



CITY OF
PORTLAND, OREGON

**OFFICIAL
 MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF MAY, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

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

Item Nos. 440, 441 and 442 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:22 a.m. and reconvened at 10:27 a.m.

COMMUNICATIONS		Disposition:
432	Request of Dana Clark to address Council regarding More Than A Survivor Photo Exhibit in City Hall (Communication)	PLACED ON FILE
433	Request of Officer Mike Gallagher to address Council regarding the More Than A Survivor exhibit and issues related to sex trafficking (Communication)	PLACED ON FILE
434	Request of David Kif Davis to address Council regarding homeless sweeps and civil rights/human rights violations by the City (Communication)	PLACED ON FILE
435	Request of D Pei Wu to address Council regarding report from Portland Jobs with Justice Workers Rights Board (Communication)	PLACED ON FILE
TIMES CERTAIN		
436	<p>TIME CERTAIN: 9:45 AM – Accept report from Asian Pacific American Network of Oregon on A Community of Contrasts: Asian Americans, Native Hawaiians and Pacific Islanders in the West (Report introduced by Mayor Hales) 45 minutes requested for items 436 and 437</p> <p>Motion to accept report: Moved by Fritz and seconded by Novick. (Y-4)</p>	ACCEPTED

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437	Proclaim May 2016 to be Asian American and Pacific Islander Heritage Month (Proclamation introduced by Mayor Hales)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		
Bureau of Planning & Sustainability		
*438	Accept and appropriate a grant in the amount of \$35,000 from the Bullitt Foundation to support the Cascadia Urban Sustainability Directors Network for regional information sharing and innovation in sustainability work (Ordinance) (Y-4)	187704
Office of Management and Finance		
*439	Pay claim of Carolyn Harter in the sum of \$14,023 involving the Portland Police Bureau (Ordinance) (Y-4)	187705
*440	Authorize an Intergovernmental Agreement with Multnomah County for removal of reversionary interest on a portion of Lair Hill Park Property and release of reversionary interest at Troutdale Property (Ordinance) (Y-4)	187710
*441	Authorize a contract for Portland Communications Center Seismic Upgrade, Roof Replacement, Mechanical Upgrades and Envelope Repair for an estimated \$2,093,062 (Ordinance) (Y-4)	187708
*442	Authorize a contract for Smart Park and North Precinct Recoating for an estimated \$1,567,355 (Ordinance) (Y-4)	187709
Commissioner Steve Novick		
Bureau of Transportation		
*443	Amend Intergovernmental Agreement with TriMet for additional time to disburse Federal Grant Funds for the Portland Streetcar Loop Project (Ordinance; amend Contract No. 30000943) (Y-4)	187706
444	Amend Intergovernmental Agreement with Oregon Department of Transportation for design of the Pedestrian Crossing at 4 Schools project (Second Reading Agenda 409; amend Contract No. 30003588) (Y-4)	187707
REGULAR AGENDA		

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*445	Amend Building Regulations Code to ensure all residential demolitions covered under the existing residential demolition delay provisions of Section 24.55.200 are subject to the demolition delay provisions of either Title 24 or Title 33 (Ordinance introduced by Mayor Hales and Commissioner Saltzman; amend Code Section 24.55.200) 20 minutes requested (Y-4)	187711
Mayor Charlie Hales Bureau of Planning & Sustainability		
*446	Authorize a contract with Walker Macy LLC for Urban Planning, Design and Architecture Services for the Design Overlay Zone Assessment not to exceed \$150,000 (Ordinance; Contract No. 30005079) (Y-4)	187712
Bureau of Police		
*447	Apply to the U.S. Department of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \$9,363 for the FY16 Bulletproof Vest Partnership Body Armor Safety Initiative for bulletproof vests (Ordinance) (Y-4)	187713
*448	Accept a grant in the amount of \$140,000 and appropriate \$33,750 for FY 2015-16 from the Oregon Department of Justice and the Oregon High Intensity Drug Trafficking Areas program for sworn personnel overtime and program expenses for Portland interdiction efforts (Ordinance) 10 minutes requested (Y-4)	187714
*449	Accept a grant in the amount of \$10,000 from the Oregon Department of Justice and the Oregon High Intensity Drug Trafficking Areas program for program expenses for Portland Metro Gang Task Force interdiction efforts (Ordinance) 10 minutes requested (Y-4)	187715
*450	Authorize a competitive solicitation for treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees for an annual cost of \$1,716,410 (Ordinance) 10 minutes requested	REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION
Office of Management and Finance		
*451	Amend the City of Portland Employee Benefits Program to reflect necessary plan design changes as recommended by the Labor Management Benefits Committee and as administratively required by Bureau of Human Resources for the City self-insured and insured plan offerings beginning July 1, 2016 (Ordinance) 20 minutes requested (Y-4)	187716

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<p>452</p>	<p>Amend Utility License Law to include direct access electric services and establish minimum penalties for certain violations (Second Reading Agenda 414; amend Code Sections 7.14.040 and 7.14.110) (Y-4)</p>	<p>187717</p>
<p align="center">Commissioner Nick Fish Bureau of Environmental Services</p>		
<p>453</p>	<p>Authorize a contract with the lowest responsive bidder for the construction of the Cured In Place Pipe Southeast Rehabilitation Project No. E10682 for \$2,260,000 (Second Reading Agenda 416) (Y-4)</p>	<p>187718</p>
<p align="center">Water Bureau</p>		
<p>454</p>	<p>Revise ordinance to update engineer's estimate, issue a competitive solicitation, authorize contract and provide payment for the Road 10 Project (Second Reading 418; amend Ordinance No. 187133) (Y-4)</p>	<p>187719</p>
<p>455</p>	<p>Authorize the purchase of a capital project management software system not to exceed \$825,000 (Second Reading Agenda 419) (Y-4)</p>	<p>187720</p>
<p align="center">Commissioner Dan Saltzman Portland Fire & Rescue</p>		
<p>456</p>	<p>Authorize the purchase of five pieces of emergency apparatus for a total not-to-exceed amount of \$2,325,000 with General Obligation Bond funds and two pieces of emergency apparatus for a total not-to-exceed amount of \$2,329,151 with general fund resources (Ordinance)</p>	<p align="center">PASSED TO SECOND READING MAY 11, 2016 AT 9:30 AM</p>
<p align="center">Commissioner Steve Novick Bureau of Transportation</p>		
<p>457</p>	<p>Create a local improvement district to construct street, sidewalk and stormwater improvements west of SW 30th Ave in the SW Dolph Ct - Spring Garden St Local Improvement District (Hearing; Ordinance; C-10053) 10 minutes requested</p>	<p align="center">PASSED TO SECOND READING MAY 11, 2016 AT 9:30 AM</p>
<p>458</p>	<p>Extend contract with Cogan Owens Cogan, LLC thru December 31, 2016 to provide administrative and logistical support to the Private for-Hire Advisory Committee not to exceed \$43,000 (Ordinance; amend Contract No. 3004332)</p>	<p align="center">PASSED TO SECOND READING MAY 11, 2016 AT 9:30 AM</p>
<p>459</p>	<p>Amend Transportation System Development Charge Capital Improvement Project list (Second Reading Agenda 422) (Y-4)</p>	<p>187721</p>

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460	Vacate portions of N Portsmouth Ave, N Van Houten Ave, N Monteith Ave, N Warren St, N Strong St and two unnamed alleys on the University of Portland campus subject to certain conditions and reservations (Second Reading 423; VAC-10094) (Y-4)	187722
461	Vacate portions of N Van Houten Ct, N McKenna Ave and three unnamed alleys on the University of Portland campus subject to certain conditions and reservations (Second Reading 424; VAC-10094) (Y-4)	187723
Commissioner Amanda Fritz Office of Neighborhood Involvement		
*462	Authorize \$65,000 for grant agreement with Momentum Alliance through the Diversity and Civic Leadership Program to support community engagement activities for communities of color, immigrants and refugees through October 31, 2016 (Previous Agenda 397) 10 minutes requested (Y-4)	187724
Portland Parks & Recreation		
463	Authorize an Intergovernmental Agreement with Portland State University to provide survey and research related services for a term of three years, for an amount not to exceed \$150,000 (Second Reading Agenda 411) (Y-4)	187725
464	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Sellwood Park Pool Bathhouse Roof Replacement and Seismic Upgrade Project for an estimated \$585,000 (Second Reading Agenda 428) (Y-4)	187726

At 11:46 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF MAY, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fritz presided at 2:00 p.m.; Commissioners Novick and Saltzman, 3. Mayor Hales arrived and presided at 2:17 p.m., 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney at 2:00 p.m.; Ben Walters, Chief Deputy City Attorney at 4:15 p.m.; and Mike Cohen and John Paolazzi, Sergeants at Arms.

The meeting recessed at 2:30 p.m. and reconvened at 2:47 p.m.

465	TIME CERTAIN: 2:00 PM – Direct City bureaus to prioritize reuse of artifacts from the Eric Ladd and other cast-iron artifact collections in the Skidmore/Old Town Historic District (Resolution introduced by Mayor Hales) 45 minutes requested for items 465 and 466 (Y-4)	Disposition: 37207
466	Adopt the Skidmore/Old Town Historic District Design Guidelines (Ordinance)	PASSED TO SECOND READING MAY 11, 2016 AT 9:30 AM
*467	TIME CERTAIN: 2:45 PM – Amend contract with Xerox State and Local Solutions, Inc. for the Photo Radar System to expand services and increase the not to exceed amount by \$4,500,000, authorize a related Memorandum of Understanding between the City and Multnomah County Circuit Court, and find ten roadways as urban high crash corridors eligible for fixed speed cameras (Ordinance introduced by Commissioner Novick; amend Contract No. 31000129) 30 minutes requested (Y-4)	187727
468	TIME CERTAIN: 3:15 PM – Establish a Heavy Vehicle Use Tax to fund Portland's Street Repair and Traffic Safety Program (Ordinance introduced by Commissioner Novick; amend Code Section 7.02.500) 45 minutes requested Motion to add directives F to require report regarding appeals process and G regarding future map based electronic tracking: Moved by Novick and seconded by Fritz (Y-4)	PASSED TO SECOND READING AS AMENDED MAY 11, 2016 AT 9:30 AM

At 4:39 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.

MAY 4, 2016 9:30 AM

Hales: Good morning, everybody, and welcome to the May 4th meeting of the Portland city council. Would you please call the roll?

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

Hales: Thank you for that dramatic entrance, here, good morning, everyone, and welcome, we have some pre gavel business to do, and then the communications items, and regular business after that. First, we have a proclamation, and I know that commissioner Fish would have loved to have been here today for this because this is an issue he cares about. He works a lot with elders in action. I don't think that Barbara Bernstein made it. But, elders in action is represented here today, and Christina from aarp is here, and lieutenant colonel Linda Campbell is here, and I will read the proclamation, and we'll hear from these leaders. It says, whereas the Portland city council and our community partners of Multnomah county age friendly Portland, elders in action, Portland state university and aarp are committed to a shared vision of Portland, that is welcoming and inclusive to people of all ages and abilities and nation-wide more older adults are choosing to stay in their home and age in place. And whereas among Portland's Growing population, is an increasing, increasingly diverse influx of older adults, and whereas the average cost of rent in Portland exceeds the social security retirement check, making it harder for many older adults to live independently and remain in their homes, and forcing many to work long past retirement age. Whereas the city of Portland supports livable communities for people of all ages through actions such as funding, age friendly work on housing and implementing policies in the comprehensive plan to keep Portland's neighborhoods welcoming and accessible. And whereas older adults benefit from a wide range of city and county services designed to prevent fraud, abuse, hunger, illness, and financial insecurity, and whereas communities flourish when people of all ages contribute their experiences and time and respect and their service, and whereas we acknowledge the many contributions of older adults in our community who deserve our respect, and appreciation, and now therefore, I, Charlie Hales, mayor of the city of Portland, Oregon, and the city of roses, to hereby proclaim the month of May to be older Americans' month in Portland and encourage all residents to observe this month. So let's hear it for older Americans. [applause] Welcome a couple of leaders in this cause, and good morning.

Linda Campbell: Good morning. I am Linda Campbell, and I am not an older Oregonian, but I am turning 70 on Friday. Three years ago I moved into what I like to refer to as a lovely lead platinum old folks' home. I'd been so busy moving in and settling in that I really had not had time to look up and see who my neighbors were. And my first evening in the dining room, I looked around and to my shock, I said, these people are old: [laughter] then I started to get to know them. The first woman I met was 92. She and her husband had decided to buy a ranch, and as she tells it, he was in charge of the crops. She was in charge of the cattle. She confided that men just aren't good with cattle. You really have to be a mother to understand them. She said she would still be out there riding the range today, if she could. We have social workers and psychologists in our building. We have a

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nun and priest who fell in love and got married. We have teachers and librarians and professors and nurses and doctors and dentists and lawyers and judges. We have politicians. We have bankers and accountants and dancers and musicians and singers. We have one woman who sang on Broadway. We have one woman who did her own radio program in New York City. We have painters and sculptors, and some of great renown. And we have writers and editors and authors. We have police officers, CIA agents. We have soldiers and even one general. We have entrepreneurs, some of whom have built impressive businesses. You would be amazed to glimpse their wisdom. They have learned so many lessons that are far beyond my reach. One man became aware that there were 200 people in danger of their despotic government halfway around the globe. Their government had wanted to do them harm, and this man somehow managed to get a 727. He managed to get it sent to that country. He rescued 200 people and had them brought to the U.S. He found housing for them. He helped them to find work. It seems that every one of my neighbors is amazing. You may see my neighbors and just not know. You may see one man wandering around without direction because Alzheimer's disease is encroaching on his brain. What you don't know is that he spent his life as a talented research scientist. You may see my neighbor who is a talented violinist. What you don't know is that he was an early pioneer in DNA research. He's a microbiologist with a Ph.D., as is his wife. You may see a woman shrunken with age stooped over pushing a walker. She may be a pilot or an opera singer. If you ask these people what they are doing now you may see that they are walking for charity or starting up a Scholarship foundation. They volunteer as mentors for children, give generously to hospice, or to compassion and choices or to our house or to their church. They work on neighborhood organizations and continue to make a difference. Some of us are LGBT. Many have LGBT kids or grandkids. For this and other equality issues my neighbors are vocal and committed. They believe in good government, strong schools, and social justice. When I first moved into the old folks' home I just saw old people. Now I know better. Now I see amazing people all around me. They have made a difference in my life and in the community and in the world. I am in awe of them. I am working hard to follow in their footsteps. What they have witnessed and suffered and fought for and accomplished they absolutely deserve this recognition today, and I thank you all.

Hales: Thank you and well set. Wonderful. Thank you. [applause] good morning, would you like to add to that? Thank you.

Bandan Shrestha: I would not be as eloquent or moving. I am very moved by what you have to say, and I am -- I thank you for this opportunity Mayor Hales and Commissioners Commissioner Saltzman and Fritz and Novick. It's great to be here. As I said it would be hard to say anything more than what the lieutenant colonel has said. I want to say that because I am so honored to be here. You were -- we did not know that you were going to be here, and I didn't know it now but to sit next to you because you have been a trail blazer. Older Americans' month is a time when we recognize older adults in our communities, and this year's theme is blaze a trail. I think that it's very appropriate to have that scene because like Linda said older adults don't just are not old today, but they have been contributing individuals throughout their lifetime have done amazing things and even you know as we are, as we get older we do contribute. Older adults volunteer at amazing rates much higher than most other cohorts. They vote. They serve in the committees. At AARP we see the work that older adults do every day without our volunteers. We would not be able to do what we do in terms of the social change. Our volunteers are meeting for walks in the city and they are serving as taxied volunteers. They have been back millions for families, lower and middle income families. They are teaching driver safety courses. They are teaching people and doing amazing things. We want to recognize that. They

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deserve this honor, we thank you for making the -- for adopting the proclamation. In addition I want to say this is also a time to stay the course in terms of the trail that we have blazed here in the city as becoming an age friendly community committing to age friendliness and to policies and to plans that really make the city an age friendly place. Unlike many of the people that Linda mentioned there are others still who may not have been able to contribute similarly or might not have had certain advantages. Old age can be a great time to contribute and volunteer but also a time of limitations. I think as much as recognition we also ask for your continued commitment to older adults and in your planning and your decision-making. I just want to say thank you again. It's an honor to sit next to you today. Thank you.

Hales: Thank you both and thanks so much for being here. We would love to take a photo with you if we could.

Shrestha: Great, wow.

Shrestha: I do have a request. The airway is asking for selfies. I know it's a terrible thing to ask. I am going to bring that over.

Fritz: Could you put your name in the record, please?

Shrestha: I am sorry I didn't say it. It's Bandon Shrestha with aarp. Thank you.

Hales: Please.

Hales: Thank you very much, ok onto communications items, four people signed up. 432 please.

Item 432.

Item 433.

Hales: Good morning and come on up. Good morning.

Dana Clark: Good morning. I have support.

Hales: Yes, you do.

Clark: Thank you commissioner Saltzman for hosting the event we're having here this week. It will be in the city for five weeks. I'm Dana Clark and I am chair of a multi-sex trafficking exhibit now. We will start next week, go to Portland state, Portland community college, and Clackamas town center. In each of those venues we will have an opportunity for the community, to educate the public and raise awareness and encourage community members to take action. The exhibit honors the survivor leaders featured for our -- for their diversity, beauty, strength, and accomplishments and celebrates their present and future, and with me is Jeri Jimenez who works for the city and is part of the survivor exhibit. The exhibition is a power anecdote to the stereotypes of commercially, sexually, exploited and traffic victims perpetually broken and forever limited by their trauma. This exhibition from gyms, which has girls, educational mentoring services in New York City, is also designed to be a poster series that will be utilized in agencies serving youth, to I want expire a tangible sense of hope and future for the community, commercially exploited and trafficked girls and women. Buyers must be educated that these children are coerced, beaten and abused into having paid sex with them. We want to change the culture of the citizens who believe the youth are on our streets, are there willingly, but we'll learn to view them as the victims that they are of a trafficker. Report suspected trafficking. Thank you for your time, and we hope to see you at one or more of our events including downstairs. On behalf of the Rotarians, central east, southeast Portland, and my home club east Portland. Thank you.

Mike Gallagher, Portland Police Bureau: I am mike Gallagher, a police officer with the city of Portland and have been part of the sex trafficking unit for the last seven years. I've been a police officer for almost 25 years now and been working on prostitution missions most of my career. The views of the officers in our sex trafficking unit and officers within the Portland police bureau are changing and seeing prostitution more than just the word

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prostitution. We're seeing how the victims are truly victims and seeing how we need to address the demand side out there by addressing the men who see this as a victimless crime. So, our views, in our sex trafficking unit have changed our focus to -- on the demand side of this thing and focusing on men and the women out there with resource and is education and treatment to get them out of the lifestyle. More than a survivor exhibit puts a face in a story behind The victims out there and shows that they are real people and how they were forced to be involved in prostitution and I want to thank you for this and allowing that to be here and the education piece that goes behind this, and look forward to seeing you at the event.

Hales: Thank you. Jeri.

Jeri Jimenez, Office of Neighborhood Involvement: I was asked in 2008 to speak to the montevilla neighborhood association and their biggest problem was prostitution. They were going to end the prostitution-free zones for being unconstitutional. From there in 2010 we co-founded a survivor to survivor support group, which is more of a sister hood, not a 501c3. What I know from that process, we have hundreds of women doing incredible work here in the city of Portland as professionals who escaped the life and have moved forward. Because of that work I was asked to go to new York in 2013 to be a part of this poster series where we got to do the survivor leader institute, and have hair and makeup which was really nice and get our pictures taken for a poster to show 22 women from across the country who are doing great work. Since then I have been allowed to work on the Obama and strategic plan for human trafficking in d.c. And work with American Indian groups across the country working on human trafficking as well. On my vacation time. So it's been an incredible experience to work on the leadership development of people to help keep them out of that Forever, and I want to thank you all for your support.

Hales: Thank you. We appreciate your leadership and the leadership here in city hall will be a teachable moment for a lot of people so thank you very much. [applause] let's move onto 434.

Item 434.

Hales: Good morning.

