access could be compromised if this amendment goes through. It wants to build bigger type housing into the neighborhood already. We have a four story retirement building on the corner of that street, as you many know, so we already have some building there as it is now. The narrow streets couldn't do with a lot more traffic right now. Crossing 17th at 7:00 in the morning is already tough.

I'll also point out as far as I see in the Comprehensive Plan, the encroachment into the neighborhoods is the most of any of the areas, including even up in Bybee. So it seems a little excessive to encroach into the neighborhoods on the east and west side of 17th there. There's many vacant lots on 17th right now ready for development, and I'd also point out there's a lot of vacant storefronts waiting for businesses. So, an increase in density -- I'm not sure where the businesses are going to come from at that point there.

We also have several large apartment buildings being built in the area near this proposal. I think that already adds to a lot of density. There may not be commercial with it, but I think there's going to be a lot of people in the area. And I think that's it. I'll go under.

Hales: Thank you, I appreciate it. Thank you all. Welcome.

Bruce Campbell: Hi, my name is Bruce Campbell and thank you for having me tonight. I'm speaking in opposition to amendment M33, which turns the Broadmoor golf course from open spaces into an industrial sanctuary.

In 1729, Jonathan Swift wrote A Modest Proposal to satirically suggest that impoverished Irish mothers sell their children as food to the rich. This was Swift's method of lambasting 18th Century supply-side economics. In the spirit of Jonathan Swift, I'd like to suggest my own immodest proposal for amendment M33 proposed by Mayor Hales and Commissioners Novick and Saltzman.

This back door sneaker amendment enables the owners of the Broadmoor golf course to sell off their property to private interests which converts a wildlife sanctuary into an industrial sanctuary. I propose, immodestly, that this sneaker amendment is too timid. It lacks the visionary "no guts, no glory" of corporate overkill. It needs a stronger, pro-business backbone -- one that will inspire Portland's creative class to stand tall in defense of our corporate citizens. The rich -- the hard-working rich -- deserve a break, and so let's unleash the Kraken of capitalism and turn the green spaces of today into the shopping malls of tomorrow before the river otters, the kingfishers, and the western painted turtles overrun the forces of free enterprise.

Let's also sell off all of the Broadmoor golf course. Why settle for a mere 57 acres? Let's turn every golfing green into a free enterprise zone. [beeping] The homeless are a huge problem in Portland. The homeless can be put in shipping containers and employed in humane, minimum wage sweat shops that churn out American-made running shoes and smart phones --

Hales: OK, can I get you to --

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Kieltyka: While we're at it, let's also frack the slough and we can also hire Nestle to bottle the water.

Hales: Thank you very much.

Kieltyka: Last comment is that, in all seriousness, I wish you would walk the slough of the Broadmoor golf course and find it in your hearts not to put all that beauty on the chopping block. Thank you for the time. Appreciate it.

Hales: Good evening.

Jay Hoover: Good evening. My name is Jay Hoover and I am on NE 9th and represent a group of citizens from 8th and 9th who are opposed or have real concerns about ID40116, which is a bikeway in the neighborhood and the placement is currently on 7th. The idea is to provide a greenway for bicycles to get from the northeast to parts south. And bike routes are important, everyone supports them, but creating a safe bike route is not the driving energy that was behind this cause. Instead, this is a traffic problem in search of a project.

There's inadequate funding, as we know, to maintain streets or calm traffic, and so the only way to get help on transportation issues is to glom on to a project, and in this case, the bike part allows high budgeting if anybody opposes it. Ironically, there's a lot to agree upon among our neighbors. A lot of us commute, so a safe route is important by bike. Traffic on 7th goes too fast and the volume of traffic should be discouraged by slowing it down. There needs to be a way for children to cross 7th safely. The roundabouts on 7th should be case studies in failed traffic engineering. So, these are things that we agree upon but these are solvable traffic problems, and the residents of 7th Avenue have looked to the government for solutions, but it making 7th Avenue safe or calming traffic isn't a project. It have a ring to it. In fact, the staff to coordinate calming efforts doesn't even exist. So, the northeast greenway project was adopted as a cause when they realized this was a way to get relief for their traffic problems.

Now, why would I oppose this? Blocking traffic on 7th Avenue with diverters instead of calming will divert thousands of cars into even narrower neighborhood streets. To meet the greenway design goal of 1000 cars a day means at least 4,000 cars get spilled out into the neighborhood. So, I acknowledge the 7th Avenue people have organized. They're ahead of our group. But as more people know about it, you'll be hearing more directly.

