



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF AUGUST, 2016** AT 9:30 A.M.

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

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

Item No. 899 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

		Disposition:
COMMUNICATIONS		
890	Request of David Kif Davis to address Council regarding war on copwatchers by the police and the City (Communication)	PLACED ON FILE
891	Request of Lightning Watchdog PDX to address Council regarding Lightning strikes disrupts City foreclosures (Communication)	PLACED ON FILE
892	Request of Shedrick J. Wilkins to address Council regarding Captain Kirk and M5 computer (Communication)	PLACED ON FILE
893	Request of Matthew Sanders to address Council regarding passing ordinances to put limits on door-to-door solicitors (Communication)	PLACED ON FILE
894	Request of Yachiyo Iiasako to address Council regarding Portland State University Center for Public Service and Tokyo Foundation Japanese Local Government Managers Training Program (Communication)	PLACED ON FILE
CONSENT AGENDA – NO DISCUSSION		
Mayor Charlie Hales		
*895	Authorize grant agreement with the Latino Network, not to exceed \$51,571 to employ one full time street level gang outreach worker to provide intervention services within the City (Ordinance) (Y-4)	187915
Bureau of Planning & Sustainability		

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*896	Authorize application to Metro Regional Government for an Equitable Housing Planning and Development Grant in the amount of \$100,000 for Building an Equitable Housing Strategy for the Southwest Corridor project (Ordinance) (Y-4)	187916
897	Consent to the transfer of Cloudburst Recycling, Inc. residential solid waste, recycling and composting collection franchise to Heiberg Garbage & Recycling LLC (Ordinance)	PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM
Bureau of Police		
*898	Accept and appropriate an additional \$8,000 from the Oregon Department of Transportation for overtime reimbursement for the FY2016 Multnomah County DUII Intensive Supervision Program (Ordinance) (Y-4)	187917
Office of Management and Finance		
899	Authorize an Intergovernmental Agreement with the City of Gresham for the City of Portland to conduct transient lodging tax audits of Gresham hotels on behalf of the City of Gresham (Ordinance)	PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM
900	Authorize an Intergovernmental Agreement with Portland State University to perform a Pre-Development Building Programming Study for the Jasmine Block property (Ordinance)	PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM
901	Establish an interim compensation rate for the revised Parking Pay Station Technician, Lead classification (Second Reading Agenda 867) (Y-4)	187918
Commissioner Steve Novick Bureau of Transportation		
902	Authorize an Intergovernmental Agreement with Trimet and Oregon Department of Transportation to contribute match amount \$105,781 to fund the Barbur/OR-99W Corridor Safety & Access to Transit Project (Second Reading Agenda 868) (Y-4)	187919
903	Amend grant agreement with Portland Business Alliance for \$30,000 to continue the Downtown Retail Strategy implementation (Second Reading Agenda 869; amend Contract No. 32000521) (Y-4)	187920
REGULAR AGENDA Mayor Charlie Hales Bureau of Police		