David Kif Davis: So I am David kif Davis with fight the sweeps Portland in Multnomah county cop watch. It looks like I chose a slot a month beforehand for something that's pretty timely. Just yesterday you guys swept out up to 400 people. They were evicted off the spring water trail, including homeless people that are mentally ill and handicapped with brain injuries and abuse and trauma victims and victims of sex trafficking like these folks just talked about. Victims of child sex trafficking. Slavery. All this various stuff, and you guys just continued to wage your little cultural cleansing war against the homeless. I saw that that was not the only thing that you guys have recently done. You have recently cleared out the homeless people under the Hawthorne Bridge, too, and you are going up to northwest and you are getting ready for the rose parade and you want to know what? I hear that there is a lot of rumblings about how the rose parades can be shut down by all the homeless activists. A bunch of those 450 people that got forcibly evicted will be blocking the rose parade. So you know you are building a big resistance and resentment, ok. Not only did you sweep the people out, oh, odot leased the land to the Portland development commissions so that they could fence it off. I think that that's totally illegal actually. I don't see how odot can even be authorized to just simply lease out land to a quazi-city agency like the Portland development commission, and especially under your little homeless state of emergency farce that you've been pushing. I see all you guys were chuckling and chuckling when you came in and Steve novick coming in all yeah. Here all happy, happy, happy. He doesn't want to even look at me because he knows that he's guilty. Just like all you guys. You have a look of guilt on your face because you are killing

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people and you are abusing people. You just say oh, it's all great what you guys are doing fighting sex trafficking but you have no problems going out and victimizing the victims that they were just talking about and other trauma victims. Victims of child abuse and all kinds of various things. Oh, mentally handicapped people and handicapped people, veterans. One of the best ways to become homeless in America here is to join the military because then you become homeless and then you just become worthless to your country once you have served it and --

Hales: Thanks very much.

Davis: Worked for the corporations. Then you get be pushed around by bullies on city council.

Hales: Mr. Davis your time is up. Thanks very much. Thanks mr. Davis. Thank you very much. Ok let's take item 435. Come on up please.

Item 435.

Hales: Good morning.

D Pei Wu: Good morning. I will bring this up to the table. I have a request if dr. Lisa bates could speak in my sted. She chaired the workers' rights board Thursday.

Hales: That would be fine. Dr. Bates' work is new to us so good morning.

Dr. Lisa Bates: Good morning. Thank you. I am here to report on behalf of the workers' rights board would last week for the community here about issues faced by workers on the steel fabrication and Erection Company where non-unionized workers have been striking for over a year due to unsafe conditions. The workers' rights board which consisted of myself and Tina krtuck and jose padine and father dave zegar. We heard testimonials from workers about hazardous conditions in the fab shop. Unsafe practices on construction job sites. Inadequate or nonexistent safety training and verbally abusive supervision. As these men explain the dangers of the jobs in things like potential eye damage, falls, the hazards of stacking and moving very heavy structural elements. We found that their descriptions were bolstered by the state of Washington department of labor and industries' recent findings up to a dozen serious violations of workplace safety in the fab shop in Vancouver. Those are violations that could lead to injury or death, but which have been dismissed by the owner as being minor. As we heard workers speaking of their concern and care for fellow workers at instafab. It was poignant that we were meeting for fallen workers and those who lose their lives on the job. Our recommendations at a community emerging will be presented in a full report and you will have the executive summary now and we'll present that to you. That will be presented to the instafab owners and management recommending that they meet with workers and address the training and safety and equipment and supervision practices and to really take very seriously those issues. We will be directing our findings also to Oregon bully to ensure that they are aware of the findings of Washington State and take action on the Oregon side of the border. Two major contractors including Anderson and [inaudible] that they need to address the practices of their subcontractors on job sites. And to the public institutions, our college institutions where the workers are involved with construction including here in Portland at ohsu and our public employee unions so they are aware and can address the Practices of construction on campus. We are all here very concerned about equity and who benefits and who is burdened by the Portland's development boom. We want the leaders to be aware of these issues and be aware of these findings and recommendations as the city moves forward things like affordable housing and construction and development and transit zones and etc., we would urge care with our public dollars as a way to support the good jobs and safe working conditions as part of our social equity imperative.

Hales: We appreciate you being here and calling attention to this and the linkages with public expenditures so thank you very much. Thank you all. Let's deal with the consent

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calendar briefly and then we'll move onto the next time certain item, and I have had some requests to pull items off of the consent calendar and actually made a couple myself. We're going to take items 440 and 441 and 442 to the regular calendar. Any other requests? Ok so let's vote on the balance of the consent agenda.

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

Hales: thank you. Items 436 and 437.

Item 436.

Item 437.

Hales: We have a panel from apano here? Kristina Narayan and Khan Pham I believe. Welcome good morning.

*******:** The timer is making me Nervous.

Hales: Presentations don't -- aren't subject to the time limit if you are invited presenters on a council calendar item.

Kristina Narayan: Great. Hello mayor and commissioners. I'm Kristina Narayan, the policy and research coordinator with Apano. To my left is Khan Pham the environmental justice manager, and further down is on Van- Anh lee, a recent graduate of the api leadership community institute. First before we begin we would like to thank you mayor and the office of equity and human rights for inviting us to share the information about our community and our work. Apano with national partners has produced a demographic profile of the west, and in this booklet is about ten pages specific to Oregon. I would like to briefly share some of the highlights. As you all know our community's history is rooted in the fight for equality and justice. We have persevered in this obstacle such as exclusion, incarceration and displacement to name a few. And since the 1800s we contributed significantly to the industries that have fueled and shaped Oregon's economy, namely, the fishing industry, farming, and the construction of railroads. You can see pacific islanders are among the second fastest growing group in Oregon. This is often untold. We took a step towards instituting this history. The school board voted to adopt a resolution affirming the ethnic study as part of the Study at Portland public schools to be instituted by 2018. This was the result of a yearlong campaign designed and driven by apano's youth. I don't know if you remember what you were doing in high school but I was trying not to go to class. Definitely was the making an effort to make it more dynamic and appealing to my peers. Now while measures and metrics often aggregate us together it is important to know that we are a unique, diversion community. My mother is from Yugoslavia. As you can see here the Asian and pacific island community represents about 26 different ethnic groupings. This ranges from our historic Chinese communities to our newly placed refugees and pacific islanders. Multnomah County is home to the state's most historic population of Asian and pacific islanders but actually we see the most growth in rural Oregon for populations -- they have actually doubled.

Fritz: Could I ask you about that? I was interested to see that Malheur County has a large contingent. Do we know why folks are going there?

Narayan: We actually see a large group of pacific islanders there for some of the agricultural work. Just that industry. I guess that I couldn't tell you otherwise, some go to where their families are and we see a lot of climate justice pressures bringing the islanders to the mainland which actually khan will touch on, as well.

Fritz: That's wonderful to see more diversity in the rest of the state. Thank you.

Narayan: So as our communities grow we want to make it a point to involve them in community processes. What we found is that our communities have the ability to swing elections with populations that represent the margin of victory in nine house district races. This is based on the 2012 elections. Our local district 44 is the highest number of voting age pacific islanders in the state. The continued investment must be made to ensure that

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the rights of voters protected and accessible regardless of language spoken at home or the citizenship. Apano recently launched a statewide campaign to register 6,000 newly eligible api voters by October and we're on track, and we will also release ballot voters guides in seven different languages. So our families contribute to the economy still. We are more likely than any other racial grouping to own a small business in Oregon. With 3 billion in revenue and fueling about half a billion dollars in payroll, we are literally creating jobs and local jobs. The jade district is an awesome example of what a thriving community can look like. We must ensure that our communities have the opportunity to continue to thrive and be stable in these neighborhoods. So there really needs to be a paths to storefront ownership such as community land trusts and other city policies that can incentivize these purchases. While we have seen pockets of prosperity within the community many struggle to make the ends meet. From 2007 to 2013 Asian Americans and pacific islanders somewhere actually grown into poverty. While some in our community find academic success others face barriers in accessing educational opportunities and language assistance for critical services. Statewide pacific islanders are among the least likely to own homes second only to african-american who have a home ownership rate of 33%. We know this rate is lower in Multnomah County. Even homeowners are likely to face a significant cost burden and increasingly double up or make tremendous sacrifices to keep their children in their school district to stay near their jobs and to simply be near their social supports. We have seen our communities prosper in the wake of -- wow. Sorry. In the wake of incredible challenges, and one way that we can ensure future prosperity is through advocacy and leadership development. Apano is engaged in civic engagement as I mentioned but also in member-led campaigns to expand healthcare access and health literacy within our community. The importance of heritage month extends beyond recognizing our history. It's a value statement that the city is making. You are recognizing that we are an integral part of the city of Portland. As such we must be included in the decision-making process so that we can help decide our future and also make sure that these policies help and don't hinder our fate. I would like to turn it over to khan to explain more about the services that apano offers and how the community members are [inaudible] the landscape in which we live.

Khan Pham: As Kristina managed Portland's growing communities face a lack of living wage jobs with which to support their families and housing crisis pushing more and more api's out of the city and growing anti-immigrant sentiment reflected in the campaigns to blame others for our programs. In apano we believe our communities find strength in a voice with self-determination and our diverse cultural and ethnic heritages. We believe the root causes of inequity are interconnected and as we organize and advocate on a range of issues from educational English language learners and ethnic studies to anti displacement and affordable housing and transportation and climate justice. We invest in political education to understand the systems that create inequities and to focus on developing leaders who can work collectively to identify the problems and make demands and win concrete changes for our communities. Today I am going to share a bit about the programs. Our climate justice work is rooted in the fact that the Asians and pacific islanders are among the most impacted by climate change both here and in their homelands. Many of the members such as the pacific islander members and other communities like my family back home in Vietnam have seen firsthand the impacts of rising sea levels and flooding and increasing drought. The neighborhood with the highest concentration of api's in Oregon is the jade district where residents suffer rates twice as high as the city average because of being surrounded by high traffic-free corridors. We know that it's crucial to make a shift to a clean economy. We see many forces working to make this transition. We want to make sure that it is a just transition. We don't merely

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have the same unequal structures of power only now with the solar panels and green infrastructure. We want to make sure that the people who are locked out of the current economy because of race and class and gender and sexuality and national origin are given access to green jobs and training. So we can all help build a renewable economy that we all need. In the jade district our organizing and advocacy centers around four, a home for all or anti-displacement and transportation justice which includes sidewalks and safety improvements as well as access to good public transit, and Small business development and healthy air and green space. We work with community coalitions like anti-displacement pdx, the Powell displacement committee and many others to ensure that the anti-displacement measures are included in the city's plans. We have started doing organizing with residents at Douglas square apartments, many of whom are repeat Chinese immigrants who are facing rent increases after the recent sale of their building, which is a microcosm of what is happening all over the city. We have launched our Chinese leadership academy and planned to launch a Vietnamese academy in the fall to build the skills and political analysis of our immigrant members so that they can advocate and organize for their families at all levels from Portland public schools to the city hall and beyond. At apano developing leaders is at the core of the work. Van is a graduate and now one of the awesome member leaders and will talk now about her experiences.

Hales: Good morning.

Van-Anh Lee: Good morning. Hi. My name is on Van-Anh lee, and I lived in Portland since 2007. I came here from Vietnam with my mom and older brother when I was 15. I am an undergrad student at Portland state university. Go Vikings: I am hoping to become a clinical social worker in the future. Last month I graduated from an eight-month leadership development program called the Api community leadership institute of API-CLI which apano and irco family center run together. API-CLI taught me the importance of training leaders in minority communities and the power of telling stories to challenge social stigma and as a tool for social change. From the day I was born I was taught to never question authority and to do my best at any given situation good or bad, oppressed or not because as long as we work hard we can overcome everything. That is not always the case. My grandparents and parent lived through the fall of Saigon to survive they had to adapt to the new system and the product of the environment. It is hard to do something different than what we know, and it was hard to do something different than what I knew. Recently something happened that made me realize how much I have changed and grew in the last eight months with the API-CLI. I was teaching third graders to prepare them for leadership camp. At some point, I mentioned the term fob, fresh off the boat, it is a derogatory term used to shame new immigrants typically. Most of the kids who knew what that term meant immediately told me to not use such term to talk about myself. I told them -- I asked them what's wrong with being a fob, and they could not give me an answer. I tell them how proud I am for being one and having friends and family members who are. Every time I say or hear the Form fob I think about all the silent and endless sacrifices that my mom who was 52-year-old widow who also did not speak any English had to leave her country with the hope that my brother and I will have a better life than her. I asked them how could something as beautiful as that become such a shameful thing to mention. Again, they could not give me any answer. The room went quiet. At that moment I know that I have given 30 young leaders in my Vietnamese community a sense of ownership and the power of our story that is not learned in school or cover in the media. All of that happened because I was no longer afraid. Irving goffman the 73rd president of the American association said stigma is a process by which the reaction of others spoiled normal identity. It is important that our growing community knows that we belong in and are included in the decision making and planning process, the decision-making drastically

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help or hinder our ability to thrive. We thank you for recognizing our community through apia heritage month.

Hales: Wonderful presentation. Thanks. Are there others that want to speak on the report itself? Anyone else signed up?

Moore-Love: No one else signed up.

Hales: And then before we take action on the report I have the privilege of reading a proclamation which says this -- whereas the city of Portland is proud of its diversity and draws Strength from the rich cultures and traditions of all community members and whereas Asian Americans, native Hawaiians and pacific islanders of Portland are prevailing over the adversity of exclusion, incarceration and displacement. Whereas Asian American and pacific islanders heritage month is an opportunity for all individuals and organizations to recognize the contributions of Asian Americans, native Hawaiians and pacific islanders to the cultural civic and life of Portland for over 150 years. Whereas the Asian and American and Pacific Islander communities comprised of languages and ethnicities and their vibrant history ought to be shared with all Portlanders. Now therefore I, Charlie Hales mayor of the city of Portland, Oregon, the city of roses do hereby proclaim May 2016 to be Asian-American and Pacific Islander heritage month and encourage all residents to encourage -- to observe this month. Let's hear it for our Asian and Pacific Islander community. [applause] I think a motion to accept the report is in order.

Fritz: So moved.

Novick: Second.

Hales: Let's take a vote, please.

Saltzman: Thank you for this good report. I look forward to looking through it more, but it has some good information about the tremendous population growth of our Asian American native pacific islander population so thank you. Aye.

Novick: Thank you very much for your presentations. Looking at the report with the passage that I wanted to read out which is that while some reports on Asian Americans and pacific islanders painted a simplistic picture this provides a portrait of the social and economic and political challenges our communities face. I think that's really important information to deliver because I think that you are right, with the popular imagination, it is often a glossy picture we need to be reminded that it's not always so glossy so thank you very much. Aye.

Fritz: As always data informs our decisions and helps us understand and I appreciate commissioner Novick for calling that out that the report shows that Asian Americans suffer disparities that are ongoing and in some cases worsening, so it's very much appreciated. You came to present today. Several of us were in the 82nd avenue of roses parade on Saturday, which was wonderful and great to see the businesses among 82nd recovering from the recession and possibly apano community space which was always brings a smile to my face. It's a partnership we need to continue to support. I am proud of the jade district and the neighborhood prosperity initiative. On June 11 of 1979 I was fresh off the boat. I came to hear from the United Kingdom and in those days a ticket on the boat was cheaper than plane. So that's my story, and that is not a story that arriving on that boat was different from the experience of you and your mom and your brother and I appreciate that you are going to Portland state and your mom must be very happy to see you embarked on the life that will be better than hers, and I am sure that she feels having you and your brother is part of a good life and, and getting here safely. So I appreciate very much you coming to give us your personal stories, every immigrant has a personal story and every American has a personal story, and we need to be reminded of those things. I am grateful for that and for your participation and membership in the community of Portlanders. Aye.

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Hales: You know this change in the demographics of our city is one of the most amazing and noteworthy changes in Portland's history. We have really become a much more diverse city over the last few decades. This report both shows the strengths of that community and of those communities and the weaknesses and the problems that we need to confront. But, I have so much hope having seen some activities and activism here recently. Saturday after the 82nd avenue parade I was at the new year's celebration in the park with communities from across the Asian and pacific islander cultures in our city, and it was both a cultural celebration and a celebration of the young people in those communities and a big family picnic for a big family that comes from dozens of countries. Apano and others that organized that, it was really a wonderful event because it shows how we are all becoming Portlanders. I said something there that I want to emphasize again here. You mentioned it. That is part of this involves leadership and political power. Not just access to the good things of Portland. Not just equal opportunity. Actual political power. And if you -- some of you attended our budget hearings this year. There were communities of color from across the city who came and spoke eloquently and passionately at those hearings. To me it was an illustration of the exercise of that citizenship and power that comes with inclusion. So that's something to be celebrated and encouraged. I love the fact that there are deliberate efforts at raising up new leaders whether as high school students, college students, or working adults who then can start taking these roles in political and public life. So I am enthusiastic fan of that development as well. So there is a lot to be hopeful about and a lot to be celebrated and a lot of work to do. You have the city council and a community that supports that change and all that comes with it. Aye. Thank you all very much. We have a proclamation that I would love to give to you and then would love to take a photo with some of the leaders here from the community who are here this morning. Could we please?

*****: Please.

Hales: Ok, I think we should take the items we pulled from the consent calendar and get this taken care of starting with 440. Can we do that now?

Fritz: Is anyone from parks is watching if you could get here?

Hales: Let's wait. We can take on the regular agenda.

Fritz: Ok.

Hales: Let's do 441, please.

Item 441.

Hales: The dollar amount was over the threshold. Unless there are council questions about this or anyone who wants to testify we can take action on it without them being here to present it. Itself at the 9-1-1 center and very important, anyone want to speak on this item? Let's take a vote, please.

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

Hales: and 442.

Item 442.

Hales: There this is complete and we are simply closing it out. Any questions about this one? The design is complete, sorry, and now it's ready to go out to bid, wrong, I read that wrong.

Fritz: I am glad you pulled it next time you might note why you are combing the two projects. Maybe next time it might be -- Give more opportunities to smaller firms.

Hales: I will ask, next time we should you be bundle those because that gives more opportunities and this is recoding so they don't need as much equipment as if you are grinding and paving.

Fritz: It's important to honor our commitment.

Hales: Any other questions? Let's take a vote to authorize this.

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Davis Kif Davis: I will take three minutes of silence for Michelle, local activist

Hales: we're talking about the contract on paving so I will rule you out of order. You are out of order so we are going to proceed.

Joe Walsh: I would like to speak on this.

Hales: Too late.

Walsh: You are out of order:

Saltzman: Aye **Novick:** Aye **Fritz:** Aye **Hales:** Aye

Hales: You are both out of order and you will be excluded from the council chambers unless you let us proceed ten, nine, eight, seven, six, five, four, three, two, one. On one you need to be seated otherwise we will be closing the meeting so you can be excluded, two, one, zero. We are recessed.

[Recess taken]

At 10:22 a.m. council recessed

At 10:27 a.m. council reconvened

Hales: Come to order, 440.

Item 440.

Fritz: Thank you, mayor, this was inadvertently placed on the consent agenda and something we're pleased with so I am happy to have the opportunity to introduce our staff here, your staff mayor, and mine from parks, and it shows the strong collaboration between the office of management and finance and Portland parks and recreation and Multnomah county to manage the public property more effectively, with that, I will turn it over to our trio of presenters.

Bob Kieta, Office of Management and Finance: This is about the clause that we have on a piece of property out at Troutdale, part of the Edgefield property as you may remember it, it is part of the property. We transferred this in 1923, I think it was. For it to be continued to be used for those uses. Since the farms shut down, the jail is shut down and the only thing left operating in the county out there is the animal services. The reversionary clause allows the county to take this property and to combine it with the properties they have worked to develop with the mcmenamins and the property there to release it for that use. The property is wetlands and the main purpose is for adjacent properties to be able to do mitigation on their ability to do agricultural work but that's the main purpose. What we have in trade for that is the actual reversionary clause on the lair hill park property which has the large brick building there that's you know, in bad disrepair but the clause is that it be, you know, used for parks use. It's been used for storage for a number of years and what we're doing is trading the reversionary clauses and releasing our interest in the Troutdale property and the county will release their interests in the parks lair hill property for a petition lot so parks can use that property in whatever is the best interests. Questions, we're happy to answer any questions.

Hales: It is an interesting story about how the city came to that in the first place.

Saltzman: What is parks attending to do with the dormitory of lair hill? Isn't that a historic structure?

Trang Lam, Portland Parks and Recreation: It is not on the historic register. It is a very old building, however, and it is not a structure as of this point.

Fritz: Will you introduce yourself?

Lam: My name is Trang lam I am the property and business development manager for Portland parks, and just to go in a bit deeper on the property, itself, it's been a storage use since 2001, and very underutilized, so this gives us an opportunity to think about what other uses might be, so we're going to have to go through that process.

Saltzman: So not demolishing it?

Lam: No. We would not demolish it.

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Fritz: It's not in very good shape so that's one of the places we looked at could we do storage for people living outside and even for that use without much -- many people in it, it was not deemed suitable. For those watching at home, and those who are my age, it's the old children's museum before the museum moved up to Washington Park. It's a beautiful building, but it needs a lot of work to make it habitable and useful

Lam: It is, yeah.