Hales: Thank you very much. Good evening.

Jean Blaske: Hi, my name is Jean Blaske, I live at 13120 NE Shaver Street and I'm here to oppose the rezoning of apartment buildings instead of single home dwellings in my neighborhood. I've never done this before, so I apologize if I quiver here.

I bought my house 15 years ago, Rossi Farms is my backyard. It's going to be where Beach Park is. But the zoning that they want to change is the part of Rossi Farms that faces 122nd and Shaver. And they want to put 1400 apartments in that area instead of keeping it single family dwellings.

I bought my house in my neighborhood because it was like a Leave it to Beaver neighborhood. It's a place where all my neighbors are original owners. It's a place where people stay 'til they die because it's such a wonderful neighborhood. Fourteen-hundred apartments means 1400 transient people who are not making it a permanent home and a permanent residence. We have a brand-new high school that is top of the line technology. We have a middle school and a grammar school, and it's a perfect neighborhood to have single family dwellings, have their children grow up in. They're putting in a \$16 million park which means it's a place where people want to have homes, not apartment buildings. And the crime from the apartments that are already on Sandy Boulevard are creating havoc in our already now with car break-ins and home break-ins. So, I really hope you think about not changing it to apartments and keeping it R2. Thank you.

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Hales: Thank you all. Rod, go ahead while others are getting settled, please. Push the button on the base.

Rod Merrick: My name is Rod Merrick, and I'm here to support M74, among other amendments that are being proposed. I'd like to highlight some of the comp plan goals that I think underline our issues, and one is that one size does not fit all and our zoning code is weak in this area. Another is to support distinctive neighbors, which relates to one size does not fit all. The third is to support preservation of historic resources.

The Eastmoreland neighborhood deeply appreciates the Mayor's and other Commissioners' support for measures that support these goals, including M74. In terms of historic preservation, your support for P34 through P40 inclusive is very important. These will strengthen the City's commitment to looking at historic resources and working to preserve them.

I'm here to reiterate our neighborhood's support for M74, M75, and B88 -- all measures that apply zoning that is consistent with the Comprehensive Plan and consistent with the zoning code standards. Our land use code sets standards for minimum densities, and these are further qualified by minimum lot sizes in certain circumstances. BPS misinterpreted their own standards in vacillating in their support for the Eastmoreland neighborhood's request for correcting this misjudgment. And I want to thank you for your time.

Hales: Thank you very much. Good evening.

Stephanie Taylor: Good evening, Mayor Hales and Commissioners. My name is Stephanie Taylor, and I am a community organizer and a wildlife advocate. I'm here to strongly oppose amendment M33, which would add an industrial sanctuary designation to 57 acres of high-value wildlife habitat and green space access at Broadmoor golf course.

As you know, Portland is in a huge transition with a drastic population increase. We are experiencing ongoing issues of green spaces that are valued by Portlanders being destroyed for industry and condos. A heavily recreational use park four blocks away from my residence located at SE Stark and 12th was cleared overnight and all the huge, shade-providing trees were logged.

There are significantly fewer green spaces in North Portland, especially in the industrial area. Residents in North Portland are already inundated by industry pollution, expansion, and gentrification. With the increasing population and industry, it should be Portland's ethical priority to keep the existing green spaces intact for the health of our residents.

Also important are the homes these spaces provide to its wildlife residents. This site includes more than 6000 feet of riparian habitat. Not only would this amendment fragment this site, but it would destroy the habitat for 11 at-risk bird species as well as state listed sensitive western painted turtles -- and I mean, who doesn't like turtles? The site is also full of dozens of very large beautiful trees and hundreds of smaller tree that would be eliminated by development.

Portland has a commitment to uphold its green reputation, which is one of the fundamental principles that attracts so many people to visit and relocate to Portland. But more than that, Portland City Commissioners have a commitment to the health and wellbeing of all of its residents, wildlife, and people.

It was mentioned earlier that part of the strategy of the Comprehensive Plan was to protect the environment and habitat. Adding industrial sanctuary goes against that strategy and is frankly unnecessary. On behalf of the residents who want to keep Portland green. please oppose amendment M33. Thank you.

Hales: Thank you. Good evening.

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Mark Whitlow: Good evening, Mr. Mayor, Commissioners. Good to be before you. My name is Mark Whitlow, I'm with the Perkins Coie law firm. I'm here on behalf of the retail task force and ICSC. I'm the first of four to testify, so the gentlemen behind me will all address some of the same policies.