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<p>*904</p>	<p>Accept and appropriate a grant in the amount of \$125,000 and authorize an Intergovernmental Agreement with the Oregon Department of Transportation, Transportation Safety Division, for the 2016 Motor Carrier Safety Assistance Program for motor carrier safety inspections by the Police Bureau Traffic sworn personnel (Ordinance) (Y-4)</p>	<p>187921</p>
<p style="text-align: center;">Office of Management and Finance</p>		<p>187922 AS AMENDED</p>
<p>*905</p>	<p>Extend contracts with Veteran Government Services and Commstructure Consulting, LLC for three years and increase not to exceed amount by \$3,000,000 for each contract to provide telecommunication services (Ordinance; amend Contract Nos. 30001894 and 30003061) Motion to correct the not to exceed amount to \$3,000,000 total not \$3,000,000 each: Moved by Fritz and seconded by Novick. Approved without objection. (Y-4)</p>	<p>187922 AS AMENDED</p>
<p>*906</p>	<p>Pay claim of Tiffany Eggleton in the sum of \$15,000 involving the Police Bureau (Ordinance) 15 minutes requested (Y-4)</p>	<p>187923</p>
<p>907</p>	<p>Authorize revenue bonds for the reconstruction of the Portland Building (Second Reading Agenda 862) (Y-4)</p>	<p>187924</p>
<p style="text-align: center;">Commissioner Dan Saltzman Portland Housing Bureau</p>		<p>PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM</p>
<p>908</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for 17th and Kearney located at 905 NW 17th Ave (Ordinance)</p>	<p>PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM</p>
<p>909</p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for 17th and Pettygrove located at 1331 NW 17th Ave (Ordinance)</p>	<p>PASSED TO SECOND READING AUGUST 10, 2016 9:30 AM</p>
<p style="text-align: center;">Commissioner Steve Novick Bureau of Transportation</p>		<p>187925</p>
<p>910</p>	<p>Amend Towing Code to allow immobilization of vehicles to give owners an opportunity to pay outstanding parking fines before a tow (Second Reading Agenda 888; amend Code Chapter 16.30) (Y-4)</p>	<p>187925</p>
<p style="text-align: center;">Commissioner Nick Fish Bureau of Environmental Services</p>		<p>187926</p>
<p>911</p>	<p>Amend City Code to clarify sewer billing authority and criteria (Second Reading Agenda 871; amend Code Chapter 17.36) (Y-4)</p>	<p>187926</p>

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912	Authorize a contract with the lowest responsive bidder for the construction of the SW Terwilliger Sanitary Sewer Extension Project No. E10413 for \$3,800,000 (Second Reading Agenda 880) (Y-4)	187927
913	Authorize Intergovernmental Agreement with Clackamas County in the amount of \$54,000 for services related to the construction of the SW Terwilliger Blvd Sanitary Sewer Extension Project No. E10413 (Second Reading Agenda 881) (Y-4)	187928
914	Authorize an Intergovernmental Agreement with the City of Lake Oswego for reimbursement in the amount of \$78,800 for the construction of sewer facilities as part of the SW Terwilliger Blvd Sanitary Sewer Extension Project No. E10413 (Second Reading Agenda 882) (Y-4)	187929
915	Authorize a permit with Multnomah County for construction of the SW Terwilliger Blvd Sanitary Sewer Extension Project No. E10413 for \$2,500 (Second Reading Agenda 883) (Y-4)	187930
916	Authorize a contract with the lowest responsive bidder for the construction of the Humboldt Sewer Rehabilitation Project No. E10564 for \$4,980,000 (Second Reading Agenda 884) (Y-4)	187931

At 10:45 am., 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.

<p><u>2:00 PM, AUGUST 3 & 4, 2016</u></p> <p>DUE TO LACK OF AGENDA THERE WERE NO AFTERNOON SESSIONS WEDNESDAY OR THURSDAY</p>	
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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.

AUGUST 3, 2016 9:30AM

Saltzman: Good morning everyone, Karla would you please call the roll.

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

Saltzman: Before I begin I'll read a brief comment on the conduct of our meetings. The purpose of council meetings is the orderly consideration of the public's business. Preservation of order and decorum is necessary for due consideration of matters before council. The public is welcome to attend council meetings. During the meeting there will be time-limited opportunities for public comment on various agenda items. Although citizens can sign up for communications, public testimony on a council calendar item must address the matter being considered. Please state your name for the record, we do not need your address. If you are a lobbyist, please disclose that information at the start of your testimony. If you are representing an organization, I ask that you disclose that, as well. Unless otherwise informed, each person will have three minutes to speak in front of council. At two and a half minutes, you'll hear a beeps and the lights will flash before you. At three minutes, you'll hear four beeps and the lights will flash and that will be the time for the next person to speak. I ask you respect the time limits so there is time to hear from each person who is signed up to speak. If you have handouts, please give them to the council clerk and she will distribute them to us. Please testify only to the matter at hand. Council rules and procedures seek to preserve the public order and to ensure council's deliberations proceed efficiently and that all that want to participate get to be heard. Conduct that disrupts the meeting, for example shouting during other people's presentations or interrupting testimony or council deliberations will not be allowed. Please show your support with your hands, thumbs up or thumbs down or waving your hands. This is a warning that anyone disrupting the proceeding may be escorted from council chambers and excluded from city hall. With that we will move to our first communication item, Item 890.