Hales: So maybe you don't know all the possibilities yet but for the lair hill property but, are you going to put it out on the rfp or seek an internal solution within the city bureaus? What's the university of possibilities here?

Lam: Well, I think, all of the above so you know, kind of all the possibilities of, you know, I have spoken with our director and the commissioner around probably putting out an rfp because it does need a lot of tlc and probably need a lot of funding, so we'll probably try to look for a partner that could help us to fund that.

Fritz: One thing we could do is do a lot line adjustment to make that a different property from the park, and I want to be very clear, the neighborhood, those who love the park, we're not proposing to develop the park land in any way or diminish the parkland available for parking.

Kieta: We have to partition a lot around the building, the reversionary relief -- the park is always park use.

Lam: And the setbacks is based upon current code right now.

Hales: Good. Other questions?

Fritz: I also mention that commissioner Saltzman, one term at the intergovernmental agreement is for the city to devote any proceeds exceeding 389,000 from the transfer of the building to an affordable housing or homeless shelter program. Mutually agreed upon by the parks commissioner and the county chair are operating or the officer, so there is that component that was a part of the whole mega-deal with Troutdale and the park property, so as I said, we've been working on it for some time, and I think it really is a potentially win-win-win.

Hales: Great. Other questions? Anything else that you all need to make sure we understand before we see if we have testimony on this item?

Lam: I would just add a bit more to what commissioner Fritz said which is above and beyond the 389 it also would include any renovations that we would have to do to the building as well as any of the setbacks and things like that. Above the cumulative number.

Hales: Great and thank you very much. Anyone else want to speak on this item? If not then it's an emergency ordinance and let's take a vote please.

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

Fritz: As you can tell the colleagues -- this has been a tremendous amount of work and I want to thank bob Kieta, Portland global and Trang Lam for their work on it and this measure allows increased flexibility so that we can continue to figure out the highest and best uses of these public properties. Aye.

Hales: One I want to commend you Commissioner Fritz and for the bureau for taking this approach to these kinds of properties. We worked together on another one that had caught my eye, which were the unused derelict restroom buildings at Ankeny and park. You had that -- you have that out for the request for the proposals and what we found, of course, is there were a lot of creative ideas that came in from the community, and the bureaus, under your direction, to set whatever criteria, that we prefer a nonprofit or we are looking for this support and use but one thing that I certainly learned over the years and it is evident in that reaction, is that there are some creative people out there who are smarter than I am, and I take as my proof every time I go around the city or much less to Edgefield, mcmenamins, this is not necessarily going to become a mcmenamins. That's not the

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point. They can look at a building that I would say it's too far gone and hopeless. That was very much my reaction to the Kennedy school when they converted that into a commercial enterprise that was very respectful of the old structure, so I hope that that's what happens, that kind of thing happens with the property at Ankeny, and that might be the outcome here. But, I have learned from experience that there are people who can look at these buildings and come up with creative, cost effective solutions that I would not think of and maybe no one in the city government would think of. We're out for the proposals on the fire station at 2nd and Everett on the same kind of basement -- no, love joy. On the same basis. The old fire station next to union station is pretty far gone. It's a historic building. We hope it can be brought back similar to this. I toured this building along with chair kafoury and commissioner Saltzman when we were looking at facilities that might accommodate the temporary shelters and led to our decision to try to use the sears building. One walk around this building made it clear not feasible for any kind of habilitation without a major reinvestment. But, I hope that some solution either inside the family of city bureau says or in the community can be found because it is a great old building, and it's, it deserves rehabilitation and hopefully this leads to that kind of solution. So, thanks for good work on this and look forward to the next phase of that work. Aye. Let's move on the regular agenda item 445.

Item 445.

Hales: I want to say, and for you, commissioner Saltzman as my co-sponsor, we're looking for every means that we can find in planning and code to do a better job of protecting great old buildings. That's why it's great that we have had Mr. Spencer-Hartle to the planning and sustainability staff to support the work that's being done and that we need to make sure that we're sending the right signals and consistently to people trying to demolish the buildings. That's really what this particular piece is about. I appreciate the attention to that. Commissioner Saltzman.

Saltzman: Thank you mayor. I will turn it over to staff who can explain it better than I can. But it came to the attention of staff that unranked residential structures that are on the historic resources inventory were not subject to our relatively new demolition delayed provisions, and this -- these changes before us rectify that and make those properties subject to demolition review delay. I will turn it over to Nancy or spencer.

Nancy Thorington, Bureau of Development Services: Good morning. Nancy Thorington with the bureau of development services, and Brandon spencer-Hartle with bps. Basically what happened was actually this has been part of the ordinance since at least 2002. It just came to our attention recently on a particular project. Some projects basically there are two exemptions in the demolition delay ordinance to the 35, existing 35-day delay. One is for nuisance properties and the other is for properties that are historic resources or that are on the historic resources inventory. What we discovered recently in a project was that the title 33 language only subjects properties that are ranked. That's a term in the zoning code, that are ranked to the 120-day delay, if they are unranked properties, not subject to the delay, which means that you would both bypass the 120-day zoning code delay and the title 24 delay. Essentially, what happened in the past was people would just pull their properties off the hri, which they can do by a letter. But, if you had an unranked property and didn't pull it off. You would be subject to no delay. So this ordinance closes that loophole by basically saying that anything that is not subject to title 33 delay is automatically subject to the title 24 delay, so there is no, no way to get through it, plus, since 2002 there's been a lot of changes to the zoning code so the language that was in this exemption didn't necessarily cover all of those, so this broadens that, so it just creates a safety net so that every property or residential demolition that would normally be subject to a delay is. Any questions?

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Hales: Anything to add to that?

Brandon Spencer-Hartle, Bureau of Planning and Sustainability: No, I think that covers it.

Hales: Great. Questions?

Saltzman: I would add in order to avoid having projects being exempt from the delay provision there is an emergency provision attached to this ordinance.

Hales: Good idea. Ok. Thank you both very much. Anyone else want to speak on this item?

Moore-Love: One person. Mike O'Callaghan.

Hales: Come on up, please.

Mike O'Callaghan: Thank you, I appreciate that, Michael O'Callaghan, speaking about the demolitions, I appreciate that. It supported me for years, I tore a building down and sold the material in Alaska and it's good to see it coming down here. Certainly I support the reuse of all those materials. It is a good way to go. It gets people jobs on both ends tearing it down and also on the usage end. Now, there was a mention about a site for equity and justice. Now who do we fight for equity and justice? We fight you guys. That's who we fight, that's why the bill of rights are in place to protect us from the authorities, you. Charlie, what right do you have to confiscate the property? The camping ordinance doesn't give you that right. What gives you that right? It's tyrannical. You take people's property without authority of law. Wow. You know the camping ordinance was declared unconstitutional in 2001. Multnomah county court judge also by the ninth circuit court of appeals. The camping ordinance, I am glad you suspended it but you certainly didn't stop the sweeps. What gives you the right to sweep? You know. You are all involved in this, and even if it is different cabinets that run different parts of it. Ok. I have heard people, and I have read of people coming and talking to you about the homeless, god forever. Doing anything about it? You look at the count of the people in the homeless, 1800, the last count was up 11% or something like that, and you scratch deeper and you see that there was 600 some odd people that was included in the count because they did not want to wake them because they didn't want -- because they did not want to participate. We have over 10,000 homeless on the streets, do a counsel, one of the first parts is understanding the magnitude of the problem. Ok. Now, this is unfortunate that you have chosen these things, but I do appreciate that you did kind of stop the sweeps for a bit. They came out, homeless again, and you got a week, and a place to stay. Had another heart attack with the next one. I have not seen him for a while. You heard the guy that wanted a minute, three minutes of silence. That you could not give him. Couldn't you do something about this? Thank you.

Hales: As commissioner Saltzman said, let's vote, please.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Good catch, aye.

Hales: Yes, thank you very much, aye. [gavel pounded] ok 446.

Item 446.

Hales: There is a lot going on in the bureau of planning and sustainability as we all know. And there is also a pretty urgent need to retune our design review process so that the purpose of this contract is to supplement our staff with consulting services. And I don't know if you want to give us a quick overview of this proposal? Good morning.

Sandra Wood, Bureau of Planning and Sustainability: Good morning. Hello, I am Sandra wood with the bureau of planning and sustainability and thank you for giving me a chance to say a few things about this project. We're really excited to be doing an assessment of the design overlay zone. The d overlay is mapped throughout the city. Usually in places where high growth is expected. And the comprehensive plan and the mixed use project you will see later this year, and we're proposing to expand the design

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overlay to more areas of the city which raises the need to do this assessment at this time so that we get the tools right before that expansion happens. The purpose of the assessment is really to look at the design review process both discretionary design review, projects that go through the design commission, and non-discretionary design reviews with the permits over the counter to see what the design outcomes are and indeed, what the value added is, and the time and expense worth it, in other words. So we're looking at that, and we think, in thinking about this project, we really thought that it would be best to have a consultant doing the work so that they can conduct the assessment and do interviews with stakeholders and we felt the stakeholders would probably be more open and willing to speak to an unbiased group of People, as opposed to us staff and the city. And so, we feel that the contractor, walker macy, who was the selected candidate for this contract, is really a great way to go. They have a lot of experience. We're excited to work for them -- with them. We hope that you will award this contract today.

Hales: Great and thanks. Questions?

Saltzman: What's the time line for completing the work?

Wood: They are -- we're having our kick-off meeting next week. If this was awarded today and we should be back at city council by December with their recommendations.

Hales: Thank you very much. Anyone else want to speak on this item? If not there is a need for speed and it's an emergency ordinance so let's vote please.

Saltzman: I appreciate you bringing this ordinance forward, mayor. It's important that we take a good and partial look at our design overlay and get input from people. Aye.

Novick: Aye.

Fritz: Thank you, aye.

Hales: Yeah, I think it's important to know that we're coming from strength on this issue. We have done a good job with the design review but it can be better. There are places it takes too long and places it's not enough. I think the purpose of this project will be to tune it to have it work better for more parts of the city but also not have it become a huge time impediment for the projects that are well designed and that's the goal. We have amazing volunteers who serve on the commission and great staff. We also have a city that's growing so fast that one we need good design and more places and two we need the system to be efficient. That's the goal of the project. We are looking forward to the results. Aye. [gavel pounded] ok. 447.

Item 447.

Hales: Good morning, Lieutenant Shearer.

Andrew Shearer, Portland Police Bureau: Good morning. I am Lieutenant Shearer, here representing the Portland police bureau requesting an ordinance to apply for a grant to the department of justice for 9,362. That's a 50% match for the cost for 25 vests. Right now we currently have well in excess of that as far as the officer vacancies so we're anticipating the need to purchase these vests over the course of the year or two.

Hales: Great and thank you. This grant, this 50-50 grant is an ongoing resource for us as long as the feds keep authorizing it?

Shearer: Correct.

Hales: Great.

Hales: Questions? Thank you very much. Anyone want to speak on this item? If not roll call please.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Thank you, aye.

Hales: Aye. [gavel pounded] ok 448. Captain, good morning.

Item 448.

Mark Kruger, Portland Police Bureau: Good morning mayor and commissioners. This grant is a renewal of the grant we have had with them since 2005 which provides

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supplemental funding to the drugs and vice division for drug addiction efforts. It supports principally investigative overtime and small material costs and equipment costs. This past year the grant also funded the drugs and division study for the [Inaudible] opiate overdose study which we funded in 2015 and this year in 2016.

Hales: While you are. Here it seems like on one hand we have a huge amount of heroin issues on the street now from everything i've been hearing from officers. Two you have had some enormous quantities of drugs that you have inter-dicted. What's going on? Give us a picture if you would not mind of what you see overall in this situation.

Kruger: Drug trafficking in this portion of the United States is dominated by Mexican drug cartels bringing substantial quantities of drugs into this region and we have been successful in inter-dicting that's quantities compared to our historical levels of the drugs that have come into this area. The way we view these seizures is we believe that this is really a reduction effort, every dose of heroin or Methamphetamine or cocaine that we can take off of the market is an overdose that is avert and had we are trying to couple these efforts with providing the services and the efforts for our officers to be able to revive people if they find an overdose situation so we're hoping to limit the harm to the community by eliminating the amount of drugs available and on the market and then providing also the opportunity for officers to provide people an over, in overdose situations.

Hales: Do you have any idea how many times we used that medication now?

Kruger: During the test period through 2015 we had eight successful overdose revivals. The problem that we have, not really a problem but we have an efficient ems system in Portland. So ems arrives at overdoses before the police bureau does and they provide the same service. We are, basically catching the opportunities where ems hasn't arrived first and we think that that's an important opportunity to fill a need.

Saltzman: Is it nalaxone.

Kruger: That's the inter-nasal version of narcan, which you have probably heard of. It provides the same kind of impact on the person. It blocks the receptors in the body from receiving the opiate and revives the overdose.

Saltzman: It has been deployed. Does that mean every car has that?

Kruger: The study that we conducted we found after we studied throughout 2015 was that the overdoses are concentrated in central precincts, and that's where we have the most exposure to them so we believe through the study that we conducted that the best place to deploy it was in central precinct. The program is focused in central precinct.

Hales: I didn't realize it was inter-nasal. It's not an injection but a spray?

Kruger: Yes, regular, easy for the officers to use and non-invasive.

Hales: Wow, great. Any other questions? Anyone want to speak on this particular grant acceptance? A vote on this one, please.

Saltzman: Aye.

Novick: I continue to believe that interrupting the supply of drugs is a losing battle, but taking money from other governments is good. Aye.

Fritz: We are not necessarily just doing that but saving people who have taken drugs so thank you very much for your work on this. Aye.

Hales: Thank you, aye. [gavel pounded] one more here. Oregon department of justice 448.

Mike Krantz, Portland Police Bureau: Good morning. Lieutenant mike Krantz

Hales: She has too read it.

Moore-Love: 449.

Hales: I am sorry, I read the number wrong. Oh, sorry. 449.

Item 449.

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Krantz: Lieutenant Mike Krantz with The Metro Gang Task Force. This is another renewal of the Hyda grant we received since 2009. This is a specific grant for the amount of \$10,000. This is for the purpose of using for the purchase of information and evidence in our ongoing investigations of large skill gang organizations involving drug trafficking or violent acts.

Hales: That's the reason for this particular funding. It allows us to solicit and purchase information. That's great. All right. Thank you. Questions?

Saltzman: It does not include looking at prostitution in gangs? It's specifically drug trafficking in gangs?

Krantz: For us, our task force is specifically has given the mission of identifying the prosecution, criminal enterprises, street gangs that involve drug trafficking and money laundering and crimes of violence and human trafficking and ongoing street violence so we have a large, a broad view of a lot of different crimes, incorporated into gangs.

Saltzman: Ok. It includes human trafficking?

Saltzman: Good to know.

Hales: Good. Thank you.

Hales: Other questions? Anyone want to speak on this item? If not let's take a vote please.

Saltzman: Thank you both. Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

[gavel pounded]

Hales: Thanks very much.

Krantz: Thank you.

Hales: Ok let's read 450 please.

Item 450.

Hales: This was filed and needs to be returned to my office. If there is no objection I will do that. [gavel pounded] returned to my office. 451.

Item 451.

Hales: Good morning. Also good news.

Cathy Bless, Bureau of Human Resources: Good morning. Yes, it is. Cathy Bless, health and financial benefits manager with the city of Portland. And [inaudible], as well. As part of the enrollment process 451 establishes the 2016 and 2017 city of Portland benefits plan reflecting the necessary administrative and planned design changes for the fiscal year. With the headlines regarding healthcare and make assumptions that all plans must be struggling, I am here to tell you that it's not the case within the city's self-insured plan city core. The city core rates have not seen an increase since the plan that you are beginning. In that year our single party rate was 693-13 and for July 1, 2016, it's 693.85. We have managed to hold rates flat even with added coverage requirements within the affordable care act and we have continued to seek the value in plan design where it's made sense. In fact, because of our recommendations and work within the labor management benefits committee, we are able to lower the maximum amount of pocket costs per person in the city, and from 3,500 to 3,000, and add a much needed increase to the basic life benefit for the dct groups moving away from a flat 10,000 benefit to a benefit that is one time annual salary up to 50 which matches the general population of employees. These enhancements are made possible because of stability and overutilization of the plan and because of a move in pharmacy management services discounts back to the plan, while still adding value to the member. The Inbc worked collaboratively and hard to look at each option and come to a consensus on what was best moving forward. The recommendations I make to the Inbc are balanced, and insuring the program is fiscally responsible and sustainable long into the future. Providing quality, value driven care and coverage and choice to employees as I know, a commitment of this

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council and our office. I continue to support and advocate for a culture of health within the workplace and within the plan and see this as a critical function of my office. We have a desire to create an environment that supports getting to the root cause of barriers to health through preventative care and the healthy foundations program. As we have discussed in previous years healthy foundations is a personalized program that matches intervention and intensity and objectives more closely to the participant's individual beliefs, attitudes and preferences. This program has helped ease the burden of chronic disease for the 230 folks who have been through the program or are currently participating. We can show the participants who graduate from this program have lower stress, lower depression rates and higher patient activation scores. Members also see improvements in physical fitness, social activity and overall of life. They are more adherent to prescription medication have fewer days in the hospital, use emergency services less and cost less than participants who have been invited to join the program and have chosen not to enroll. The average annual cost of care for city core participants whose claims are between 5,000 and 50,000 is 13,600 per person. Healthy foundations participant's claims cost an average of 95% above that above that general population in age range. But for those who have been invited, but have not chosen to enroll those cost are 17.2% above the general average. Significant saving are happening, but we also understand that more work needs to be done. We will continue to build opportunities for employees through the healthy foundations program, new options will be available over the course of the next plan year getting these important services to more participants through group center activities, coaching, and individualized plans for success.

We will also look for ways to integrate the employee assistance program services through eap, and how best to integrate primary care to ensure employees have ready access for services whether that is in new partnerships with hospital systems, providing primary care or envisioning more collaboration to bring services nearer to employees who do not work within the downtown core. At this point I would like to introduce Roger Hediger to provide some remarks regarding his own experience within the program. After that I would be happy to answer any questions that you have about the health plan and then also ask for your approval on the amendment. Thank you.

Hales: Thank you. Welcome, Roger.

Roger Hediger, Water Bureau: Thank you. I'm one of the beneficiaries of the healthy foundations program and the city's health program and when I heard there was an opportunity to at least put a face to the people that use that program, give a highlight how important it is I took the opportunity I have had a chronic disease for 30 years. Struggled with it more or less, always been a productive member of society but it's taken a toll on me and my family. Because I'm a heavy user of the system, or I was, I was lucky enough to get chosen and asked to join healthy foundations, which I did. It took a fairly substantial commitment of time. I would go regularly once a week for over a year, and it's amazing with the transformation and help that it provided. I no longer require medicine that was costing \$10,000 every six weeks. I have been off it for quite a long time. I'm not going to say just spending time with the good people at healthy foundations was what did it but it's a product of a lot of things that I think healthy foundations brought to the table for me that you don't get elsewhere. That's the long and the short of it. People who have specialties know a lot about their specialties. They don't always know about things that are attached to those that they work on. For anyone that had an experience like I have its very difficult to find a place that provides a big tent of services and financially it makes a big difference. From the personal point of view for people who live with people with chronic disease or people who work with the city with chronic disease makes a difference to have a place and a way to get past that being the central part of your life. It interferes with your work, with

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your personal life, and they are good people. It's worth the city's investment. If you wonder if anyone you know uses that service, yes. Thanks for your time.

Hales: Thank you. Thanks for being here.

Hales: Good morning.

Anna Kanwit, Bureau of Human Resources: Morning, mayor, I had a meeting with 483. We're very happy, but yes, happy to be here as well. I know Cathy has already gone through the plan, but I do not think Cathy often like to toot her own horn one of the reasons that the city has really such a robust health insurance program that meets council values around health care for employees, it focuses on a model that doesn't punish the sickest people in our system and is a model recognized -- we met with representatives from vera health, oh, my gosh, you people are doing it right. I consider this really effective since I do a lot of work myself and my staff, also collaboration and very good meetings with the labor management benefits committee, Cathy mentioned it gratifyingly although it's not a big part of the plan we were able to increase life insurance to employees through the ductu process. Something we were unable to do in the bargaining process. So that's great. All in all I do applaud the efforts in putting this plan together.

Hales: Questions?

Fritz: An article in the paper about soaring requests from health care companies asking for increases in premiums. How are we doing in paying for the system in terms of increase in cost for the program?

Bless: So the article that came out yesterday on the insurance exchanges anywhere between 14 to 32%. We have zero percent increase this year.

Fritz: Say that again, please. [laughter] That was definitely a leading question. They are requesting a 14 to how many percent?

Bless: 14 to 32.5.

Fritz: And ours?