We have four policies -- or I do -- to address covering three issues. I've handed you a stack of paper that is illustrative of the first of the issues, the food desert problem. I've given you fresh copies of all the newspaper articles that talk about why we don't have enough grocery stores in Portland, particularly in the underserved areas of the southeast, a very large area.

Two things resonate as a problem. People aren't eating healthy food. We want healthy food choices close-in and available to them. And two, they're driving great distances out of direction to go shop on the fringe of the city or out of the city. That is a current problem and we have data that you'll hear from the other witnesses behind me that it's both leakage, shrinkage on shopping converting to traffic information that shows we're going to increase our negative carbon footprint if we don't correct our ways and make shopping available throughout the city, and affordable shopping for discount types of groceries in particular. So, that's the food desert issue. It's P44, P60, both sponsored by Commissioner Saltzman and supported by BPS. We thank each. I'm already close to out of time.

Nonconformity is another issue that's a big problem. Existing development under old zoning faced with 20 years of future planning, which isn't market-ready to develop. It's a very common dynamic -- you hear people talk about it -- it's bad for market value, it's bad for lendability, it's bad for marketability. You'll hear witnesses next week on that. We came up with the idea to give some flexible code application opportunity to the City and that's the purpose of that policy. [beeping] I'm out of time. I wanted to cover drive-thrus but that's it.

Hales: OK, you got your written testimony. Thank you.

Bob LeFeber: Good evening, Mayor Hales and Commissioners. My name is Bob LeFeber and I'm the principal broker of Commercial Realty Advisors here in Portland. It's a retail brokerage firm and in fact, we're celebrating our 20th anniversary this year. We've been located in downtown Portland all those years. We represent over 100 retailers, large and small. Many of them are the small retailers that you all love to see in your downtown streets and on the major commercial corridors. Many of our retailers also have drive-thrus. And while I'm not going to focus on drive-thrus tonight, they are often very instrumental to their business success and, of course, they're very concerned about the proposed policy change on drive-thrus.

I personally represent a higher-end grocer, Market of Choice, who's going into the goat blocks, and I also represent WinCo foods, a large discount grocer. WinCo is currently back filling the old food for less at 82nd and Powell, which at this point is the closest they've been able to get into the urban core of Portland. And obviously, they would love to be much closer. I also represent Costco. Costco is the ultimate discounter where grocery is about half of what they sell.

I urge you to oppose the proposed policy on drive-thrus, P32, and support P44 on grocery stores, P51 to consider the market when proposing new development regulations, and P60 to provide an adequate supply of land for all types of retail. The concern of affordable housing is obviously well merited, but we also need to be concerned about affordable shopping goods in order to have complete communities, as the chair of the Planning Commission earlier mentioned.

The proposed policies that we support and your staff support are all related to providing affordable goods. It's not only that we need sites that are closer into the urban area but we also need reasonable regulations. Otherwise, these stores cannot develop

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feasibly and their customers and members in the case of Costco will continue to drive to the outskirts and create huge VMT issues as they have to shop these stores to save as much money as possible.

The proposed policies will help set the stage to working to provide more affordable goods in the city. I urge you to support them and I look forward to working with the City on future solutions. Thank you very much.

Hales: That last point -- I do want to ask your help and others in the commercial real estate industry 'cause I've put this drive-thru issue on the table. Across the street from City Hall is a really bad bank building now owned by Wells Fargo that led to the creation of design review in Portland. We all know the building. It's stone walls on three sides and a drive-thru occupying the entire block face on 4th Avenue. One can argue that there's a walk around Portland and a drive around Portland and that that balance is shifting. I want to confess that occasionally when I'm in Hayden Island, I use the drive-thru at the Burger King there. I would say in its current condition, Hayden Island or at least that little part is drive around Portland, and already the block across from City Hall is walk around Portland. We're trying to create more walk around Portland and less drive around Portland over time. You all agree with that, too.

How do we draw the line and where in this code between where drive-thrus are ludicrous -- like, say, 32nd and Belmont or across the street at City Hall -- and where drive-thrus are still reasonable? I'm not sure. We're trying to do that in this code. But either an argument saying drive-thru is good or drive-thru is bad -- we're going to have to do better than that. We'll have to say, in this code and in this structure of the plan, drive-thrus where? And where should they be prohibited and where should they be not allowed? Thus allowing people to go through a conditional use process and make the case.