Item 890.

Saltzman: welcome, Mr. Davis. Give us your name and you have three minutes.

David Kif Davis: So, my name is David kif Davis with Multnomah county cop watch. I'm coming here today to talk about the war on cop watchers, police accountability activists and journalists and other people who document the police in Portland and also, the fact that you're trying to close city meetings, like the crc, police accountability board meetings to make it closed to the public and the media, so these meetings will just take place with police in closed rooms. And, I was arrested here at city hall on November 25 and I'm wondering when you guys are actually going to give the surveillance footage to my lawyer. We've repeatedly requested that and I had charges that were falsified against me by security people and the police and this was during the arrest of Barry Joe Stuhl and I'm wondering when I'm actually going to get these surveillance tapes. And, you know, if you guys can't even provide surveillance footage for an arrest that occurred in city hall of a cop watcher, that was filming someone that was getting arrested Barry Joe Stuhl, how can we trust you, as city council people, to not want to have meetings in closed rooms and make police accountability less transparent. You know? When you guys are covering up an

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arrest that happened at city hall. You know? This is ridiculous actually, you know. This intentional deception that's going on, you guys are intentionally deceiving the public by saying that you care about police accountability. Because, there's obviously no accountability right here at city hall when you guys are covering up an arrest that happened here and then you won't even provide the evidence to my lawyer. And this is something that happened in November, you know. I brought this flag today, too, to show you. This is a -- this is the thin, blue line flag. It's the gang colors of the police. Right here. This is the militarization and the take-over of the police and this is their gang colors

Saltzman: The time is up.

Davis: Is the total desecration to the real flag and the real country and it's just like a representation of armed take-over of America.

Saltzman: Okay. Thank you very much.

Davis: And you guys are part of that armed take-over

Saltzman: Okay, thank you.

Item 891.

Saltzman: welcome. If you just give us your name and you have three minutes. Did we skip 891? I'm sorry. 891.

Lightning: Don't tell me you can skip people like that.

Saltzman: Welcome, Mr. Lightning. Give us your name and you have three minutes.

Lightning: Yes, my name is lightning. I represent lightning watchdog pdx. I'm going to talk on the foreclosure issue here is that as you know, the city of Portland hasn't been foreclosures for 20-plus years. They're beginning to do that now. They're focusing on the most distressed. The most vulnerable, people with mental illness and senior citizens and they are using nuisance liens after they said, hey, we're not going to foreclose on your properties, we haven't done that for 25 years. When you sell your property, pay us off. Now they're trying to come in and take their properties away from there and are in discussions to hand over these to non-profits thinking this is a humanitarian endeavor. It is greed, greed of the city. Not taking care of the most distressed people in the city that are currently losing their homes. They're using nuisance liens to run up the liens in excess of over \$100,000. There are people out in the city that have fled their properties, left their properties. They have had their properties boarded up because they are in fear of the code enforcement folks of the city of Portland who think they have a right to enter their properties, board them up and foreclose on them and take their equity away from them. This is being challenged on bankers that have come in and put locks on people's doors before they have foreclosed. There are class action suits starting in Seattle, just based upon that issue. There will be class action suits brought against the city of Portland for boarding these houses up and making the owners flee because they are afraid of the code enforcement thugs and the police they bring along their sides when they come in and take these properties from under them. This will be stopped. This will be challenged. This will end up in a class action suit. They used to say, hey, we'll work with you. You decided to change. You can end up with a class action suit on you, bigger than you've ever had at the city of Portland for trying to step on the most distressed, the most vulnerable people out in the city, potentially losing their homes because you think it's the right thing to do. Well, guess what? It's not. Thank you very much

Saltzman: Thank you.

Item 892.