Bless: Zero.

Fritz: We're increasing our benefits because we manage the system so well.

Bless: We have not had to dip into reserves to help subsidize any payment of claims.

Fritz: You're doing a phenomenal job.

Hales: Thank you. Other questions?

Saltzman: I had an email exchange with Cathy about this. I think basically the changes to the benefits are in essence cost neutral because of the savings under the new prescription plan.

Bless: Which we will be coming before July 1 for a contract with express group. That's the new pbm.

Bless: Express scripts. They are one of the largest pbms and we're really able to show us value through rebates and pricing and formulary that is very small impact to employees and huge value to both consumers of prescription medications and the city.

Hales: Any other questions? Thank you all very much. Anyone else want to speak on this item? If not, then we should take a vote, please.

Saltzman: Extremely good work. Thank you, roger for put a face on the healthy foundations program. It really helps. Aye.

Novick: It's great to be reminded. I join commissioner Saltzman in thanking you for putting a face on. It you're doing a phenomenal job of maintaining costs in the face of skyrocketing costs. Aye

Fritz: Thank you Cathy Bless and Anna Kanwit for coming to tell your story and to the millions that have been part of the labor management benefits committee. It's a great example of administration and employees working together to do good things. To recap, at the end I mentioned we are now providing \$50,000 life insurance to members of our

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district trade unions and recreational employees local 483 which brings everyone in the city up to have that basic benefit. It really makes a difference. Again, that's being done within existing costs. We are decreasing the annual out of cost individual maximum from 3500 to 3000 within existing budget and we're moving to a \$3 minimum co-pay with still zero cost for birth control. Very much appreciate all of the attention to detail. My staff is excited about the \$150 towards purchase of night guards. Apparently my employees have a problem with that.

Kanwit: Very stressful. Yes.

Fritz: At the same time we're saving taxpayer's money. Aye.

Hales: Thanks for coming. I think it's important to note one way to save health care costs is to help people avoid health care by being healthy. By healthy lifestyles, by weight loss, by exercise, by other choices that we can help our employees and their families make that reinforce their own health. So that's very much the philosophy here. I appreciate it. This is one more of these remarkable unremarkable proceedings that happen in this room. There are still people in Portland who pick up on the generalized rhetoric that government must be wasting their money all the time everywhere. I heard a little of that last night at a contentious committee meeting. You still hear it even in Portland. I keep telling stories of unreported proceedings that happen in this room when our outside auditor comes in with a document this thick, sits where you sit today, say we have no issues. With a \$4 billion budget with thousands of line items they say, we have no issues. Essentially they say our financial staff is doing everything right down to the last digit. Here our health benefits manager says zero percent increase at a time of rapidly inflating health care costs and huge turmoil, some of it positive like the affordable health care act, you're surfing through those choppy waters and ending up with a better plan at the same cost. It will no doubt get little coverage but it's noticed and appreciated very much in here. Good work. Let's take on item 452.

Item 452.

Hales: Second reading, roll call.

Saltzman: Thanks to the office for community technology for the great work. Aye.

Novick: Aye.

Fritz: The answer to my question last week about whether this new money, 500,000 to \$1 million, is included in the budget is yes. That's already been accounted for in the mayor's proposed budget. Excellent work by the office of community technology and I appreciate it.

Hales: Aye. 453.

Item 453.

Hales: Roll call, please.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

Hales: 454.

Item 454.

Hales: Roll call.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

Hales: 455.

Item 455.

Hales: Also second reading, roll call.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

Hales: 456.

Item 456.

Hales: Commissioner Saltzman.

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Saltzman: This authorizes proceeding with contract negotiation and solicitation for purchase of seven pieces of emergency fire apparatus by Portland fire and rescue. Five will be funded from remaining funds from the 2010 general obligation bonds. These will be the last items purchased from those funds. We thank voters for approving that in 2010. Two fire trucks are funded with the replacement budget. Here to answer questions or maybe say something, chief ken burns and jay guo.

Ken Burns, Portland Fire and Rescue: Mayor, commissioners, thank you. I will just keep my comments brief. We appreciate the opportunity to come and ask for these funds to keep our apparatus in a fine workable condition to serve the citizens of Portland. Our logistics section has done an owed standing job. We have a few of the front line apparatus that have 150, 160,000 miles on them. Our goal is to replace them. Due to that section's hard work we have extended the life beyond what we anticipated. As miles increase the maintenance goes up and there's some costs associated with that, so this ordinance is a great opportunity to keep our apparatus in good working order to provide care and services to the citizens in a timely manner without breakdowns and delays.

Hales: Couple questions, chief and jay, so the apparatus that gets cycled out of the fleet is a result of these purchases? I know we have had a tradition of sometimes gifting apparatus to a sister city. What happens to the surplus used vehicles that are the far theft end of the time scale there and are coming out of the fleet?

Burns: They do get cycled out. After they are first time apparatus they become reserve apparatus to replace those under repair or call-back apparatus if there's a major event. We can staff extra engines to provide more care. Then ultimately after they are reserved they go to our training facility and our recruits use them to the rest of the duration of their useful life. Ultimately when they have 150,000, 200,000 and they are 20 years old we do try to find a good fit for them to help other communities that are in need in also.

Hales: Another I see you're purchasing a foam unit. I had a scary conversation with your predecessor, Chief Jansen, when the oil fire issue started becoming national news. I said are we ready for that kind of fire in Portland and she gave me a one-word answer and that was no. Tell us about this, what else we might need to think about.

Burns: Our current capacity, if you will, is foam buckets that is manually dumped into a pump to then deploy. [laughter] right now we have great partners and right now we have mutual aid agreements with the airport and some of the facilities along the waterway who have bulk storage, 500 gallon tank with a mobile pump on a flatbed pickup. Those things are far better than a pickup with a lot of five-gallon buckets on it. This will put us where we need to be and be able to respond not only efficiently but frankly very safely.

Hales: This is a bigger one, larger capability unit?

Burns: Oh, yes, yes. There will be totes on it. Instead of having five gallon buckets that have to individually be poured into a container this will have pluck storage on it so we'll be able to deploy it. The five-gallon bucket really is very inefficient and most times the use of the foam is faster than you can dump the bucket out. So right now quite frankly we have been really fortunate. We have had a couple of incidents but we have had great partnerships with the port of Portland in bringing in some mobile foam capabilities as well as Vancouver fire. There are examples for us to learn from but that's what this will do for us.

Hales: Thank you. Glad to hear that. Other questions about this package. Thank you both.

Burns: I'm intrigued about the police officers. For you all to know heroin is a problem in Multnomah County. We at Portland fire with our ems partners, 420 administrations last year of narcan. That really gives you a picture of that partnership with the police, an

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outstanding partnership. It's great they took on some of that responsibility and are helping us provide care.

Hales: 420 individual administrations?

Burns: Yes.

Fritz: Have you switched to the nasal?

Burns: We have the nasal. Injectable quite frankly we can do it i.m., so for us we have a higher training capacity. I would say it's just as effective nasally. It depends on the patient. It's the paramedic's choice or the person administering it. We can administer it several different ways. Nasal is most appropriate for people with not as much training.

Hales: That's an amazing statistic. Thank you. Anyone else want to speak? If not then it passes to second reading next week. 457.

Item 457.

Hales: Commissioner Novick

Novick: Andrew Aebi take it away

Andrew Aebi, Portland Bureau of Transportation: Thank you. Andrew aebi. Council approved resolution intent for the southwest spring garden lid four weeks ago. Thank you very much for council's strong support of the project. Since we were here four weeks ago we have increased the budget by about \$190,000. That additional funding from pbot. We are billing a bit of additional contingency because we have poor pavement conditions where we're adding curbs and sidewalks and drainage. I passed out two things to Karla to hands out to you today. We did not receive any remonstrances from any of the property owners whose properties are proposed. We did receive communication labeled remonstrance from somebody walking down the street and saw a posting notice and thought their property was going to be assessed. When I explained the situation to her, she sent me an email withdrawing the so-called remonstrance. It's only a remonstrance if your property is proposed for assessment, which was not the case here. We have zero percent remonstrance level today. I also passed out correspondence from a property owner named peter McMinn, his property is not proposed for improvements. He requested traffic calming measures on the street. So when I wrote the ordinance I did give the city traffic engineer the flexibility to add traffic calming devices. If in the judgment of the city traffic engineers those are warranted. Probably most importantly it's a condition -- if the condition of the pavement will support adding a bump or other traffic calming devices. Mr. McMinn also lamented poor condition of the pavement on spring Garden Street. The way the lid has been structured those properties do have the ability to voluntarily participate in the lid. At this point they have not indicated they wish to do that but we will do additional outreach during the design phase of the project. With that i'm happy to answer any questions you might have.

Hales: Questions for Andrew first before we take other testimony? Thank you, good morning.

Christina Abernathy: Good morning. I'm Christina Abernathy. I moved to the Multnomah neighborhood January 1978. I own a house at 3218 southwest spring street adjacent to the property of spring Garden Park. I am one of those houses that should have filed a remonstrance. I will say to you that I was on the original cac committee to develop a city park there when that park was purchased and thanks to various city commissioners we got that park and i'm really pleased. However, when we developed our first plan it was very important that it be transparent and we sent out surveys to people in neighborhoods. We tried to have parties in the parks so people could see that. We eventually developed 150 surveys we got back. We decided natural areas were important to us. That was the park plan that was presented to this city council and adopted and we were told we were the poster child for the parks. The new committee was formed about

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four years ago as money baseball available, thanks to you, Amanda Fritz, for doing that, and I expected that same transparency on this park. Three plans were presented. We saw those, it was a meeting on January 2016. I wasn't able to attend. Evidently that final park plan was decided. But no mailing ever came. I have never personally seen that plan until things were very far along. On April -- we don't enter the park on spring gulf or spring Garden Street. We actually go through the local access on freeman. On April 28 we were walking our dogs and we stopped to read a posted sign informing residents that improvements and costs and charges for improvements, \$1,462,502.16, of which 1,272,551.79 would be borne by residents assessed on a combination of square footage and equivalent frontage on Spring Park. The proposal could be modified as a result of testimony and a lid formation hearing. That posting was made on the 19th of April. April 27th was eight days later. We walked by their April 28th. We had no chance to file a remonstrance. I have never seen what I would be buying for that money. I'm quite shocked. I feel blindsided by it. So hence no mailing.

Hales: I understand that the process concern that you've raised.

Abernathy: The process concerns me. I walked up the street. There were signs at the bottom of 30th. There was a sign, an opening of spring Garden Park which we don't use. At the bottom of the field evidently there was a sign. It wasn't there when I checked on the 28th, it was put up and knocked down again. I don't think we knew what was happening. That's why there were no remonstrances.

Hales: I understand that. Aside from that question, which is very legitimate, thanks for bringing that up, the substance of what's being proposed in terms of improvements, do you think they are appropriate?

Abernathy: I have never seen it. I have never seen any of that so how do I know?

Hales: All right.

Abernathy: Thank you.

Fritz: I'm texting my staff to see if they can go through that with you on the park planning piece then we'll hear from Andrew about the assessment piece.

Hales: Thanks very much. Andrew?

Aebi: Good morning again. Not entirely clear whether the concern is with the park planning process -- I know some residents on the street had questions about the planning of the park which i'm not in a position to answer. What I can tell you is that the parks bureau, adlibbing here a little bit, commissioner Fritz, i'm aware that parks did seven months of public engagement, had three public meetings and five advisory committee meetings and had their own outreach process with respect to park improvements. We held a property owner meeting in January and then prior to coming to council in April we, pbot erred on the side of notifying everybody on doll fink spring garden between 30th and 35th avenues. We sent a very broad mailing to everybody on both streets, to err on the side of notification. I didn't hear anything from this owner.

Fritz: She's on freeman. Are there any properties on freeman being assessed?

Aebi: No.

Fritz: We have a disagreement here.

Aebi: The notifications were on dolph, and on spring garden. We did not focus on the freeman street properties because we weren't proposing any improvements to Freeman Street.

Fritz: There are no charges to anyone on Freeman Street.

Aebi: No frontage improvements proposed for Freeman Street nor are there any charges proposed for Freeman Street. One thing I struggled with is the posting notices are required to be on one page. City code is very specific that the letters have to be an inch high. So I put my contact information on the posting notice recognizing that most lids are

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complex and it's hard to communicate all the nuances of the lid in a posting notice. Generally what happens when people see them they call me up. I'm able to answer in property-specific terms their questions about the project. So generally that's what people do and I answer their questions. Usually people don't as a first point of contact show up in the council hearing.

Fritz: The exhibit that I have there are six properties listed, spring garden, 30th avenue, dolph court. Those are the properties that are being assessed.

Aebi: Correct is from

Fritz: if it's not listed here they are not getting any charges.

Aebi: Correct. To further amplify, the notification process prior to lid formation is done by the auditor's office based on a proposed future assessment role. So if there's no proposed assessment for a particular property they are not on the role won't receive notice from the auditor. Again, that's why I erred on the side in April to notify the property owners on spring garden and dolph, but not on freeman because we didn't have any improvement plans for freeman. As we move forward and design the street improvements and as I continue to collaborate with parks on the park design we'll be doing additional outreach. I'll make sure the folks on freeman are aware of what's planned on their neighboring streets and for the park.

Hales: The entities that are getting assessed consist of the lion's share paid by the parks bureau, then couple of apartment complexes and a handful of single family homes.

Aebi: With another 190,000 of funding from pbot.

Fritz: I appreciate you bringing this concern. From my reading of the ordinance your property is not in there. There's an opportunity for you to check with Andrew. I have asked one of my staff to talk about the park planning part of it. Certainly we always try to strife to engage folks to the extent practical. We weren't able to mail individually to nearby property owners because of such a large number of properties using this park. One of my staff will be in and be happy to go through what's being proposed. Thanks for bringing this to our attention.

Hales: Other questions? Thank you very much. We'll close the hearing. This moves to second reading next week. Okay, 458.

Item 458.

Hales: Commission novick.

Novick: Mark Williams our program manage letter explain what this is all about.

Mark Williams, Portland Bureau of Transportation: Good morning. So back in January 2005 the commissioner in charge that convened a 12-member task force that you're aware of, they were to focus on the program and how it was evolving to the new market development which included the dnc. Cogen, Owen and green was contracted to facilitate those meetings and provide administrative support. 2015 December, council established a new advisory committee to provide expertise and feedback to not only the public, pbot director and obviously to this council, regarding the private for hire market, the number of other topics. While staff was focused on enforcement strategies we thought it was a good idea to engage cogent, Owen and green -- i'm sorry. To continue some of the services that they provided for the task force, the original task force. They will continue those same services for the new advisory committee. I'll be happy to take any questions.

Hales: Questions? Thank you very much.

Williams: Thank you.

Hales: Anyone else want to speak? It passes to second reading. 459.

Item 459.

Hales: Commissioner novick. I'm sorry, second reading. Take a vote, then, please.

Saltzman: Aye. **Novick:** Aye. **Fritz:** Enthusiastic aye. **Hales:** Aye.

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Hales: 460.

Item 460.

Hales: Second reading. Roll call.

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

Fritz: If it weren't on an institutional campus with a master plan I wouldn't be able to support this because there are obviously existing uses for the rights of way. Because there's a master plan and because Portland has been such a good partner with the University Park neighborhood association and we have the commitment of leaders last week that they will continue to do so i'm able to support this vacation. Aye.

Hales: I agree with those comments. I appreciate university of Portland always trying to be a good neighbor, trying to walk that careful line between the needs of the campus and the understandable needs and concerns of folks that have lived in that neighborhood for a long time. Jim, appreciate your good work to that goal. Aye.

Hales: 461.

Item 461.

Hales: Roll call vote.

Saltzman: Aye.

Novick: Sad these alleys are being vacated without even getting names. But aye.

Fritz: I'm particularly appreciative in this one that the university addressed access to the river near Adams. Commissioner Fish and I worked hard to make sure that we looked at the riverfront access there and this continues to do so. I appreciate the university's goods stewardship of the hillside as well as the river. Aye.

Hales: Aye 462.

Item 462.

Hales: Commissioner Fritz.

Fritz: Thank you, mayor. I appreciate commission novick's forbearance. We heard a lovely presentation, inspiring presentation a couple of weeks ago. Two of our colleagues who will be voting on this were not there for that, so today we are going to have a very abbreviated presentation so that the public has another opportunity to hear about the momentum alliance and they can continue to inform the council. The determination to fund momentum alliance was the result of council action last year to expand diversity in sick of the leadership program then the office of neighborhood involvement organized a competitive process with the winner. I would like to welcome Diego Hernandez and Emily Lyon to give us a brief snapshot of their work and a preview of how momentum alliance will utilize city grant funds to expand its scope of service and impact.

Diego Hernandez: Hello, chair and commissioners, mayor. I'm Diego Hernandez the co-executive director.

Emily Lyon: Emily Lyon. I'm a program coordinator.

Hernandez: We're around five years old. I was a co-founder five years ago. We have been growing ever since.

Lyon: So I'm just going to give you a brief overview of our organization, the structure, which is a preview of what we're going to be doing. It's a youth led social justice nonprofit.

Hales: You could get up staged.

Lyon: Youth led social justice nonprofit inspiring young people to realize their power individually and collectively to mentor future social justice leaders. Nothing about youth without youth. We believe that youth should be leaders in our own lives and in our city. We support young people from underrepresented communities to become social justice advocates, decision makers and leaders in the public, private and nonprofit sector. We exist in response to demand from youth for more spaces and opportunities to advocate for themselves and for their communities and for the issues that impact them. We believe that

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people most directly impacted should be the ones at the table developing solutions and making decisions. This is why youth have decision making power at all levels of our organization. Our founders, our board members, our staff and participants are all young people from under-represented communities. To ensure our organization is led by young people our bylaws require that at least 51% of our board is 25 years old and younger. Presently out of 25 board members, 75% of our board is under 25 with our youngest being 14 and 23. 85% of our board are people of color. 75% of our staff are people of color and 65% of our staff are 30 and under. Our program coordinators, Karla Castaneda and youth director Vanessa Dominguez were hired at the age of 19 after being program participants. Diego, our co-expectative director was hired at the age of 26 after being a founding board member at the age of 23. We have staff in their mid-40s and 60s because we believe in the power of enter general rational and enter cultural alliances.

Hernandez: We work with ages between 14 and 23 for our first program. 30 and younger for our second program, which is developing much more advanced leaders. We have an array of young people. Underrepresented, marginalized youth is not people of color, they are also undocumented, lgbtq young people. We also represent gang affected std and hiv infected youth, youth experiencing foster care and homelessness, living in shelters who have experienced genocide and domestic violence, sexual assault, racial profiling and displacement. Our unique ability to build relationships across all identities really makes this program really powerful. So we have -- this funding is going to help us do amazing work. Emily here and Karla both were former program participants, now because of the city of Portland will be able to build a cohort that's going to help and develop 35 underrepresented young folks to become social justice and civic engagement leaders in our community. The beautiful part is that our coaches who will be part of making sure that all of our youth have the support that they need to thrive were former cohort participants of our first leadership development program last year. So we want this to be -- with your support to be this peer to peer youth driven development model and engage in the work. Let me talk a little bit about and Emily can fill in, talk a little bit about what our youth have been able to do last year. Last year we got involved with metro's racial equity action project. Action plan. Our youth were able to be part of that process and engage in it. This year's cohort will be able to continue that process by deciding which action agenda items are a priority for them on top of our youth have already been involved in the oni process, the budget process. Dcl meetings, and so we look forward to being involved not only at the metro and regional level but also at the city level. Last year our youth were also for the first time ever, even setting -- in the legislature, first time testifying or being in the capitol. We think it's really powerful when we can expand the opportunity and the minds of our young people who historically have not had that opportunity.

Lyon: Yeah. Just thinking about how one of our program participants who participated in the collaboration with metro in giving them youth feedback on racial equity strategy, one participant felt encouraged to actually apply to be on metro's racial equity committee and is now on that committee. That's the result of our programming. Last year was my first time lobbying in Salem. Talking about highlights, taking selfies with Governor Kate brown, speaking about the stories. Yeah.

Hernandez: So thank you very much for this opportunity. We look forward to having leadership also reflect the many communities that live in our city.

Hales: Excellent. Thank you very much. Questions? Thank you both for being here. Appreciate this view of the work you're doing. It's really exciting. Thank you. Let's see. We do take action on this today. Yes, we do. Vote, please.

Saltzman: Aye.

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Novick: I think it's really good to have the whole council here for this. Such a powerful presentation last time. Good to hear part of it again. Aye.