So, I'm not sure we've pinned the tail on the drive-thru exactly in the right place in the draft in front of us, but I think we all need to try and we need advice from folks like Doug Klotz, who probably has opinions on this subject, and folk like you.

LeFeber: We'd certainly would be happy to give you more opinion on that. I think the river is a natural breaking point, frankly --

Hales: Not anymore.

LeFeber: -- east river. There's a lot of businesses over there that are functioning as a drive-thru that people are hitting on the way home, on the way to work, and they're having to go there during the day to get their food and coffee.

Hales: I live in a neighborhood where Milwaukie Avenue is my main street. It makes no sense to have a drive-thru on Milwaukie Avenue anymore. So, I'm not sure -- it isn't even necessarily just east versus west, I think its character of the street. I need your help on this.

LeFeber: I understand the importance of good urban form, and we do generally a very good job about that, but we have to -- as you say, you want to balance it. And I do think that the elderly, the handicapped, and the people with small children -- particularly when they're sick and need to pick up pharmaceuticals, I think the use of those drive-thrus are incredibly valuable to those people's lifestyle. So, somehow we have to strike a balance. We're happy to work with you on that.

Hales: OK. Please keep it coming and don't wait long, because we're obviously coming down the stretch on this plan. Thank you very much.

Eric Hovee: Good evening, my name is Eric Hovee, I'm an economic and development consultant working on behalf of the retail task force. I'm here to speak in support of policies for grocery stores and retail development, especially in the city's underserved business districts. I've also submitted a four page overview, which I think you have now, about retail

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performance for the pattern areas that have been defined and identified with the BPS proposed mixed use zones project which will be an implementing feature of the plan.

Three overall conclusions have emerged from our analysis. First, outside of the central city area, Portland is basically under-retailed. It's not meeting the day-to-day needs of city residents, especially for grocery retail. Second, retail needs are also especially underserved in East Portland where building rents are lowest and least adequate to support the high cost of new development. The lack of adequate and affordable full service grocery means that residents must travel further to shop or use convenience stores as a less healthy alternative -- and that, in fact, is what's happening on the east side. And third, citywide development standards that work in higher density areas with good transit service run the risk of proving counterproductive for residents who live in areas with the poorest access to quality, healthy, and affordable retail services.

Our analysis supports two policy additions requested by Commissioner Saltzman and supported by BPS, P44 and P60. P44 addresses grocery stores and markets and centers, including the provision of adequate land supply to accommodate a full spectrum of grocery, including discount and large format stores catering to all socioeconomic groups and providing groceries at all levels of affordability. And P60, the new policy which would come after retail development to assure a competitive supply of retail sites for customer convenience, affordability, accessibility, and diversity of goods and services, especially in the underserved areas of the city. We encourage your support of these retail policy amendments. Thank you.

Brent Ahrend: Good evening, Mayor and Council members. My name is Brent Ahrend. I'm a traffic engineer with Mackenzie, just across the river. So, I was asked to try to make some sense of Mr. Hovee's studies showing that a lot of city residents are driving to the fringes or leaving town.

So, one of the things I looked at was a lot of the retail that's along the 82nd Avenue corridor. We were able to get some data from one of the users out there that kind of shows where their customers are coming from, and what we found for one of those in Southeast Portland is their market area goes all the way to the river. In other words, residents in Sellwood are driving all the way to 82nd to do their shopping at some of the larger groceries and retailers there. In fact, a larger percentage of their customers come from the west than come from the east when they're located along 82nd. And one of the things that we note, too, is someone works in downtown and they live in inner southeast, say in an area south of Powell, they might need to go all the way to 82nd and then double back if they're going shopping afterwards. In other words, you can't really make a pass by trip on your way home. That was one of the things that we looked at.

Another example that we looked at -- Costco was mentioned. And you may be aware that Costco tried to locate in Northwest Portland several years ago, and they were unsuccessful. So, we thought, well, Costco is pretty unique and they've got 80,000 members that live in the city of Portland. Where do those people shop? They go to Beaverton, Tigard, Clackamas, and the store that's on 138th in Northeast Portland. So certainly, if Costco is able to locate where they had been proposed in Northwest Portland, we wanted to get a sense of what would be the reduction in travel distances. We found that on average, it would be about six miles each way. So, with the type of trip generation that Costco has -- and again, these are all automobile trips -- that converts to over 80,000 vehicle miles per day on a weekday that you have of people leaving town to go shop at Costco because they're a member and there's no Costco near the central city area. And that's over 30 million vehicle miles a year. So, we want to keep in that mind. And the congestion that that creates and the additional greenhouse gases because those people are already driving there.

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Hales: Thank you. I'm not sure I heard what you said at the outset -- you said the study showed that people in Sellwood were driving to 82nd?

Ahrend: That's correct.

Hales: Sellwood.

Ahrend: Yes.

Hales: That they're driving past a QFC on Milwaukie Avenue, past a Safeway and a New Seasons and Woodstock to go to 82nd to buy groceries? Or was this for some other --

Ahrend: It's a grocery as well. A lot of it has to do with the cost of the groceries and the things that they're buying.

Hales: OK. Thank you. Good evening. Welcome.

David Cole: I'm Dave Cole. My wife and I own a home and run a small business in the Boise neighborhood. I'm here today to voice opposition to 1514 and 1471 for amendment M42, the proposed rezoning of N Fremont between Mississippi and Vancouver from R1 to CM2.

We believe the zoning changes do not reflect the best interests of a neighborhood that has already established itself as a deeply residential one. We're sandwiched between two major commercial corridors, there are 23 homes and apartments within the proposed zoning area, 35 homes within 50 feet of this area, 160 within a block. There's an elementary school. Also in the area, there's a church, community garden, and low income housing.

We're not alone in this opinion. A group of us neighbors have banded together and circulated a petition that I'd like to show you now. We've gathered 290 signatures in the last three days -- all neighbors that live near the area, or at least most of them. I've talked to a lot of people while canvassing and none of the neighbors I spoke with of any background really wanted this. The neighborhood association itself on Monday voted four to two against.

And it's important to understand that Mississippi and Williams are on a north-south corridor. In this situation, they have alleys on both sides that separate the buildings from the commercial. The buildings also shade each other out when the sun is going over in that direction. On the east-west corridor, that doesn't happen. And additionally, there's no alleys on Fremont, so there's going to be potentially CM2 buildings right up against property lines, directly shading houses out -- historic houses. The whole thing could reduce livability for residents. There's noise, trash, and traffic. And additionally, at Albina and Fremont, one of the areas in question has a 10-unit apartment complex bringing affordable housing to hard-working primarily minority families. These people would be displaced with little guarantee to remain part of the neighborhood that's struggling to hold on to its economic and racial diversity.

In addition, there's 113-unit mixed use building going in right next to that that has retail. Another 175-unit building has been proposed right next to that. We've got to see what the burden of these is going to place on the neighborhood, especially next to a school, before we know what to do with the R1. And so, please listen to these voices -- the 290 of us -- and thank you very much.

Cassandra Cole: My name is Cassandra Cole. I live with him. I am also opposed to the proposed changes, amendment M42 to 1514 and 1471, N Fremont from Mississippi to Vancouver. I'm going to read aloud some of the comments that we got on the online petition that we did, because some of them are really good.

One is that after investing hundreds of thousands of dollars to create the Vancouver William bike corridor, the City is now compromising pedestrian and biker safety by pushing for hyper density. The infrastructure in this section of the city is already incapable of safely carrying the load, and most of the new developments and in-process developments are

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vacant. The City should delay any further zoning changes until existing and already in-process developments are at or near full capacity. At that time, an honest and thorough impact study can be conducted.

One is -- I got a couple from near the gardens. Their moms live there, they live there, and they just say, we can't afford to move. There would be people who think that rezoning would be contrary to many of the City's state positions, particularly it goes against Vision Zero by worsening traffic in a school area that puts affordable housing at risk.

Somebody had a really cute quote. Living and working on Williams Avenue since 2009 has given him a perspective on the increasing congestion and some of the problems that come with that, including the slowing of safety vehicles trying to maneuver through traffic and traffic accidents. So, ambulances can't get to things that are hard because our traffic is already packed -- like the church. Yeah, that's it. Thanks.

Hales: We've got a copy of the petition. Thank you very much. Good evening.

David de la Rocha: Good evening. My name is David de la Rocha, and I'm a Boise neighbor of these two people here, and I stand in opposition to amendment 42 as well.

I first need to say that I'm extremely disappointed with some of the process that took place that got us to this point. When I say the process -- I learned of this two weeks ago, and I serve on the neighborhood association board. The board was not notified, the Northeast Coalition of Neighbors was not notified. I found out about it because neighbors that were immediately in the CM2 re-designation zone came and told me, and I think that is an example of very poor City process and outreach, and I hope you can address that in the future.