Fritz: Thank you, colleagues, for your support. I'm very excited about this. I think it ties well with the mayor's initiatives on youth engagement in a positive way. It builds on the work we have done with the Multnomah youth commission in a different format and it's exciting to have this as part of our diversity in civic of the leadership program now in its 10th year. That program is designed to empower participants to learn about how government works and change some of the decisions government makes. You've been a great example of that. Very excited to welcome you to the oni family. Aye.

Hales: This is exciting. We were talking earlier this morning about some of the iterations of new leadership in the city particularly from communities of color. There really is an opportunity. I think you have an opportunity to make the most of that to show people that they can have power, they can exercise it, be leaders, make a difference. This is a city that's really open to that. I think there are other power structures maybe elsewhere in the country that aren't as open as we are here. We're not perfect but we are open. I think teaching, mentoring, developing leaders who can make that true is really important. So I appreciate the work you're doing. Look forward to working with you and other new leaders. Aye. Thank you very much.

Hernandez: Thank you so much. Just so you know we have already gotten the ball rolling to start a youth equity collaborative which includes Multnomah youth commission. We're excited to build a larger coalition of youth civic engagement and equity focused organizations.

Lyon: Thank you.

Hales: Okay, let's move to 463, please.

Item 463.

Hales: Second reading, roll call.

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

Fritz: Having the data to improve service delivery especially for underserved populations is great and another good partnership with Portland state university. Aye.

Hales: Aye. 464.

Item 464.

Hales: Roll call, please.

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

Fritz: Another much needed project funded by the fix out parks bond. Thank you, Portland voters. Aye.

Hales: All of us who worked for transportation or parks have these memories of the before and the after. I remember the sellwood before we did the renovation of the pool itself and the moment in which then county chair and I Diane Lynne in our business clothes waded into the pool. We didn't plan that too well. [laughter] but you're going to have the satisfaction of seeing this building with the proper roof on it after all these years. So each one of those are wonderful to see. Then they last and they pay benefits to the community for a really long time. So happy to see this. Aye. We're recessed until 2:00.

At 11:46 a.m. Council recessed.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

MAY 4, 2016 2:00 PM

Fritz: Good afternoon and welcome to the May 4th, 2016, Portland city council session. Please call the roll. [roll call taken]

Fritz: We're here for a very happy celebration here to adopt hopefully items 465 and 466. Please read those items.

Item 465.

Item 466.

Fritz: I say this as a happy event because I know people have been working on this for about 10 years or so. Staff please come up and present I would like to dedicate this whole session to art DeMuro and Bing Sheldon the two of those who worked very, very hard on this and I know are with us in spirit today.

Joe Zehnder, Bureau of planning and Sustainability: Good afternoon, commissioners, I'm Joe Zehnder with the bureau of planning and sustainability. Here with me is Nicholas Starin who will be describing the proposal to you today. As an introduction, what you're seeing in these guidelines not only have been in the works for many years but represent our efforts to improve the quality and sort of the legibility and efficiency, better guidelines add to the productivity and success of the review process. That was our model to be able to do that so it's a constant process of improvement. With that I'll turn it over to Nicholas.

Nicholas Starin, Bureau of planning and Sustainability: Good afternoon, commissioners, Nicholas Starin with the bureau of planning and sustainability. I'm here with the updated guidelines of the Skidmore/Old Town historic district, as well as a resolution to prioritize the use of cast iron artifacts in city owned or controlled development projects in the historic district. The project files are in a cardboard box over there and are available to review by anyone who wishes to do so. The Skidmore/Old Town district is Portland's oldest historic addition and perhaps it's most significant historic resource. It's where the city began and contains a world-class collection of historic architecture. It covers about 56 acres including rights of way, 17 city blocks and seven partial blocks. It was designated as a national historic landmark in 1977, and one of only two such historic district designations in the state of Oregon, the other being Jacksonville in southern Oregon. It's significant at the national level both for the history that it conveys of the history of Portland, but also the growth of the Pacific Northwest as well as its rich collection of historic buildings. The district contains 57 contributing historic properties. They are in a wide range of historic design styles. But most importantly for its historic character are its collection of 19th century cast iron buildings primarily in the Italianate styles. The new market theater and the merchant block. It's one of the most important collections of cast iron buildings in the country. There are existing -- oops, excuse me -- there are existing guidelines that guide development projects in the historic district. However, they are now 30 years old and they lack any illustrative examples or photographs and have other sort of problems in their implementation. The need to update them has been identified for a long time. The effort to update these guidelines goes back at least to 2008 and actually earlier. The earlier version of the guidelines document before you today was last seen by the city council in 2008. The guidelines were part of a larger regulatory package that included a

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series of zoning code amendments in the district that includes proposals for increases to building heights on selected sites you see on the map in front of you in yellow. That process, the public process for that package of amendments included the guidelines and zoning code changes included a process that took over a year, had a community advisory group, numerous meetings and conversations with the aia, preservation organizations, neighborhood associations, and interested citizens. Many work sessions and hearings with the planning commission, landmarks commission and design commission. However, the -- while the guidelines were widely supported by members of the community and property owners the proposals for height increases were highly controversial. As a result city council did not take any formal action on that package at that time in 2008. Public interest in adopting the guidelines has never really waned and we heard that loud and clear in recent years during the west quadrant planning process. The west quadrant plan calls for reviewing, revising and updating these guidelines. So accordingly the bureau of planning and sustainability re-initiated the process to adopt the guidelines and the companion cast iron resolution. So we took the 2008 draft of the guidelines as a starting point and re-initiated the review process at the landmarks commission which unanimously recommended their adoption with changes they supported in February 8th. However, just to be clear, we are not bringing forth at this time any proposals to change the zoning code as it relates to the district. And this package does not have any proposed height increases and the draft central city 2035 plan is not proposing any height increases within the historic district. So now just briefly i'll give you an overview of the guidelines documents themselves. The first chapter contains information about the purpose of the guidelines, how they are used in the historic research review process. The second chapter contains an extensive set of background information on both the history of the district as well as its defining physical attributes and characteristics that make it such a unique part of the city. This information is very useful for property owners and developers contemplating projects, as well as helping to inform the design and review process. Chapters 3 is really the heart of the guidelines document that contain the actual guidelines themselves. There are four sets of guidelines. The first are general guidelines which apply to all sorts of development proposals in the district. Proposals for alterations or changing to existing buildings as well as proposals for new development. There are a series of three guidelines tailored to specific types of development proposals, alterations, additions to existing building and new development. I'll provide you one example of one guideline section to give you a sense of kind of how they are structured. This particular example is guideline a-7 which speaks to awnings and canopies in district. The particular attribute or subject of the guideline is described, followed by the guideline itself, generally relatively short plain English directive. And that guideline language itself are the actual approval criteria used in the review process. And in this case the guideline reads integrate awnings and canopies in a manner sensitive to the building in the district. Following the guideline there are often quite a few more, maybe accomplished by statements. These are examples with images that provide examples of how that guideline may be met in various different ways. This particular example shows how a non-historic awning shown in the bottom picture was replaced by a historically accurate canopy on the top. Now i'll just briefly cover some of the changes to the guidelines that have occurred since 2008, when council last saw the document. As i've mentioned we started from the 2008 draft and both staff and landmarks commissions approached us to take a relatively light hand. The guidelines went through an extensive process and had a wide degree of buy-in so we wanted to be respectful of that. That said, there are a few changes guided by both testimony this council heard back in 2008, as well as more recent testimony from district stakeholders as well as the work that the landmarks commissions that done recently. The majority of changes are actually new images, most

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of which reflect new sort of historically compatible development that has occurred since 2008. For example, here on the left-hand side the addition to the mercy corps building. There are a few examples of changes of guideline language itself. Relatively few, I chose this example because it's in direct response to testimony the council heard and input has been reiterated from the design community and constituents. The way the guideline was previously worded it could lead one to believe that we were trying to encourage new development to be done in 19th century sort of architectural Italianate style and substituted the word Italianate with cast iron. To get new buildings to respond to the characteristics of cast iron buildings, tall first stories, glass in the store fronts, detailed work around the fenestration, but not literally mimic an historic building. We've changed some of the accomplished by statements or examples. A-2 speaks to wanting to reinforce the strong street wall. It would have made it very hard to approve any sorts of courtyards or alleyways in the district. While the intent is still to encourage buildings to come to the street edge and be lot to lot, there instances where we would want to have alleyways or courtyards but contribute a substantial gateway to contribute to that sense of street wall. I'm going move on unless there are any questions. The companion cast iron resolution, this resolution I'm going put some words into bill Hawkins' mouth who's here today. I think something he would say, he's the great scholar and long-time champion of this district, is cast iron is the reason this district exists. There's been a long-held desire to see reincorporation of cast iron artifacts and facades into the historic district. These are architectural elements that are salvaged from historic buildings demolished I think primarily in the forties, fifties, sixties. They were held by commissions, bill Hawkins conducted a wonderful inventory of those collections and so we know a lot about them. And this resolution would direct city bureaus to make essentially good faith itself when doing development projects on city-owned property or city-controlled development projects in the district, make good faith efforts to look at whether it makes good sense to incorporate those cast iron artifacts in the development. They don't require the use of those artifacts but they require an effort to make sure it makes sense. That's kind of the end of my presentation summary. Staff asks you to adopt the guidelines and pass the cast iron resolution. I did want to pass on apologies from the landmarks commission scheduling conflicts prevented any of them from being here today but they requested I reiterate their unanimous support for those two items.

Fritz: Questions, colleagues?

Saltzman: Dumb question: What is cast iron?

Starin: Bill Hawkins can tell you with more --

Saltzman: Okay.

Starin: So in the 19th century architectural advancements, metallurgical advancements made it possible to use cast iron to sort of replicate oftentimes renaissance designed, capitals, curly cues and so forth. You could put up a pretty grand-looking building using sort of current machine-age technology. A cast iron building is generally a building whose facade is sort of characterized -- generally masonry with support but they are characterized by ornamentation that is cast iron.

Saltzman: Isn't there a flatiron district in New York?

Starin: I think that refers to a wedge-shaped building on the corner.

Saltzman: Oh, okay.

Hales: We have actually have a couple of flatiron buildings, sort of.

Fritz: I have a question about the artifacts. Surely we should be using them in the district. Are there so many that we are unlikely to be able to use them in the district? Are they ever going to be allowed to go outside of the district or will we just keep storing them?

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Starin: There are quite a few. It's kind of a hodgepodge collection, I don't think we have too many complete sets, like an entire building. We would probably have to replicate some parts to reuse them. I do want to say -- so there's no requirement -- this doesn't require they be used specifically in the district. It might make sense to use them someplace else, for instance the Yamhill district has cast iron architecture. Some of them don't come from skidmore, they come from other parts of the city.

Fritz: It makes sense if we use them wisely and don't give them away. Who owns them?

Starin: Pdc I believe owns the Eric Ladd collection, he was a preservationist who salvaged the Bosco Milligan center. He has a small agreement to transfer ownership, just as a project kind of comes together.

Fritz: Thank you.

Hales: Thank you both, thanks very much. So sorry I was late, obviously you heard the presentation. Is there anyone else that wants to speak on this?

Moore-Love: Three people signed up,. [names being read]

Hales: Good afternoon. Whoever would like to be first?

Jackie Peterson-Loomis: I'm Jackie Peterson-Loomis good afternoon, commissioners and mayor hales, thank you very much for the opportunity. I'm here with apologies from Sarah Stevenson, the cochair of the land use and design commission from the old town Chinatown community association. I'm a member of that committee and i'm here to basically read to you the letter recently sent to the committee for the record. Dear mayor hales and commissioners Fish, Saltzman, Fritz and novick. We are writing on behalf of the old town Chinatown community to share our appreciation and support for the revised old town skidmore historic design guidelines that will come before you today for your approval. Old town Chinatown straddled two national historic districts, the skidmore historic district and the Chinatown, Japan town district. They informed the epicenter of Portland's rich cultural history. Our community association along with many neighbors and stakeholders is working hard to revitalize and bring this district back to life. One significant component of that revitalization work is ensuring that future development is compatibility with the existing historic fabric of our neighborhood. Historic design guidelines are critical to this goal. We appreciate the revisions made to the previous draft of the skidmore design guidelines, particularly the change that replaces natural materials with historical compatible, high quality materials, and the guidelines change for new construction that requires developers to integrate the design of new buildings with the cast iron character, as opposed to Italianate character of the district. Rather than requiring developers to replicate a style that may not always be appropriate. We enthusiastically endorse the skidmore/old town historic design guidelines and urge their immediate adoption. We thank you, our city council, for your time and commitment to preserving and celebrating what makes Portland unique and special. Thank you.

Hales: Thank you. Good afternoon. Welcome.

Bill Hawkins: Good afternoon. Mr. Mayor, commissioners, i'm very pleased to help support this declaration that you have, and the changed guidelines for the district. I've followed this for a long, long time, really since its inception. My partner George mcnaff was with the first historic district, which became a national historic district. I read in his book that explains everything you ever would like to know about nationally and internationally. What is most important from all that information is how unique Portland's historic district is. In the international scene, i've gone to most cities that have cast iron. New York's SoHo historic district is a huge district filled with totally elaborate gorgeous cast iron buildings. A very important district internationally. Portland happened to be founded in the 1840s when the cast iron industry first started. We had iron here, our first building had a cast iron front. The iron not until the 1960s locally was used and then every

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building in the city had a cast iron front. When you want to promote your historic district and have something that's totally unique like it being the only city left that has cast iron of this quantity -- there are others but it makes Portland's system highly individual -- I wrote for pdc a large explanation of all the iron and made proposals in it. There are indeed about five complete sets. You have to know in our historic district about half the buildings have historic buildings on them. The other half, a little bit less, are parking lots. Now, if these cast iron sets were put back into the district we would have a predominantly historic district rather than the district with half modern buildings and half historic buildings. To my mind this is a pivotal time to reinforce that. The fact that pdc has all these sets, plus the Bosco Milligan sets, gives a huge sort of opportunity to do this and reinforce as this guidelines says, enforce our historic district. So I completely endorse it in every which way. I want everyone to remember that we had a magnificent historic district before we tore it down. What we have left is still significant so we should help support it and fill it in using these parts. I'm sure there are many ways to use them but if possible to use them in sets and adorn the rest of them with pieces we have or sculptures or whatever. Thank you very much.

Hales: Thank you.

Peggy Moretti: I'm Peggy Moretti, director of restore Oregon, and I also serve on the history old town land use committee. I'm going to be echoing our very, very enthusiastic endorsement of the design guidelines and the ability to reuse the cast iron collection. As you probably know, restore Oregon has for a number of years been working diligently to promote the idea of compatibility infill development. And the protection of the integrity of our historic neighborhoods and historic districts and this is our finest one. This makes great sense, the design guidelines provide clarity for development and clarity I have flared a number of my development friends is awfully important to get things done. It'll protect the overall integrity of the district and its historic character. It couldn't have been more vetted than this set of guidelines has been. I'm hoping there are no doubts left in your mind whatsoever and you can approve these post haste. Thank you.

Hales: Questions for any of these three leaders in this movement? Thank you very much.

Hawkins: Thank you.

Moore: That was the only three who signed up.

Hales: Unless there are further council questions we'll take a vote on the resolution, item 465. Let vote on that, please.

Saltzman: Thank you for doing this work, and it seems like it's very well supported this time around so. Putting aside some of the tougher questions I guess really helps. This is a very important part of our city's heritage. Glad to not only have the design guidelines in place but to also figure out weighs that we can incorporate the cast iron and new development, as well. Since we have an abundance of it we should show it. Aye.

Novick: If you've got it, flaunt it? Great presentation, thank you very much. Aye.

Fritz: Congratulations, this has been on my city council agenda/bucket list since I first got on the council in 2009, having seen what happened in 2008. Mayor Adams tried several times to bring to it council. I don't know who was able to work the magic of finally putting the different pieces in different places, but it was probably a group effort. I appreciate everybody, it's quite astonishing that here we are without both chambers packed and massive lobbying attempts and such. Sometimes you know there has been enough process and we have finally come to agreement, this is the right thing to do. As I said, I know that they are very happy about this. Aye.

Hales: I want to thank the bureau, the community, the neighborhood, all three really have come together here. The bureau has done great work. The leadership and the architectural and historic preservation community has been great advocates and problem

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solvers in this work. And then I think the old town Chinatown neighborhood association and other groups and individual property owners have really helped to get us to a shared understanding of why preservation is so important, and why this district is so special. And a way forward that includes development thoughtfully done but preservation most of all. I'm really, really happy about this. I want to say, like you, Amanda, that's one of the things I was very happy got done during my time in public service. The results of not just the preservation of these buildings but the reuse of these materials. We have some very clever architects in Portland and some very community minded developers. I think there will be ways and means this resource of the cast iron parts to be used thoughtfully. I can't wait to see how smarter people than me can figure out how that's done on individual sites and projects. This is a great piece of work. Also being Bing and art's name, very happy to vote aye. [gavel pounded]

Hales: We take the second reading next week. [gavel pounded] thank you all very much.

Hales: We're 15 minutes ahead of schedule which is a rare and blessed event. So we'll take 15 minutes and come back. We're recessed for 15 minutes. [gavel pounded] [break] [gavel pounded]

At 2:30 p.m. council recessed

At 2:47 p.m. council reconvened

Hales: we will return to order. We took a brief break because we were actually ahead of schedule. Item 467, please.

Item 467.

Hales: Commissioner novick.

Novick: Colleagues, we will be presenting on controlling speeding on Portland's most dangerous roads with fixed speed safety cameras. Speeding and aggressive driving are top contributors fatal crashes in our city. The city council placed fixed speed safety cameras on our agenda in 2015. Thanks to the office of government relations, safety advocates, we are back to pilot an implementation of this program. We will present an amendment to the automated enforcement contract with Xerox state and local solutions to include cameras for specific areas, as a three-year pilot. We'll also talk about a related mou and automated enforcement drafted between Portland police, pbot and Multnomah county circuit court. Finally i'll be asking council to make urban high crash corridors eligibility for fixed cameras.

Hales: Come on up, please, good afternoon.

Leah Treat, Director, Portland Bureau of Transportation: All right, thank you. Good afternoon, mayor, council members. We're here today to amend the contract with Xerox to place fixed speed cameras in high crash corridors of the city. This is the genesis of a lot of staff work, it's taken a lot of time and has been in the works for several years. Just to give you a little bit of background, when I arrived in the city of Portland, in looking at our crash and fatality rates in the city, and looking at the underlying data of what is causing the traffic violence in the city of Portland, an overwhelming preponderance of photographic accidents. While I worked in the transportation department in the city of Washington, d.c. And also in the city of Chicago, we implemented fixed speed cameras in those jurisdictions with overwhelming success. So Washington, d.c. Has had fixed speed cameras for over 10 years now and they have seen a 73% reduction in traffic fatality in the city. In Chicago in just one year there was a 76% reduction in traffic fatalities and crashes in the areas in which fixed speed cameras were placed. So I worked with my commissioner and with government relations and with the support of the city council it was legislative priority for us. And thanks to representative Reardon who picked this up and sponsored the bill in the state legislature and did yeoman's work helping us get this passed at the state level, the

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city has the authority to pioneer 10 cameras in the city on a pilot basis. Representative Reardon, I want to thank you again for your efforts in supporting us.

Jeff Reardon: Thank you. And for the report, I am state representative Jeff Reardon, district 48, southeast Portland down into Clackamas County. Mayor and commissioners, it is truly a pleasure and honor to be here this afternoon and to address you on an issue that's very important to me, and it is the safety of people. Driven by the accidents and so forth that have happened especially on the high-speed corridors in east Portland. Ms. Treat knows the stats more than I do but there is a whole lot of accidents happening out there and I'm hoping you'll share those numbers with us a little bit later. The high-speed corridors are in my area, a majority of pedestrians are killed not on a daily basis but at a high rate. It is an area where my constituents have to shop. They have to cross the streets to get to school. We're doing better on the infrastructure part because of work over the last few years. I'm not telling you anything you really don't know but just for the record it's been tough. We're making progress. I remember a few years ago that we had a little ceremony out on 136th and Holgate, and it was near where Morgan, the 5-year-old was killed. I remember the mayor speaking and he talked about three things that can really make a difference in traffic safety: Engineering, education and enforcement. And what I really like about this bill that we've worked on together, is that it really hits two out of the three. It really hits education. And if the education doesn't work then the enforcement should. Just about the bill, it is a transparent data driven program focused on improving safety. The bill does require the use of clear roadway sign attorney general alerts drivers to the presence of the fixed automated enforcement and speed reader boards to provide their current rate of speed before passing a camera providing ample information and opportunity to follow the posted speeds and to avoid a ticket. That's the education part, lots of signage, lots of warning. The camera will have a 30-day warning period during which speeders will be sent a warning notice instead of a full-fledged ticket. This program really will save lives in my district and across the city. I look forward to taking the next step and authorizing this contract with Xerox so we can get these needed safety tools on the ground. Much to your work and thank you to all of your excellent staff.

Hales: Thank you, thanks for your leadership.

Novick: Our next panel addresses the contract amendment specifically and the memorandum of understanding is Gabe from pbot, and sergeant Abrahamson from the Portland police bureau traffic division.

Gabe Graff, Portland Bureau of Transportation: Mayor, commissioners, thank you for having me here today. I've got a PowerPoint.

Hales: There you go. Wrong one. There's another PowerPoint.

Graff: Switch it over here? Okay. Thank you. My name is Gabe Graff, I'm a project manager for the Portland bureau of transportation. Thank you for having us here today. I'll walk briefly through the presentation outline, why we think fixed speed cameras are an effective safety tool providing a summary of the authorizing legislation and how we intend to implement the program. Why fixed speed safety cameras? As Leah and representative Reardon mentioned jurisdictions across the country are using this technology to slow down arterials and save lives. Speeding and arterial roadways are a dangerous mix. If you were crossing 122nd on foot and hit by a person traveling 10 miles per hour over the posted speed limit of 35, you're unlikely to survive. Nearly half of our traffic fatalities are speed related. While overall we are making progress on traffic safety, you can see pedestrian fatalities are trending in the wrong direction. Where are these crashes happening? Primarily on Portland's multilane arterials which suffer a serious crash rate four times higher than the region's freeway system. Pbot has designated the worst of these arterials high crash corridors. They represent 3% of our roadway network but account for 51% of

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our pedestrian fatalities. These are the roads where we're focusing our safety efforts and controlling speeding on them is a critical component of this work. So thanks to the leadership of this council, representative Reardon, director treat and the office of government relations, we have a data driven bill targeting the most dangerous roads. It's focused on safety and transparency and built on a history of automotive enforcement legislation in Oregon. Roads must have a serious or fatal crash rate, at least 25% higher than roads of similar speeds and must be clearly signed. Thanks to this focus on safety we are able to build a broad coalition of supporters for this effort. The "Oregonian" editorially board, the Oregon coalition of police and sheriffs supported this effort. So, too, did organizations supporting the efforts in the high crash districts, advocacy groups include foster united, friends of barber, Oregon walks and southwest trails. We got the support of people whose lives have been directly impacted, including families for safe streets, Christie's son was killed on division. She took time off from work to support our effort. The work paid off and the bill passed and we transition to figure out how to best implement this program. Working with our colleagues here Portland police and Multnomah county circuit court, we engaged in a series of conversations to figure out how to make this authorization a reality. The three items for council consideration today are the result of this collaboration. We seek to amend the city's existing automated enforcement contract to allow us to pilot these fixed speed cameras during the remainder of the contract term. We asked that council find that speeding on these 10 roadways has a neglect impact and make them eligibility for fixed speed cameras. Our lead consultant on the city's vision zero effort reviewed crash data and identified speeding as one of the top four areas for speed issues. Finally our mou in automated enforcement which identifies agency roles and responsibilities. Pbot agreed to initiate a role we have planed the past with our red light camera program and the mobile van program. We've agreed to have a community involved outreach related to fixed speed cameras. There will be citations stemming from the program. All parties have agreed to ongoing regular coordination. Together we work to understand and account for staffing issues. We agreed on a phased approach piloting four corridors over the next 33 months. This is our proposed rollout schedule with the first cameras installed this summer. Outreach for our locations on Beaverton-Hillsdale highway has already begun. Here with the four corridors from the driver's perspective, along with the first camera installation on Beaverton Hillsdale highway shown on the top left. Pbot plans to install a rapid flashing beacon at this stop. It runs right through the David Douglas school district and past representative Reardon office. Bottom left shows northeast marine drive for drivers speeding on this road built atop a levy. There's little margin for error. And finally outer division at 156th, there have been three pedestrian fatalities at this location alone in the last five years and a representative for safe streets will speak to that later. As has been mentioned several times our goal here is behavioral change. We intend to implement a program on these corridors. I know no other program with requirements as robust as the ones in this effort. We just want people to slow down and obey the law. Drivers will pass each of the signs pictures here before crossing a camera, giving everyone ample opportunity to slow down, obey the law. Community groups along the corridor will be notified. Per the legislation roughly 30% of the traffic fines will be held in a dedicated trust account. Staffing and pbot and police, they will be used for traffic safety per the authorized statute. Program costs will be reinvested in traffic safety along the high crash corridors. Thank you.

Barbara Marsele: Good afternoon, I'm Barbara Marsele, the administrator for the traffic court. Right after the legislation passed authoring this fixed speed camera program, we really appreciate the opportunity to collaborate on developing a mou and to work on planning for the implementation of the program. And the understanding that the folks from

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the bureau of transportation and the Portland police bureau have of the impact on the court's work lows in processing this additional citations. There was some work for the funding to get started. It's going to generate a substantial increase coming from photo enforcement program. We will continue to monitor the volume of citations as the additional camera places are implemented. Having those lines of communication open and establishing a process for any changes to be made, any changes in the timing and locations, integrations and reporting that are needed. So thank you very much for giving us the opportunity to participate in the development of the program. And to have a voice in this process. Thank you.

Hales: Thank you.

David Abrahamson, Portland Police Bureau: Mayor, council, David Abrahamson, sergeant of the traffic division assigned to major crash team. This also falls under my purview. We have been privy and part of this process with pbot and have been supportive of this process. We are going to be providing support with officers who currently the bedrock of our photo enforcement program will be overseen spearheading this, through the confirmation process, too court and even the appeal process. We are continuing to paroled training to officers to make sure that we are in compliance and providing things, making sure things are running for this program. We do hope this program will continue to be effective to contain efforts to really reduce fatal crashes seen on our roadways.

Saltzman: If a driver is photographing or texting can you cite them for that?

Abrahamson: No.

Saltzman: We had the same question about getting the support of the legislative agenda.

Abrahamson: At this time, no, we cannot.

Saltzman: Was that a specific call by the legislature?

Abrahamson: Yeah, we don't -- yes. We haven't sought that out yet.

Saltzman: Probably next session then.

Abrahamson: Could be. [laughter]

Saltzman: Good idea.

Hales: An officer has the discretion to do that if they see someone doing that now, right?

Abrahamson: They do, yeah. If it's actually photographed for photo enforcement, we are allowed two. Out in area in public view, we can take that action.

Hales: Thank you all very much.

Novick: We had a couple of other folks who expected to testify. Kim stone of families for safe streets and Noel Mickelberry of Oregon walks.

Novick: There you are, noel, hiding behind the pillar.

Hales: Good afternoon, welcome.

Kim Stone: Thank you for having me. My name is Kim stone, I'm a member of families for safe streets. Two and a half years ago my son Joe was in a marked crossing at 156th and division. Joe is one of three killed at that crossing since 2012 and that's three too many. Since his death i've become an advocate for traffic safety, especially in regards to safe crossings and lower speeds. In February I was there again to thanks pbot for falling the area with a crossing. More must be done. I'm here to support fixed speed safety cameras in south division in my neighborhood. People in east Portland will quickly become aware of the location of these cameras will learn their location and slow their rate of speed. If people slow down and look out for others, my neighborhood won't have to do this.

Noel Mickelberry: I'm Noel the executive director of Oregon walks, the state's advocacy organization and we work to make sure walking is safe, convenient and attractive for everyone. We're here to support the implementation of safety cameras on high crash corridors. At speeds over 40 miles per hour pedestrians only have a 15% chance of

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survival. We need strategies to help save lives on our streets. Beaverton-Hillsdale highway and marine drive are particularly dangerous for people in cars, and 122nd is a critical connection for transit users in east Portland. There was a question about staff, and since this time last year there have only been eight fatalities. We have a lot of work to do in this area. We have a unique ability to try something new. One of them requires significant outreach and warnings for communities surrounding these cameras, especially critical in east Portland, they give much more advance warning than any other system that I know of. The outcome would be lower speeds. And they also give with this new mou the city and police and courts an opportunity to build our amazing -- more people taking that education opportunity rather than just paying that fine and not thinking. We're excited to work with the city on this pilot program and creating safe streets for everyone. We hope you'll take a step towards reaching the goal of zero deaths on our streets.

Hales: Are there others here who want to speak on this item? If not, let's please take a vote.

Saltzman: Well, thank you, representative Reardon, and other members of the legislature. Thank you commissioner Novick and the bureau of transportation for putting together the actual implementing of this. I do hope this will profoundly affect the area as it relates to speed. We'll hopefully pursue phones and texting in the next session. This is a good program and a good start and we need this very much. I'm pleased to support it. Aye.

Novick: Thank you, representative Reardon, very much, for your hard work in this. I really appreciate the courts and police bureau working with us to figure out how we can implement this program, which is a why thank you very much for reminding us of exactly why we need to do this. Thank you, director treat for your tireless advocacy and your championing of this issue was the motivating force behind everybody else's work. So thank you very much. Aye.

Fritz: Thank you all, the legislators who supported this, and representative Reardon for championing it and thank you, commissioner novick and director treat and the families that here today. I wanted to dispel a myth so i'm grateful that the department of transportation staff are giving my staff a breakdown of where the money goes for this. People say sometimes they are just doing that to raise money and then they squander it. The expected citation revenue expected to be collected by the courts is \$7.1 million. 70% goes to the state and the costs of the court. Of the 30% that comes to the city is about \$2 million. The contract for the technology is about \$1.2 million. City staffing costs are 636,000 because we do need staff to coordinate, manage the. Contract, community engagement that leaves the revenue for the city after all of these cost at 215,000 dollars a year. So yes, one can do two crosswalks for that amount of money. A no, that is not the way we are going to be able to fund safe streets. This is about encouraging people to change their behavior. We should not be waiting before we get a ticket or a photo radar telling us how fast we're going. We should not be speeding on neighborhood streets period, you don't get the 5 extra or 10 extra on a neighborhood street, it's somebody's neighborhood and there are people crossing and people at the site. We should all be thinking how would I feel if I were in a crash that killed somebody. This effort will bring to the attention of people who are driving and speeding, and still we need a wholesale change in behavior. I was interested a couple years ago when I first started, I drove down martin Luther king boulevard for the first time in many years I usually walk it or take the bus. I happened to be driving. I was very pleased to see the culture on mlk has changed and that people stop at unmarked crosswalks and you get honked at by other drivers if you do not stop at unmarked cross walks. There's developed a culture there that, yes, people and bikes are going to be crossing perpendicularly. We all need to be much more thoughtful about how we share the road with all different modes of users. And if we can do

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that, then we can achieve vision zero. I appreciate this effort very much and let's keep working on similar and others judged work. Aye.

Hales: Steve, representative Reardon, all of the capable administrators who have worked on the community behalf, thank you, this is good work. I would add on to Commissioner Fritz's words. In fact, I want to try to dispel a false truth that goes all the way back to Ronald Reagan in 1981, when he said government is not the solution, government is the problem. That's a classic case of nonsense started accidentally enough, left unchallenged starts to sound like truth. But that's none. We've had literally examples of how working smarter can actually save lives. We have police officers and firefighters out there with the antidote to drug overdose who saved hundreds of lives in our city in just the last year. We have a Vista Bridge people are now prevented from suicide long enough and they can be reached. Police officers almost every night use their training to avoid or avert or stop an attended issue. We have examples of smart public policy saving lives, so this is another case where government working smarter saves lives. It's that good. And so I really appreciate this work. I was there along with representative Reardon and others in the neighborhood in the aftermath of Morgan Cook's death. Marine drive an error of judgment or intoxication or use of the accelerator, you know, can have very tragic results. We've had a number of cases where the car literally ended up in the river and the occupant drowned. Beaverton-Hillsdale driveway, a close friend of mine's daughter was killed there. We have connections to our neighborhood and friends. Leaders like you, Jeff, working in partnership with us to make that vision real. Thank you all so much, this is good work. This is a solution and I'm very happy to be part of it. Aye. [gavel pounded]

Hales: Thank you all.

Hales: Okay. 468 is our other remaining item this afternoon, also a transportation matter. **Item 468.**

Hales: Commissioner Novick.

Novick: I'm pleased to bring an ordinance to establish a heavy vehicle use tax. The revenue office worked to develop a funding mechanism to ensure that heavy trucks pay for their impact on Portland streets. The ordinance would create a heavy vehicle use tax that applies to those who have a business license, and b, pay tax on approximating 2.8%, estimated to generate \$2.5 million. As you've heard before, it's what's necessary for the trucks to pay the Eco Northwest's analysis of what the state's apportionment formula between heavy trucks and other vehicles, as revised for local conditions. We think that would represent 13 of the total raised by a combination of this and the gas tax. As you will hear from staff befitting a diesel load fee. Although no revenue collection mechanism is perfect I believe the proposal included in this ordinance is the best approach available. I'd like to clarify a couple of specific points based on some recent feedback from the working group. One, it is not the intent of this ordinance to apply this tax to businesses whose only tie to Portland is heavy trucks passing through or stopping for fuel in Portland. They would need to conduct some sort of business in Portland, they would need to otherwise be subject to the business taxes. There might be some businesses that pay the tax. We have no way of knowing -- we can't tell how much time all vehicles are spending on Portland's streets so we think it's impractical to have a local weight-mile tax as the state does. If a company can prove they have minute mal intersections I think it is wide to create a word council, I would like to provide an ultimate calculation for taxpayers for okay driving in Portland. I want to address a couple of other arguments I expect we'll hear made. One is I think that it is very important for us to pass this legislation immediately the fuel dealers association which is opposing the gas tax is using as their primary argument the fact that it exempts heavy trucks. I think it's very important to let Portland voters know we are not letting heavy trucks off the hook. There's been a suggestion that we should say

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this tax should only take effect if the gas tax passes. I think it's reasonable for heavy trucks that impose wear and tear on our roads. The trucking association is already opposing the gas tax and linking the two would give an extra incentive to fight harder against the gas tax. I have for particular enthusiasm for giving them an extra incentive to play harder and raise more money. I'll turn it over to director treat.

Leah Treat: Again, commissioner novick, mayor, council members, the ordinance before you today is going to provide some very critical funding for street repair and safety improvement within the city. I would like to take the opportunity to personally thank the freight community and freight committee for their ongoing commitment to street repair and safety. You're likely to hear from people who have specific concerns about this proposal but do I believe their participation along with staff from pbot and the revenue office has resulted in a stronger and fairer proposal you will be considering. I will turn it over to ken lee and mark to make a presentation. Thank you.

Mark Lear, Portland Bureau of Transportation: Mark Lear I manage the resource and legislative group inside transportation. Ken and I are going to give a quick overview of the presentation building off the work session we had a few weeks ago. The first question is why is Portland considering the adoption of a temporary heavy vehicle use tax. It came out of conversations we started to have with the freight community. We thought it made sense building off of the cost responsibility and cost allocation models to make sure trucks were paying their fair share. By the trucking industry, right now we only have one truck stop in the city of Portland, jubitz. With semi-trucks having fuel tanks that can be 120 to 300 gallons, it would be much easier and more likely to happen that trucks would be bypassing that truck stop would be losing the revenue and we wouldn't have a cost responsible contribution. When we put together, moved forward with the local measures heading that to the voters, the gas tax will do its work. The first group knows that statewide trucks pay about a third of the revenues for transportation improvements. We wanted to see what the local piece was. We brought in an analyst who does that for the state. It highlights the conclusion that we came to, there was general agreement among the committee on this, the share would be something like a local measure, local gas tax. 13.3% is a better number than about a third at the state level. It's largely determined on the number of miles driven on the local network and costs compared to statewide. If we took the amount of revenue we're estimating, if the local gas tax passes that's \$16 million a year. You can see the heavy vehicle fire share would be about 2.5 million. Look forward four years, 64 million generated by lighter evacuation 10 million or 13.3% of that total. I will turn it over to ken to talk a little more about the specific proposal that's in front of us today.

Ken Lee, Portland Bureau of Transportation: Thank you. Ken lee, Portland bureau of transportation. Mark talked about how heavy trucks contribute, and now we're going to talk about who's going to pay. Basically we took the state weight-miles database. We found there's roughly about 2500 businesses that meet that criteria, and that's who we found to be subject to this heavy vehicle use tax. In parentheses here -- or in italics here, businesses that deliver product by truck to a Portland address are required to have a business license, the heavy vehicle use tax will be required to businesses that ship to Portland addresses. On slide six, how will the tax be calculated? Basically on a company's statewide weight-mile taxes paid. From our estimates we believe that rates of 2.8% we'll be able to generate the \$2.5 million target per year. Slide seven. How much will most businesses pay under this proposal? The majority, 85% roughly of businesses will pay an average of about \$15 per month. Most of the businesses will not be significantly impacted. However, there will be a smaller number of businesses that actually have a much higher trucking activity from a statewide perspective, they will pay a higher monthly tax. It's

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roughly \$500 per month, 15% of these businesses. How will the program change if revenue forecasts are lower or higher than anticipated? Right now the target is \$2.5 million. If we are significantly higher or lower we will be reviewing this with the revenue division in terms of, should we be able to adjust the rate. We will adjust the rate accordingly to generate the \$2.5 million a year goal over a four-year period to come close to the targeted amount. With that, I'll -- oh. On slide 9 basically this is kind of going back to the work session, walking us through how we actually got to this amount. If you look at the diesel load fee first, the fairness of who pays, if you recall we have nine Portland terminals that truck distributors will come in and load up on diesel. They will then transport to it various places including gas stations. Part of the concern was that not all of the diesel would be delivered within the Portland city area. Actually a lot would go outside the Portland area. And so from that standpoint there was a pretty big concern on that. When we took a look at the databased on the match we did with the Oregon state weight-mile tax debate we found some other fairness issues in terms of their businesses that actually have a lot of trucks. They really didn't have trucking as their main activity. So that's not where their net income was derived and gross sales was derived. There were some fairness issues on that account. It led us to the heavy vehicle use tax based on tax paid, more reflective of how much trucks actually used the actual street system. With that, I'll turn it over to mark.

Lear: I wanted to talk a little bit about how we administer the program to make sure we efficiently meet the goals of the program and have proper oversight. One thing we were doing with this ordinance is we're creating basically the same structure for oversight. If the measure were not to move forward we would have the same creation of street repair and safety program and other ways to manage the program. If the local gas tax measure passes it would be the same groups working on the combined income. Things highlighted and important to the committee is one, dedicated resources, two, safety and repairs was a common refrain we heard from the committee. The role of an oversight committee also recommended that we make sure we're checking in on a regular basis with the freight committee as well as any oversight we would have as we talk about future projects that seem to make sense. And a four-year program with specific goals and objectives we're trying to achieve. The last slide is a quick update of the next steps if the effort moves forward. We think that revenue collection could begin no sooner than September 2016. We'd work to form the oversight committee as soon as possible. We've set up a process where the revenue bureau can start to look to see whether we are generating more revenue than we had anticipated. If that's the case, we could adjust the rate to make sure that we are keeping that 13.3%. And finally we'll begin that process of establishing the program and those reporting requirements that come with it. Thank you.

Saltzman: Can you go back to the very first PowerPoint slide? So I guess I was the one who proposed the idea that this be contingent on if the local gas tax passes. I guess I'm struck by the text here. It says a heavy vehicle tax ensures that heavy trucks pay their corresponding fair share in relation to a potential 10 cent temporary fuel tax. Now I hope the fuel tax passes, but if it doesn't that is zero so should the local freight share also be zero. In other words as much as I hate to relish the thought shouldn't we have to go back to the drawing board on the whole issue of how we pay for road repairs and safety improvements? And I realize—I understand your political calculation Steve, this gives them more impudence to oppose it but it's a fundamental question of fairness and I always thought the efforts here to come up with a corresponding fair share for freight movement was always contingent in part and parcel on the tax of regular motorist like ourselves. So I guess I'm just hung up on that.

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Novick: Commissioner, first of all, I would remind you that even if the fuel tax passes, and this passes, still, none of us will be paying what is, actually, necessary to repair the streets and the safety issues. These taxes combine with a fraction of our street repair and traffic safety needs, and the trucks will be asked to pay a fraction of what they would pay if they were trying to address all of our street repair and traffic safety needs. I do want think that 2.5 million a year is a contribution from the heavy trucks, is unfair under any circumstances. But I also think it's important to note the extremely cynical game being played by Paul romaine and the trucking association. Where Paul romaine remains lead argument against the gas tax is that it left the heavy trucks off the hook and the trucking association is contributing to Paul's campaign, basically, paying him to argue letting heavy trucks off the hook. In that context, to say we will give you an extra incentive to oppose the gas tax by saying what is contingent on the other would be giving into extremely cynical politics, and I don't think that that's appropriate. Also, it's important to note that if the gas tax fails, the problem will not go away, and I intend to bring forward another Mechanism by which Portlanders will be asked to pay to fix the roads and assuming that mr. Romaine's polling is correct, Portlanders are going to want to hear that heavy trucks are paying their fair share, and if we have passed the heavy trucks, the tax on the heavy trucks, we'll be able to tell them that yes, we are.