The thing that I need to tell you this evening is that the rezoning of R1 and R2 areas on N Fremont is completely disharmonious with the transportation system plan that your PBOT has already developed for all of Portland. It designates N Fremont Street between MLK and Missouri Street as a local street. The community corridors as well as the neighborhood main streets are N Vancouver, N Williams, and N Mississippi. As a local street, PBOT had significant concerns about previous developments on N Fremont and limited their vehicle counts to 70 vehicles per hour for a new apartment building, a mixed use building that went up at Fremont and Mississippi. Their concerns were not about the traffic there but one third of a mile away at Vancouver and Fremont. So, if you were to take these two different areas that are going to be rezoned and apply PBOT's very methodology to this -- a worst-case scenario, if all these properties for the designation were to be built out as they are, that would be 42 vehicles per hour. If we make these changes, that can go up to 542 vehicles per hour using PBOT's methodology. This is assuming 90 percent residential and 10 percent retail for these new buildings in the CM2 zone. That's a 616 percent increase, and I think it goes against all of the studies that have taken place so far that shows that Fremont can't take the traffic. Thank you.

Hales: Just a process check, folks. We're going until 9:00, so we won't get everybody in this evening but we will -- I believe the process is we're going to give folks their current location in the queue for the next hearing. So obviously, you'll be at the front of the queue for the next meeting if you're at the back of the queue tonight. Our apologies that we won't hear everyone but we'll hear some more before we run out of time. So, welcome.

Sean Rose: Mayor, fellow Commissioners, thank you for your time. My name is Sean Rose, I've owned a home at 2238 SE 50th for the past 17 years. I strongly support the planning for increased growth and density on SE 50th, Division and Hawthorne.

In the past 10 years, there has been broad and rapid growth on SE Division. Now, SE 50th is seeing similar growth with multiple lots being reconstructed with high density housing and small businesses. My house at 2238 and my neighbor's house at 2243 are R1 designations surrounded by apartment buildings and mixed use zones on three sides. I

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would like to see my property at 2238 be included in the CM1 zoning to better fit the character of its neighbors. That's all.

Hales: Very succinct, thank you. Good evening.

Cat Nikolwski: Hi, my name is Cat Nikolwski. I'm here to support the proposed policy for open data, 211, and oppose the amendments for P11.

It's incredibly exciting to be able to speak to you tonight on behalf of something that has such enormous impact on the future of Portland and innovation. I think that the question of the evening is whether or not this belongs in a land use plan, and I think that for me, it's more of a question of it's transformative to a land use plan and I don't think that anybody here really thinks it's a bad idea to have open data. This is a big, big concept that belongs in restoring democracy. But I was also struck tonight by listening to all the testimony is so incredibly actionable, and that data touches everything throughout.

I can speak a little bit to my personal experience. I run a nonprofit called Hack Oregon, which has hundreds and hundreds of Portlanders from all over different walks of life, a lot of them in technology and design, but we come together and we work in the evenings at the science museum on a number of open source projects that are multi-month, building open data infrastructure for analysis and tools, and urban development is one of our themes. And that puts me in regular touch with a lot of the technical directors and people who are managing and leveraging data for land use. And in fact, they've been some of our biggest advocates in working hours that are weekends and evenings alongside us almost like volunteers to be able to do this.

So, if we put this in the amendment, it doesn't create it as a siloed tech issue, it makes it something that is not just waiting for somebody's job to appear to be actionable. We need to make this everybody's job. And I think that citizens view that as something they're willing to step up to the plate to do hugely, and many of the technical directors on the inside that I've worked with have especially in land use have been huge advocates of this. We are uniquely primed in Portland to take this a long way very quickly to enable more analysis and research that can everybody's testimony here tonight.

Hales: Great, thank you very much. Thank you both.

John Washington: Good evening, Mayor. My name is John Washington and I'm the chair of the economic development committee for the North Northeast Business Association and we're here in support of amendment M42, the Fremont project. We're in support of it simply because it seems to make the best sense, and sense in the matter of economic development for the community.

When we're looking at these sites that we have around Fremont, as you can see, businesses are on both sides of the -- on one side of the school already. They're charged with a number of units being built in that area in the next several months or year -- more than 2000 units are coming in that area. And so traffic and those kinds of conversations that go on -- you guys know we're going to have traffic anyway in that district no matter what.

The other part is that affordable housing is a big topic in this area and not only just - - when we speak about affordable housing, we're also speaking about affordable rental spaces and leases for small businesses. The North Northeast Business Association is charged with developing business corridors and one of the ones that we are seeing is that some of the major corridors are just simply getting away from us. Their expense for lease space is just getting phenomenal. So, we've worked with several different land owners in the district to be able to somehow work with them because they live there, they support the neighborhood, they build there, and they're willing to work with us and the City to build things that would accommodate some of the long-term plans.

Hales: Thank you very much. Thank you. Good evening.

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Gary Davenport: Hi, my name is Gary Davenport, I'm from Overlook and I'm in opposition of the middle density zoning amendment -- middle density houses, excuse me.

I'd like to point out that the process has been pretty spotty. I learned about this from the land use chair and evidently it was only because he attended a work session that he learned about middle housing. After this work session in February, my understanding is Eric Engstrom was asked to draft a memo and we end up then with a middle house plan that really is a very new way for Portland to assume new housing. We're accustomed to looking for middle housing along corridors but not along parks. We're not -- there are many things that I wonder how this affects affordability. I feel that affordability is a primary issue that middle housing is trying to address. And Steve, I've read that you've said that middle houses increase affordability and I don't think that's necessarily the case. I think by the time that the City has added their property taxes and by the time the developers have built new buildings, the properties are still in many areas going to continue to rent for \$3 a square foot.

So, there's this weird dilemma. I wanna say, in Overlook, we're bracing for a 64-unit apartment to come in. We have C2 buildings -- and this is an established neighborhood where homes are selling for between six and one recently sold for \$1.2 million two few blocks away. And so, this is an established neighborhood and I'm wondering how middle housing will be introduced into these areas. I know you are standing up for what's happening in Eastmoreland, but I think there are other neighborhoods -- you know, I'm happy to hear there are people here that want middle housing but I think there's been no public involvement about middle housing. [beeping] City Club got it right by saying that you should use existing inventories, particularly along corridors, to build middle houses. And then, you know, after that's done why don't we then -- we'll know enough about middle housing to introduce it in other areas properly.

Hales: Thanks very much. Go ahead, please.

Peter Jones: Good evening, Mayor Hales and Commissioners. My name is Peter Jones. I live at 4408 NE 7th Avenue. I'm here tonight to express my support for the transportation system plans 40116 item, which is to designate NE 7th and 9th Avenue as a greenway.

There are three reasons for this. The first is there is already a very high utilization of bicyclists on 7th Avenue. I personally ride my bike on 7th every day all year. And I'd say, among the north-south corridors outside of Williams and Vancouver, it's one of the highest bike traffic corridors. Two is there is excessive traffic -- as the person mentioned earlier -- on 7th, and I believe this is due to a lot of the congestion that occurs on MLK. As you know, 7th is two blocks over. When MLK gets choked, a lot of people are bypassing the traffic and coming up 7th Avenue.

And safety. There are five houses in our block alone with children under the age of 10 and we need not only traffic calming but traffic diverters. People have hand written signs pleading for cars to slow down. And so, I realize it's an inconvenience for some, but I hope that you understand our children's safety outweighs the inconvenience a few minutes that would cost these people. Thank you.

Carol McCarthy: Hello, my name is Carol McCarthy and I'm speaking today as the chair of the Multnomah Neighborhood Association. I'm submitting a letter on behalf of our association objecting to the comp plan amendment number P45 that would allow middle density housing within a quarter mile of neighborhood centers and town centers. Our neighborhood association objects to both its substance and the manner in which the amendment was introduced. I'm also submitting a stack of signed letters from individuals who objected to the amendment.

At numerous plan meetings since the 2014 release of the proposed draft of the comp plan, we have had repeated assurances from BPS planning staff that the zoning in

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our neighborhood would not be affected by being designated as a neighborhood center. Our persistent requests at hearings and in written testimony that the designation be changed to the more appropriate neighborhood corridor were met with assurances, such as, there's no effective difference in the case of Multnomah. And the current zoning capacity is adequate to meet the projected density so the zoning in your centers will not change. But with this amendment, those assurances are revealed to be untrue.

This amendment will essentially rezone most of our neighborhood without due process. It will remove the zoning protection that was in place when our residents purchased their homes, effectively reducing the value of most people's largest investment without adequate notification and without meaningful participation.

This amendment was buried in over 100 page of amendments with a little over a month for public comment. I think the majority of the people who will be most affected by it are unaware of it. This process does not allow for adequate citizen involvement in land use planning as required by state goal one. I urge you to vote against it. Thank you.