Hales: Any other questions? Thank you very much, do you have any other panels to call, Steve?

Novick: I believe that we are hoping to get Robert McCullough here.

Hales: He's here.

Novick: There you are. And Pia welch, the co-chair.

Hales: Ok, come on up, please.

Robert McCullough: I am such a stranger to this room.

Fritz: Don't be nervous.

McCullough: Yeah, right.

Hales: Thank you very much. Commissioner, my first, second, third?

Novick: I believe that you are first.

McCullough: Thank you very much. Robert McCullough representing southeast uplift, and I had the honor of sitting in the subcommittee, very interesting, and the -- it's rare I get to talk about something that I am an expert on, and this is what I do for a living. I have testified on fuel costs and oil prices of the u.s. Congress and federal court. Bottom line is we were paying twice as much two years ago. The question is how are we going to spend that dividend? At the same time vehicle traffic and the roads went up 3% last year. Gasoline use went up 4%. So we have more need than ever to have a working system. This is the great hub of the northwest. We are where two railroads meet, to superhighways meet, two rivers meet. As I drove here I crossed the Holgate Bridge. I passed two bobtails going to pick up loads, and two heavy trucks dropping off the loads. In one trip, I was the only car on the bridge. But I had four heavy trucks and evidence. In this case, we were pretty simple calculation. The equity issue is not perfect, but it's about as fair as we're going to get. And there is no perfect answer to the equity question. Frankly, I would ask for higher taxes for both automobiles and trucks, only because we have a big problem in front of us. In this case, we are using the Portland license tax, that's about as fair as we can get, and we do not have a, an account on trucks or know where they are. We do know that there is a highly successful tax at the state level. So, we're leveraging off of that. So given a perfect answer is impossible, we have here a practical answer. And then let me just talk for a moment or two to the political question. Why does southeast uplift care about trucks? Number one, trucking is one of our major employers. This is something that we care about as a business matter, as an employment matter. The

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fact of the matter is we're not going to get voters to vote for a gas tax if they believe a large component of the problem, according to our numbers, 40% of the fuel use. Is exempted. It's important that everyone pays. If we are going to get roads repaired, which we have to if we are going to maintain employment and maintain our role as a transportation hub, we, actually, have to make sure that everyone has a little money in the gate. Thank you very much.

Hales: Thank you. Who would like to be next? Swing the microphone over towards you.

*****: Ok.

Pia Welch: Well, first off I want to say thank you to the commissioner novick and mark lear and ken lee, and Shoshana for all the time is that they have spent with us, and we have had a subcommittee, and --

Hales: Put your name in the record.

Welch: Pia welch, chair of the Portland freight committee, here on behalf of the freight committee, not my employer, and so I wanted to thank everyone for the time that we have spent and engaging meetings, going on, talking about taxes, which is not anyone's favorite subject matter and not an easy issue. Trucks already pay for the wear and tear on roads, and that's the tax. We have gone through quite a few different iterations to come up with what would be a good mechanism and also that would not cost 100 fte to collect the money, and that was one of the things that some of the mechanisms would only cost an fte to collect the money. So, you know, and I am very happy to hear that there is going to be an appeals process because there are businesses that are based in Portland that maybe travel three quarters of a mile and get on the highway, so if there could be some sort of -- that needs to be established to get that business, especially the smaller ones, that aren't on the city roads, so, an appeals process, glad that's going to be, incorporated. We stress the independent oversight committee, and of course, we would like the revenue from the heavy vehicles to be used to leverage the transportation maintenance and safety improvements with an emphasis on great related projects. Recently, we had a presentation that showed some of the worst streets in the city are, actually, in industrial, in freight areas, and I work in an industrial area, and I can tell you that there are a lot of potholes to get to work. The other concern is that the vehicle road capacity, when this repaving is done, is maintained, that we don't lose, you know, there is a measurement of what we need to make good turns for school bus and emergency vehicles and a lot of times when projects come to us, that's beyond what is they recommended measurements, and we asked that the capacity and those lanes be kept in place and not shortened. While we would prefer to have no tax, we realize that this is a difficult discussion, our Committee monthly meeting is tomorrow so we'll be discussing further which tax that we, which mechanism that we prefer, but those are the suggested items, that we have, the biggest thing is we would like to continue this conversation, because we think that this is just a short-term measure. And we like to see long-term measures go into place, and looking at the additional funding from the state, or changing, perhaps, the percentage that the cities get from the state for, off the heavy vehicle tax, and I know it's not politically correct to say this, but buses rip up the roads more than trucks do. And so, I know no one wants to talk to tri-met about it, and but, there is that, and there is also studded tires that we can look at and a list of some other things that we brought up with oversized trucks that could be additional revenue generators. Again, this is not an easy subject. We appreciate everyone's time and effort in this endeavor. Thank you.

Hales: Thank you. Welcome.

Noel Mickelberry: Hi. Thanks for hearing from me twice today. I am noel, the executive director of Oregon walks. I am here as well as testifying for passing the heavy vehicle use tax as a mechanism to fund the maintenance and safety of the streets. Oregon walk has

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been involved in the quest to find -- funding to fix the streets for a couple years now, and we believe it's imperative that more dollars go towards our roads with the focus on safety for all users, and we really. To see an equitable and a comprehensive solution, and there is, unfortunately, no silver bullet for transportation funding, and I think that we all, though, agree that something needs to be done. With a modest investment by the heaviest vehicles, that rely on and benefit from and also put damage on the roads every day, it shows a commitment to the ongoing livability of the city that is the reason why we are in such a growth boom right now. If we continue to neglect our streets, it means a more expensive and complicated solution down the road. It also means that more lines will be lost from preventable crashes. This is not the type of future that I think that we all want to see for Portland. We support this proposal, and we feel it's the responsible way to ensure all businesses that benefit helps the, helps to support the sustainability and quality of life for all our residents. We are pleased to see the same safety and maintenance breakdown as the proposed gas tax, and as well as the oversight to ensure that there is transparency and accountability on how this money is spent. As a member of the city vision zero task force, we believe it's necessary to have funding to ensure that this goal and also the strong tactics being developed are, actually, implemented. Thank you.

Hales: Thank you all.

Fritz: Could you remind me about tri-met? Is tri-met going to pay this?

Novick: No, it is not.

Fritz: Can we make them?

Novick: I think they are generally exempt from state taxes and the question, the policy question is, as you noted yourselves frequently, users of bus, we don't want to put too much of a burden on poor people to rely on transit. Forcing tri-met to pay more would force them to raise their fares. We could have a talk about that but I assumed you, in particular, would not be in favor of taking action that makes them raise their fares.

Fritz: I want a mechanism so tri-met doesn't charge fares and we pay for it by a different mechanism but what I'm taking from your comment is yes you are open to have continuing conversation on that issue and that it can be taken up, it has to be taken up separately, not subjected to this?

Novick: Yes.

Fritz: Thank you.

Hales: Any other invited testimony.

Novick: That's it.

Hales: Let's go to the signup sheet, please.

Moore-Love: 18 people signed up. The first three, please come on up.

Hales: If you could keep your comments to two minutes that would be helpful. Good afternoon, who would like to go first?

Buck Colleknon: That's fine. My name is buck Colleknon, and I am the owner of tp freight lines, in Portland. I appreciate the affinity here, commissioner, and mayor. And to give you some background, my company, is family owned, I have been in the company now for 42 years, going on 94 years old. This is really important. I looked at how the rates were on the weight mile how they came up with that, and I was concerned because in my case, my corporate is in Tillamook, Oregon, a small community about 4,000 people. A small county, county, too. We have seven locations outside of Portland. The furthest would be Medford and Klamath falls and Eugene, and north bend, and Brookings, and my problem with the way that the rates were set up, using the fuel surcharge, or the mileage rate that we use is the fact that those -- that rate doesn't include really much of the Portland rate, the Portland rate is small to how much the trucks are there. Our trucks are, also, in Astoria, Tillamook, and Lincoln city. So, the mileage that these rates were taken

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from, actually, it shows the total rate of miles for all those places together, and it did not take the Portland outside of those rates. That has me concerned. Also, when the trucks are used in the Portland area, it's to pick up the freight and in smaller trucks, and 28-foot trailers, bringing it to our dock, and then putting it in the triple trailers to all those places mentioned. The thing is, as it leaves Portland, maybe 10 miles of that was Portland driven. And the weight and mile tax was used, how they came up with that was the weight of the triple trailers over 105 feet long. When you take that 2.8% right now, it might cost the city of Portland is 6600. That would be the new rate. Going into effect, if this goes into effect a year.

Fritz: Do your trucks have gps's in them? We could find out how much they were in Portland?

Colleknon: They don't have gps's, we have cell phones that we tell, and the mileage that we show on them is from the time that they leave Portland until they go to the destination. And return.

Saltzman: Did you say that the calculation shows that the cost to the company would be 6600 a year from this?

Colleknon: That's correct.

Saltzman: Ok.

Novick: So you pay 235,714 a year in mile tax?

Colleknon: What it means is, last year, we paid 236,499 in weight and mile tax.

Hales: Yeah.

Hales: Ok. Thank you. Welcome.

Jana Jarvis: Thank you, Mr. Mayor and commissioner, I am Jana Jarvis here today on behalf of the Oregon trucking association. And I have been before you to talk about these proposals before. I am going to leave you with some written testimony that has a little more detail in the interest of time, I will just highlight a few of these points. I also want you to know that I am bringing some testimony to you from a number of members around the state who were not able to be here today, although there are several of our members here today as it is. I think that, that the biggest pointed that we want to make to you is that we understand that Portland has issues with their roads, and we are interested in helping Portland with that, and our objection to the gas tax and to these proposals is based on our concern about the ability to get a transportation package that may be a different perspective, but that is our perspective. So with that in mind, let me tell you how I am concerned if you move forward with this, this is probably the least fair of the proposals that we have looked at. If this ordinance passes, if the gas tax doesn't pass on May 17 the talk has been all about equity, so it doesn't make sense to move this forward if the gas tax doesn't move forward. Light vehicles are responsible for 87%, according to the commissioner's calculations, of the use of Portland city roads and heavy trucks, are 13% of that. So, if you want to talk about the equity, we need to highlight that. We also talked about, and I was glad that the commissioner mentioned in the appeals process, that's important for us because there are a number of situations where that would be very important to my members. I think that lastly I want to mention that there was discussion about the surcharge license business tax, and that would affect the private characters adversely, and for that reason the committee backed off of that, but a great percentage of my members are for hire characters. And the surcharge on the business license tax would be a fairer proposition. So if you offered both options that would probably be the best way to address that within the trucking industry. I do want to let you know that I am interested in working with you, and I thank you for your time today.

Hales: Thank you very much. Welcome.

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Daniel Kling: Thank you, I am Daniel Kling, and I am here representing right away trucking, we are a truck carrier based in Tualatin, Oregon founded in 1919 in Oregon city, and I believe that we're the oldest trucking company based here in the state of Oregon. We employ 3,000 people across the west coast and 500 of which belong here in the state of Oregon. I am here because I think that we clearly understand that there is a need to repair the roads. The issue at hand is how do we do that, in a fair and equitable way? As I have read through the ordinance, and forgive me, I was made aware of this ordinance on Monday. I am trying to get up to speed as fast as I can. But as I looked through this, it is not a fair or equitable way to fund the repair of Portland city streets. For example, for a company like right away, and I am going to use rough numbers here, we could say do approximately 10 million miles in the state of Oregon. 500,000 of those would be potentially in the city of Portland. So 5% of the total miles in the city. You could have another company that does a million miles a year, all of those miles in the city of Portland. They would pay 1/10 the amount that right away would pay yet use or consume, if you will, two times the resource in terms of the usage of Portland city streets. To me, that's not equitable. The other concern that I have, which I heard that there was mention of an appeals process, which I think that makes a lot of sense, my concern is that the appeals process is not defined, not outlined and not part of the ordinance. The other issue that I have, and I have to disagree with comments made earlier, is around the, what was that, it was around the fact that you could have the -- I am sorry, I am forgetting what he had mentioned there.

Hales: Let me ask you a question and might provoke the memory. So understand that the critique about this not being equitable, they said at the outset, there is no such thing as perfect equity and taxation. He thought that this was close. Have you got some suggestions for how we could get closer? To equity? Than this model of revenue collection would get us? That's a common problem in Taxation.

Kling: Sure.

Hales: I don't have kids in school but I pay school taxes, that's not equitable but how it works. How do we get there, closer to there from here?

Kling: To be honest, having only heard about this since Monday, I have not had an opportunity to give that a lot of thought. I do agree with what Jana here had mentioned earlier around, perhaps, looking at giving companies options of either-or. Again, I am concerned that there is not an appeals process in here. I did recall the other -- one of the other items that I did have a concern with, and that's around the fair share, so we talked earlier about the fair share of trucking versus public. I still don't understand how you would not want to have the two tied together. It does not seem fair or equitable to say that hey, I am willing to pass this ordinance without having another ordinance pass that would fairly tax the general public for the use of the roads. So then you would end up with only taxing one entity, which I cannot remember what the percentages were, 13 or 20. 13%. Really that is not going to address the issue anyway. And my concern would be that funding may not go towards -- there is no outline that that would go 100% towards road repair which is the premise we're talking, taxing the industry.

Novick: Miss Jarvis is opposed to the gas tax and any truck tax because she believes the appropriate contribution of heavy trucks to any local mechanism for addressing our streets is zero. What do you think the appropriate contribution of heavy trucks to fixing the streets should be?

Kling: I will defer that to --

Jarvis: I would like to answer that question, if I might. I don't think that our -- my message has been that the appropriate contribution is zero. What I should have mentioned in my testimony is that Oregon's weight mile tax is the most expensive form of taxation in the

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nation for the trucking industry. So for companies that operate in all other states, it is more expensive to operate in Oregon than in any other state. So they are already contributing a great deal to the roads.

Hales: That's the consequence of our state tax system.

Jarvis: It is what it is.

Hales: We are having this conversation because it's talking about Ronald Reagan earlier, at the end of the Reagan era, Oregonians passed measure 5. The local newspaper here, at the time, argued that we should do that so we would have a sales tax. How has that worked out? We don't have one, and they just passed a .4/10 of a sales tax in phoenix to pay for \$31 billion worth of improvements there, and san Diego sent a half cent sales tax to pay for \$18 billion worth of improvements there. And this is Oregon, and we are constantly resistant to an easy tax to pay for these things, so we would have to do it in less generalized ways than they do in other states. That's unfortunate but that's -- those are the cards that we dealt ourselves.

Jarvis: But the industry does already pay a great deal.

Hales: I understand, yeah, I understand. We overburden business and weight mile to make up for the lack of sales tax.

Novick: Do you think that heavy trucks pay more than their share of the fuel taxes?

Jarvis: If you look at the cost allocation studies, commissioner, you will see that there is -- those calculations are done on a fairly regular basis, and the last time that I looked, trucking paid slightly more than light vehicles. For the use of Oregon's roads.

Hales: Overall?

Jarvis: Yes.

Novick: I thought that it would be based on the cost allocation, the trucks were paying 30% of the total weight mile and fuel taxes.

Jarvis: I am happy to bring you the report that I took a look at. And I don't remember the numbers but I know that it was a bit more for the trucking industry than for -- in terms of the share. The share of the roads. Their share of the roads.

Hales: Thank you all. Thanks very much.

Jarvis: Thank you.

Hales: Good afternoon.

Myke Lake: I am Myke Lake with mcracken motored great, I am the fourth generation and we've been around since 1927, we are a Portland-based company, and this -- it would be about a 6,000 hit for us. We have 40 drivers, and we paid approximately 189,000 in heavy weight taxes last year. It would be, basically, an extra burden for us, and we would be able to bring on another person and pay for part of their wages and they would pay taxes to the state of Oregon. That's kind of how we look at it. Not that we're against repairing the roads, but we do maybe a quarter of our business on the city streets, the highways, we are in the industrial area, and literally we could hop on the highways and that's where we are usually going so our usage of the inner city roads, is very minimal to what we pay for the whole state of Oregon on a yearly basis.

Hales: Thanks very much.

Lake: You are welcome.

Diane DeAutremont: I can go. Diane DeAutremont president and the owner of mile international companies. We're a tracking company that specializes in moving and storage relocation for household goods, and businesses and government entities and the like. We have nine locations in the Pacific Northwest, five of which are in Oregon, one serves the metro area. The proposed -- the sur charge on the white mile tax would cause us -- we would not be subject to appeal because we do operate in the city of Portland, but a small portion of our business is conducted here. I should not say a small portion but a minor

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portion of the business. There would be no practical way to determine what is Portland generated miles versus everything else. We would be opposed to that. It has been a tough few years for companies like mine. Another tax is going to hurt us. I have people that have races for 18 months and we're watching every penny spent. Hard to support this.

Hales: Thank you.

Hales: Welcome.

Lanny Gower: Good afternoon. I am Lanny Gower with xp logistics, formerly Conway freight. Our statistics as a company and what we pay would mirror a lot of the people that spoke so I won't go into details other than to reiterate most of the miles are run on large trucks that pay a high heavy use tax, on state highways. Going to California and Washington and east. A very small number of the trucks distribute in smaller loads, and within the city, so the percentage of operations that we pay the tax in the city are small compared to the overall, but that would mean a lot of things. I have heard many times it mentioned, and it is not a perfect tax. On the, I am the tax manager and we pay taxes in every state, province and jurisdiction, and there is nothing similar anywhere in North America to this. Most use taxes, I have heard that mentioned more times than I could count, and they are trying to address fair share. Really there is two parts of fair share. One is between the user groups, which this proposal, actually, totally ignores. It does not try and address, and it is easily addressed. Tie them together a in that part of the fair share is addressed, but the other part is between the users, in a user group. And this proposal does absolutely nothing to try -- I know nothing could be perfect but this does not try to address it. Every mile run in the state of Oregon gets the same surcharge. And that does not attempt to address that issue. The fuel load fee was said to have been thrown out because much of the fuel is delivered here in Portland, goes outside of Portland. Everybody knows most of the miles run in Oregon are not run in Portland. If there is no attempt to say that that does not make this fair, also. This does not try and address that. A question was asked what could make this more equitable or fairer, and the honest answer, at least from my experience is it can't be done with a mileage tax at a city level unless or until the federal government requires gps on all heavy vehicles. Thank you.

Hales: Thank you. Thank you very much.

Hales: Welcome, good afternoon.

David Brallier: Good afternoon. I am David Brallier with Gordon trucking, and good afternoon and thanks for having us. I am one of the big guys that's going to pay a disproportionate amount of money if elected. We ran 26,500,000 in the state of Oregon, and while I don't have the exact calculation, I am confident in saying 99.95% of that was up and down i-5, 84, and the 97, and through the state of Oregon. You will see the trucks on the river gate and delivering to local home depot stores. You won't see them climbing the streets of Portland. They are 53-foot long and don't work so we are very, a very large carrier with a small footprint on the city streets. This tax based on the mileage, we paid 4.6 million for the state in weigh mile tax and an additional 128,000. Equivalent of one class a truck, three entry level positions and equivalent of just stifling our ability to grow and manage our fleets here, so we feel it is a tax that is not well supported, and the tax exerts an extreme burden on a carrier of size such as ours. You may think that we have huge revenue sources, and we do. We manage our pennies as well as anything else, and this tax at 128,800, if just dollar for dollar, is unreasonable. Thank you for your time.

Hales: Thank you. Welcome, good afternoon.

Ron Cholin: Excuse me, Ron Cholin friends of Oregon. We have run the west coast for the most part, we run 53-foot trailers as well, and 53-foot Trailers are not allowed on the city streets. Other than going in and out of the shipping points on the truck stops and the

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main, like marine drive. I have heard somebody say something about 15 a month, and I don't know where that number could have come from. Our expense, our, based on our tax that we pay, it would cost me about 2,400 a year for less than 10% of my business volume. If this passes our customers will have to increase their rates to cover that or we won't haul for them anymore. It won't be worth it to that any more.

Hales: Thank you.