Hales: Thank you very much. And we've got your written testimony very much. Thank you both. I think we better take the last three, then. And again, our apologies for those who are queued up but will not able to speak tonight. We'll have you on the list at the beginning of the next meeting. Welcome good evening.

Andrine de la Rocha: My name is Andrine de la Rocha. I live in Boise-Eliot neighborhood on N Ivy Street and I've lived in Portland for 25 years.

We chose Boise Elliot for diversity, walkability, density, and overall livability of the area. I welcome the development of more R1 zoned residential density along Fremont and Ivy Streets that will complement our existing historic homes and can enjoy the proximity to Williams and Mississippi Streets, allowing convenient access to services and retail. But I oppose the amendment M42, as the R1 zoning has yet to be fully realized to its potential residential density housing. The proposed spot zoning changes to CM2 along N Fremont are not warranted nor in keeping with the residential nature of our historic area.

North Fremont west of MLK is designated a local street which can barely support the Fremont Bridge access traffic and the influx of new development along the main streets of Williams and Mississippi. While the proposed zone change is being touted as providing greater potential housing and businesses for low income and minorities, it actually threatens existing low income housing by making the land more valuable for commercial development than the homes, thereby putting those minority and low income residents at great risk for eviction.

I oppose the leapfrog up-zoning from R1 to CM2 as it will adversely affect the livability of our neighborhood with zero setbacks against our historic churches and homes, increase traffic and pedestrian safety concerns, redundant commercial development all side-by-side with an elementary school. With over 60,000 square feet of new vacant commercial space in the Boise-Eliot business corridor -- according to the Boise association land use chair -- it's difficult to see how up zoning N Fremont beyond R1 residential is necessary or desirable. Please let our area be fully developed as zoned to maintain the integrity of our neighborhood while allowing for more residents without jeopardizing safety and livability. Thank you.

Hales: Thank you. Good evening.

*******:** Hi. I'm speaking for Geoff Unger, he's my husband. We are residents of 1221 NE 60th Avenue in Rose City Park. I'm commenting on M45 and M71 about the 60th Avenue MAX station. Being that we are residents on 60th Avenue, I'm representing a small group of people on 60th Avenue and we encourage you to actually don't downzone, please keep the RH and let us work with Rose City Park as what is the appropriate overlays.

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We have many complex problems in that neighborhood, zoning isn't one of them. This neighborhood offers a unique connection to the city. We who have invested and owned in these dozen small single family homes along 60th Avenue -- we've invested everything, even though the City has really done very little for us. They've put a lot of transportation in and not many safety improvements.

This area requires a balance between preserving all of our 1920s historic homes in this area. We are the oldest area in Rose City Park. We are the first subsection or the sub development there, and so we really want you to look at that before you determine 60th Avenue to be in a different character than you are designated the rest of Rose City Park.

So really in whole, the projects that are larger, midrise, high-rise, they require a greater investment, greater development, people who are here to solve problems, to work within density. These buildings are possible in LEED gold, silver, or platinum buildings that are close to the freeway. I imagine a Goose Hollow, I imagine us to really look at your 2009 visioning of the opportunities, constraints, and see that as a continuation of the 1980s visioning and let us work within the neighborhood. Leave the zoning. Thank you.

Hales: Good evening.

Luke Norman: Hello, my name is Luke Norman and I'm here to support amendment P45 for middle housing or middle density housing. Middle housing, which was built in Portland up through the 1950s, helped make many of our neighborhoods great because it allowed residents of a variety of incomes to live together. These residents who were living in single family homes, duplexes, or garden apartments were able to support corner stores and enjoy neighborhood parks -- things today we celebrate as Portland's livability.

Today, as we start to plan for the future, we need to ensure that looking out 20, 40, 50 years that all residents regardless of their income have the opportunity to live in great neighborhoods. For this reason, I encourage you to adopt the amendment as proposed to allow residents more options throughout the City and across the centers to live in neighborhoods that they can afford and that they enjoy. Thank you.

Hales: Thank you very much. Thank you all. We've gotten a lot of really excellent testimony tonight. Obviously, everything that's here is on the record, and we appreciate both the verbal testimony and the written record.

This hearing is going to be continued to 2:00 p.m. on April 20th in City Council chambers. So again, those who signed up and who didn't get to speak will be on the list and you'll get called early instead of late. So, we are adjourned for tonight and this hearing is continued to 2:00 p.m. on April 20th. Thank you very much.

At 9:01 p.m., Council adjourned.