Bill Frith: Bill Frith commercial trail leasing, commercial employers here in Portland, and we are a 51-year family owned business, and employ 30 people, our primary business is leasing dry van trailers. We don't haul great just deliver trailers, and we are located on where 84 and i-5 meet because two-thirds of the customers are outside of Portland. Madras, Salem, Astoria, that sort of thing. Originally we did not pay the weight mile tax because we were not a trucking operation, we were contacted by odot a number of years and we were not totally it was a tax, and we need to be included even though what we are delivering earlier, the tax was the delivering of a product by a truck. They are storage trailers and they sit in the yards. We've been paying that tax, it was not supposed to be much. It has increased, our weight Mile tax has increased 764% in the last six years. It is now snowballing and we have a fear about this, as well. Our concern is that because most of our customers are outside of Portland, we paying a tax, our roads are not using, we are using 84, and i-5, and to get to the customers. We don't have the downtown city street exposure. Our trailers are not loaded. And number two, this would impact our business health just like the other testimony you've been hearing today. It's a duplication tax. We are paying on the weight mile tax, and this is on top of what we're already paying for road usage that we are not using, and this is a boiling of the frog. This starts out small, and our concern it will continue to snowball and snowball. This impacts our ability in a competitive environment where the cost of trailers has doubled and tripled for us in the last ten years yet our rental rates have stayed the same. We want to add jobs and grow our business, so these paper cuts are impacting our ability to try. Thank you for your time.

Hales: Thank you. I don't understand the mechanics of why your weight and mile burden has gone up so much.

Frith: When I look at the taxes we paid since 2009, it was just a few hundred and now it's a few thousand. Our operation, basically, is picking up and delivering trailers at that don't have tractors. If you look at the tax we've been paying, it's gone from a few hundred to a few thousand.

Hales: The rate hasn't increased that much? So --

Frith: Well, the point is that we were exempt from it originally until odot tried to include us into this deal. The rationale is each though you are not delivering the product, and I can't remember who made the testimony earlier, said that the weight and mile tax was for those who deliver the product by truck. Our product is air. We are delivering an empty trailer picking up and dropping off. For those that do not have tractors.

Hales: They reclassified that.

Frith: To include us so this nonissue is now becoming a significant issue which impacts the salary and benefits so that's before -- that's why we are concerned.

Hales: Thank you all.

Hales: Welcome. Go ahead if you are ready.

Greg Galbraith: Good afternoon commissioners and Mr. Mayor, thank you for having us, and thank you for the service you do with the city. My name is Greg Galbraith, representing market transport market transport limited we are a full truckload carrier based in the city of Portland, and we've been in business since 1969. And in the interest of time, frankly, some of my remarks and comments are very consistent with what we have heard this afternoon. And listen, I know the world isn't always fair and not easy to come up with

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fair practices, But when I look at this ordinance, fairness and equity comes to mind, and we're one of those players where we're based in the city, and we employ about, a little over 400 folks, in the state of Oregon, and we paid about 1.2 million in Oregon, weight mile taxes so this would be a \$33,000 additional tax. The issue isn't about whether we should have to pay it or not, listen, we are very much in support of safety and safety practices and improving our roads so the things that come to mind for me, commissioner Saltzman, your comment about if the light vehicle tax does not pass, and in our minds, and the fairness is really called into question, and the heavy duty trucks are going to be paying a lot more than their fair share so zero versus 13% of the road usage. And two, again, like some of the other folks that spoke before me, we are largely an interstate provider, and we are based in the city but most of our usage is just getting to and from the freeway, where we're based right off i-5. And when we look at usage, while again, I just became aware of this ordinance, on Monday, as well, and I have not done a lot of homework but I would be certain that if we looked at the technology and have the ability to do some of that, we're not doing a lot of city driving. It's mostly interstates and getting to and from. So, I would ask you to consider that as you know, comments from us.

Novick: I want to say something about that, the state assumes that heavy trucks should bear 30% of the cost responsibility. We went to eco-northwest and asked should we ask the heavy trucks to pay 30% in Portland, and they said no because we think that they spent a bunch of their time on the interstate roads or state roads so they got it to 13%. Another comment, we are asking the people of Portland to pay a 10-cent gas tax when the state gas tax is 30 cents. So we are asking the people of Portland to increase their contribution to street repair and traffic safety by 30%. Whereas we're asking truckers to increase their contribution by 2.8%. Some think that we are letting the trucks off too easy, we have a rationale for what we are doing, just wanted to point that out.

Galbraith: let's, let the people tell us. One thing I should mention, and I don't know statistics but dollars have been moved out for transportation and let's make sure that these dollars are in a go to repairing roads generate -- generated about being safe.

Hales: Say hello to bill maris, a good guy. Your point about dollars being moved out of transportation, that's another clarification people need to remember. We passed measure five. 1990, being told by some that would lead to the passage of a sales tax that would fund services like schools in Oregon. But, the city has traditionally collected a utility franchise fee from the public utilities you know, pge and the gas Company and all those folks, and it used to be that the city put those funds into the streets, but after the passage of measure 5, the previous city councils shifted those funds to pay for the core city services of police, fire, and parks because that's what the general fund pays for.

Novick: Actually, I have to correct you. The collapse and the amount of utility license fee that went to transportation started and accelerated in the late 1980s. And I have asked not to pass measure 5 which is in 1990, and I have asked them to give you an explanation, and he does not really have one.

Hales: He was not in the late 1980s, either. Was he here is ok.

Novick: The more salient point is that the money now goes to police, fire, parks, and housing, and nobody comes in here asking us to cut the police, fire, and housing, and transportation.

Hales: So that's the problem we face is that there used to be a source way long ago before us that was funneled into that purpose, and those days are gone.

Fritz: I think that the budget office will tell you they only did it for two years. That was supposed to be -- looking at the gas tax that was starting to fall off cost were rising, so that was something that they tried.

Hales: That's why we have to check on history because I don't always get it right.

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Fritz: That's why I have a city budget office but I think to your point and commissioner novick knows that there is not a bucket full of money but if you think that there is we have our next budget hearing coming up next Thursday evening. Come find us the bucket we are more than happy to dig into it if you can find it.

Hales: And to be more precise, we have over the last few years been putting some amount of general fund into the transportation. And including when we had a really big surplus year, we put a lot of it into transportation. And even this year, we're still going to -- I am proposing that we put 5 million of the general fund into transportation and to paving and repairs and safety improvements, so we are, with the dollars that we have, we are putting what we can into the streets. Again, understanding that the federal government has, hasn't increased the gas tax since 1993. And the state, I think, most recent increase there, the weight and mile tax and the gas tax was 2006, I believed. Thank you. You got

Hales: I got myself off on a tangent but thank you. Welcome.

Jeff Lorenzini: Well, Mr. Mayor and commissioners, thank you very much for hearing us. I am Jeff Lorenzini, represent old dominion great line. We've been in Portland for 12 years now, and if you drive down mlk, and know where the Portland speedway was, you will see our new facility there. We have a very significant investment in Portland, and I am a Portland native, and I am a former vice chair of a school Board so on a smaller scale I can really appreciate the challenge that you have, the limited funding and lots of things to do. I will be brief just to summarize a lot of the points brought up by my peers, our company is very large, a very large company. I have very many drivers and trucks based in Portland, but for the most part, the minority of their time on the streets is, actually, spent in the city of Portland. We built our terminal where we were -- are at due to easy egress onto the freeways. And I guess what I would propose because I knew that you needed solutions, not just no's, why things won't work, I would ask for more time and comment. My company and a few others I have heard mentioned have the technology and the resources available through gps to track our actual time in Portland. I also feel for my peers with resources, that don't have that technology and the resources, they can't do that yet, so with some collaboration, we could find a solution that might be more fair. The other point that I wanted to make, was about the appeal process. I can just see, and appreciate the mention of an appeal process but I feel like, if this can be more well thought out on the front side, the appeal process won't be so muddy. I can see carriers standing in line with multiple issues trying to appeal, and that does not do the city any good with that revenue tied up or not yet paid or having the refund.

Novick: I just want to say that anything that we pass can be changed. I think it's very important as we're asking that we pass something to make it clear that we expect heavy trucks to pay a share of the cost. I think that this is the best option that we have come up with after a number of months of looking at it. But if in the future somebody comes up with another mechanism that says that seems better, I, for one, would have no problem considering it, and offering this ordinance.

Lorenzini: I appreciate that, commissioner. I think that speaking for our industry, our concern is, and it was brought up before, that once something starts going, it's hard to change or undo, and I am not sure if you are aware of the changes going on in the state of california but every major national carrier operating in the state of california now is placing a per shipment surcharge because it's so expensive to do business in the state of california, and our company might be challenged with having to consider that same thing for the shipments delivering in and out of the city, that will place a burden on the people that ship goods and services within the city.

Hales: Thank you. Welcome.

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Jim Johnson: Thank you, Mr. Mayor and council for this opportunity. Jim Johnson, from woodland truck line. It's a known fact that we are in need of family wage jobs and that usually means manufacturing and distribution jobs. Every time you increase the tax on service providers, that provide service for such firms, you are muttering the creation or retention of those jobs. This proposed tax is one of those taxes. First, it hurts the trucking company by having to pay the tax. But all taxes will affect the price of the service. You are probably thinking if this is so small it will not make any difference but it is not 9 large cost items that hurt the companies because those costs they know that they need to cover, and it is the many, many, many costs, small costs to turn a profit into a loss. We are looking at Washington, and our service today is Washington, Oregon, and British Columbia, and port of Idaho. And we're not a large user of the streets in Portland, therefore, the cost to ship in raw materials and ship finished goods will increase making Oregon and Washington businesses business less competitive in the market. It is true, our roads are in need of repair. However, I believe we would have that money for repair if less was diverted to the mass transit and other uses. Thank you.

Hales: Thank you. Thank you all. Welcome. Good afternoon.

Hales: Go ahead, please.

Keith Wilson: Thank you. I am Keith Wilson, the owner and operator of Portland Heights freight Systems, so I was going to say I am uniquely qualified, but I have a lot of peers, and I am from Portland, and I grew up in Portland and our company began in Portland. I want to speak to the fairness of the tax. I have heard we must have something that's not achievable. I am supportive of the gas tax, no doubt, and the user of the road from the roads, and it's fair and equitable, and there is no doubt about it but with the weight and mile surcharge, we began 50 years ago, and I needed this tax 50 years ago because as a small carrier it would have unfairly burdened the larger carriers, my competitors, as a mid-sized carrier. Who has grown throughout Oregon and Washington, and anybody who, whose short haul has an unfair advantage over the tighten map, so while we have grown, this tax is going to put a burden on us, and that's really not what it is designed for. I am all for the taxes, no doubt. Because as long as they are fairly assigned across a large platform, I think it's great. When you make some great decisions here, the sick pay, it was for the hours worked in Portland, while I am based in Milwaukee, I am all for that because I calculated the hours based in Portland, and it's assigned, it's fair and if a competitor is working in Portland, it's fair. This is uncompetitive, puts me in an uncompetitive position with a peer. Thank you.

Fritz: What would you think might be fair?

Wilson: The other larger carriers had mentioned that they all have gps and they do. The smaller carriers are mandated to have gps by Jan 1 of 2018. I know you are looking for revenue streams today but we know that each truck is federally mandated in an interstate environment to have electronic logging devices January 1, 2018. Then you say it's the mileage you drive in Portland, are taxed. That's fair. You cannot find a more user-based tax than that. I know that the need is now, the gas tax, I hope it passes. I know, I know you may have something up your sleeve, if it doesn't, and come to it because I will be the supporter, no doubt, but on this one, I have never appeared before. I am not on -- I am not here on behalf of the trucking association. It's just the, elusive but this is not a perfect nor a right and I know that you have to be challenged with that every day.

Fritz: Thank you.

Hales: Thanks a lot.

Ron Bowers: Mayor and commissioners, I am Ron bowers from down south Willamette valley, and I have a small company. We drove 979,832 miles last year. 633,126 in the state of Oregon. Less than one-half of 1% of our miles are in Portland. So you know, I

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paid 103,654.78 for the privilege of driving on the state highways, and you are going to add 2,902.33. And I don't use that much Portland road. We do utilize it. We appreciate it, you know, as does the general public because we deliver a product that they want. So thank you for your time.

Hales: Thank you very much. Appreciate the precision. Welcome.

Shelly Boshart: Mayor Hales, commissioners, listening here today, I am going to be, to call myself a baby, only been trucking since 1983, and I am also a baby in size compared to some of these trucking companies. We have 34 trucks, and a third generation --

Hales: Put your name.

Boshart: Shelly Boshart with Boshart Trucking, second generation in the trucking industry, and we're really close to Mr. Bowers, actually, and we truck agricultural production for shipments locally and internationally. We use the ports of Portland of Portland to go to Seattle and Tacoma to Seattle with some of the issues that we have had here at Terminal Six in the what's couple of years. We don't see that taxing trucks who utilize Portland roads as being fair, which you have heard many, before me, we travel mostly to northwest container. We deliver wheat to the terminal and the port of Portland and we go to Terminal Six with West Wood coming in. We literally use five miles every trip and that's it. We are one of the smaller companies that has been referenced before that we don't have GPS yet in our trucks. We will be getting it soon, and you mentioned the mandate that will be coming up. And as I am sitting here thinking, and I have only known about this since Monday, and possibly that could be an incentive to get GPS sooner. That could possibly be an option for you guys. We pay a weight and mile tax to ODOT of estimated 72,000 annually, very small comparatively, but like somebody else said before, every penny counts. We pay additionally because we don't have that container service here in Portland, and we pay because it's the mandates that we have gotten, and regulation over the last couple of years. And so it's been a hardship on us. And most importantly it's not fair to put the burden on heavy vehicles, if the gas tax measure addressing the light vehicles does not pass, and I overhear you saying, corresponding fair share. I appreciate you taking those words into account, and we do a lot of trucking throughout, and we do a lot of trucking in the agricultural industry, which I feel has been under attack in this state, and this is just one more burden that would be put on us, and wanted to bring that to your attention so thank you.

Hales: Thank you all very much.

Moore-Love: The last person is Bob Short.

Bob Short: Good afternoon, I am Bob Short, a member of the Portland Freight Committee, and was on the heavy vehicle use task force that debated over this. I am, basically, today speaking on my own behalf, and I don't want to repeat a lot of the testimony that's been heard before. I could tell other stories but there is no point. I would like to offer a couple of suggestions. I don't know if it's possible to implement this or not. I appreciate first of all, I appreciate Commissioner Novick taking this issue on and on. It has been whispered about and for some years, as we need some way to address Portland's street maintenance problem.

Hales: There is no more shouting than whisper --

Short: Nobody has gotten as far as Commissioner Novick has and I think he deserves a great deal of credit for getting it off this, and I appreciate the work, particularly, Ken Lee and Mark Lear, city staff, working with the great committee and trying to come up with some reasonable way to include the heavy truck component. I am in favor of the gas tax and in favor of the heavy trucks, paying their share, and I don't think this gets us there. I would -- what I would like to suggest to council, is that if there is a way to amend this to at least put the mandate that Commissioner Novick mentioned about putting in the appeals process, in

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the system, so that it's, actually, in the ordinance that there won't be an appeals process, established, the second thing that I would like to see, I understand the political reality of it, and that you feel the need to vote now. Is in some way, if you cannot Delay the vote, until after we know about the gas tax, and at least, perhaps, put a clause in there that delays the implementation until there is a light vehicle mechanism in place. And that's all that I have to say, thank you for the opportunity.

Hales: Thank you.

Hales: Thank you very much. Anybody else want to speak on this item? And then questions?

Saltzman: So why don't we put in the ordinance in that there will be an appeal process per rules promulgated by the revenue division?

Novick: I don't think that we know at this point exactly how that would work. I mean, we don't know what information is going to be available for people to present to prove that they only spent a few miles of Portland roads, given that everybody has gps so we are asking the revenue to work with the industry to figure that out.

Saltzman: It is our intent to have an appeals process.

Novick: It is our intent to have an appeals process, if one is practicable.

Fritz: How about we add something in the, now therefore the council directs. I understand commissioner novick your point that we don't want to provide further opposition or we don't want to influence the gas tax. So what if we put in, if the gas tax passes this ordinance will be revisited to look at factors including the potential of the appeals process.

I have heard some compelling testimony, and there might be other ways of doing things, the ones that provide some incentive to get the gas tax passed and fix it afterwards.

Novick: I want you to look at the appeals gas tax regardless. I have no objection to what you said, but I just want to make it clear even if it is not passed I would like if we could do the appeals process.

Novick: I appreciate that, so I would have no objection to that amendment.

Hales: I assure that, the interest in that, Steve, I think your fundamental point is sound, which is we need to make it clear we're going to tax the heavy trucks, particularly, since there is some who are arguing against the gas tax on the grounds it might not. So that needs to be established. And certainly, I have heard some thoughtful testimony here today, and I am intrigued, particularly, by this electronic logging device, threshold that will come along a couple of years from now. It seems to me that might be another opportunity for the revision or for the refinement of the approach. Down the line.

Novick: I would be happy to add some language saying it is our intent to reevaluate this tax once all trucks, heavy trucks have gps devices.

Hales: Yeah, I mean, there's been a lot of experimentation about that idea with respect to the private cars, and there was a pilot project with odot, but we seem to be still some distance from the day when we start charging by the mile for Ordinary citizens using the road system but it sounds like, the trucking industry will have ubiquitous data soon, and we are in a smart city's challenge with the u.s., dot about how to use technology to make the transportation system more equitable and transparent. And hopefully we win that, and this would be one more way in which we could try to work with the, part of the business community that's going to be adopting the technology. I would remind people maybe the federal and state government are slow to change things but we do revise things around here, fairly often when there is new information or better way to do it. I would be open to having those windows open in this later on.

Fritz: The thing that we're to do here is to be clear that we want this, something, to be passed so that it's clear, we're hoping everybody will be paying their fair share. What if we said after May 17, 2016, this ordinance will be revisited and potentially refined?

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Novick: I think that that's way too open, and that's -- I think that suggests that we might have to forget the whole thing.

Fritz: Not unless we vote to forget the whole thing.

Hales: I don't have any interest in that, but I do have an interest in tuning it. That possibility exists regardless of the language, so I guess, so I get that.

Novick: If we wanted to say, it's the intent of council to reevaluate this tax, once all affected trucks are equipped with gps devices, and where would you add that language?

Lear: I might need help on that one.

Fritz: Put the report back to council in 2018 regarding the additional refinements.

Scott Karter, Revenue Division: I would probably just add it, at the end, in number five. At the end of it. At the end of the proposed language. I don't think it's that critical where it ends up. But I think that, to me that seems like the most logical place for it.

Hales: I am not sure if I know what you are referring to.

Lear: Exhibit a.

Karter: Right, exhibit a. Right, goes to the bottom of the page.

Fritz: You are in the code. I don't think that you would put a direction to the bureau to revisit it.

Hales: You can put it in the findings. For, or the direction, council directs.

Novick: Just add an F?

Hales: I think that that's -- we're going to put some instructions into the ordinance. To me, that would be the place to put it.

Fritz: And you could put that, people will return to council with a, with the appeals process, and adding the, for the refinements after the gps? Something like that?

Novick: I think that they are two separate things. I think that we could say that as of x date, revenue and pbob will report to the council on their exploration of an appeals process. Say do that by, as for august 1. So by august 1, revenue and pbob will report back on their exploration of an appeals process.

Ben Walters, Deputy, City Attorney Office: If you were to do that I would recommend that be put in as a directive f.

Hales: Right.

Novick: Exactly.

Hales: That's where I am writing it down.

Novick: And then directive g, would be council instructs pbob and revenue to explore the possibility of changing this tax if and when all affected vehicles are equipped with gps devices.

Fritz: Second.

Hales: I am writing down my sense of that. By august 1, the revenue bureau and the pbob will report back to the council with a, with findings about a possible appeals process. And g would be that council directs pbob to return to council with possible revisions to the ordinance based on the, based on the implementation of the universal gps in the trucking industry.

Novick: What did I say?

Hales: I think that you had it better, and you had that, you had the better language than I had, so try it again, Steve, sorry. Council directs pbob to --

Lear: You can start with after the gps devices have been implemented in all vehicles, that we would return to council.

Novick: And revenue with any, with the recommendations whether that should result in a change in the tax.

Hales: Ok. Got it. Ok. So, commissioner novick moves those amendments and Commissioner Fritz seconds them. Further discussion of those amendments to the now

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therefore the council directs the portion of the ordinance. Let's vote on those two amendments together, please.

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

Hales: Aye. [gavel pounded] ok. That's helpful. Is that clear for you? Ok. So this doesn't get voted on today. It comes back --

Saltzman: I wanted to explore with my colleagues, I still very much believe this should be enacted contingent upon voter approval of the temporary gas tax, so does anybody have any interest in seconding that amendment?

Hales: Especially if they are coming back by august 1. I think that that's, that strikes me as being fair.

Hales: We need to make it clear that we're moving forward and we hope that the gas tax passes. Ok. So, with no further amendments, then again, this is the public hearing portion of this, and this will come back for the council action next week, and thank you very much.

Lear: Thank you.

Hales: The meeting is adjourned. [gavel pounded]

At 4:39 p.m. council Adjourned.