Shedrick Wilkins: I'm Shedrick Wilkins. There's a great episode of star trek and they said computers don't charge captains. It's a 1968 episode. It says, machines make excellent servants, but I have no desire to serve under one. This is why they make the movie. Great lines. You know, I don't take orders from a machine. They're servants. Community colleges

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are better than the university. It's just my judgment. I do have a plan. I am -- to run for Mount Hood community college school board. Five years ago, I had a fear of talking. I like it when people interrupt me, like Commissioner Fritz. You're paying attention when I say something ridiculous and you cut me off. I did not take any speech courses at psu. I'm out of the zone. I have a sneaky plan, like captain kirk, to find a girlfriend that lives in the Mount Hood community school board and use her address. I know mayor haes lived in Vancouver. I love the campus out there. I think, too, that the Bull Run water and the power of the Mount Hood and the hydroelectric dams, the power of the Rocky Mountains make electricity for Portland and the community college teaches how to fix those machines that make the fresh water here and the electricity. Also, I like the bottle thing. We have a thing now. I put my cans at 122nd and Glisan and about a day later, it comes into this account and I had \$3. There was supposed to be a recycling thing down here but they didn't do it. I stopped into the Hanson shelter and said, I could be a volunteer. So, it looks good if I do run for community college school board. I like the fact that they have women and it's not as religious. I stayed at city team ministries when I was homeless five years ago and I had to go to a mandatory Christian service. Not that Jesus is a bad person, but I'm glad the Hanson shelter isn't religious and they do have women.

Item 893.

Saltzman: welcome, if you could just give us your name. You have three minutes.

Matthew Sanders: My name is Matthew Sanders my family and I are residents of the mount Scott neighborhood. I would like to talk about my experience about living in a city that does not regulate door to door canvassers, Proselytizers or solicitors in any way, shape or form and how that effects the most vulnerable citizens. We have a son named Ned, he has a sensory disorder. It's very low on the autism spectrum. This disorder intensifies everything that he experiences so when we have someone that comes to our door, unexpectedly, he becomes emotionally dysregulated. Things get a little chaotic around the house. Each interaction turns my son's anxiety up to 11. When a door-to-door solicitor comes to the door this leaves my sons anxiety and emotions to spike and in turn, solicitors come to the door in the evening, he doesn't eat, he doesn't sleep, he has horrible anxiety and that leaves us to feel the ramifications of that. We have a no soliciting sign, which is often ignored. Many of these door-to-door solicitors tell us the same thing, what they're doing is perfectly legal and that's absolutely true. Portland, has no regulation what so ever on door to door solicitors. There are no times of operation when door-to-door solicitors could operate. There are no legal obligations that they must obey no solicitor signs. Other municipalities in the area have taken steps to allow their citizens to control that. My son's disorder is actually fairly mild in the grand scheme of autism spectrum disorders. There are many folks who don't have it as easy. There are lots of people who have extreme cases of autism, folks with intense anxiety disorders, many individuals suffering from post-traumatic stress disorder. These problems affect just about everyone. They deserve to be -- sorry.

Saltzman: 30 seconds.

Sanders: I've attached -- I've given you regulations from other municipalities. It's my personal view that it's the government's job to protect the smallest of us and my son, Ned, is one of those. There are many that need that protection even more and I believe there needs to be clear ordinances put in place to limit solicitation door-to-door

Fish: Can I ask you a question?

Sanders: Absolutely.

Fish: You said that you've included some material, so is that a handout we've received?

Sanders: I believe so.

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Fish: So you've given us a handout with some other -- you know, each of us at election time, spend time going door-to-door. You're absolutely right. When you come to a home that says no solicitation, we try to honor that. Sometimes people put mean-looking dogs in their front yards. I actually -- until you spoke today, I hadn't thought about the impact on people's health. And, there's another piece of this that I'm concerned about, which is the kinds of fraud that's going on and the scamming.

Sanders: Absolutely

Fish: It's getting pretty sophisticated, people showing up on your door with scam.

Sanders: Uh-huh

Fish: My concern is that there are -- particularly older adults in your community that could be taken advantage of. I had someone calling me, posing as a Multnomah county sheriff, asking for my personal information in order to tell me about some service, a process that had to be made on me and it turned out, this was someone who had appropriated the name and it was a scam happening all over the city. That's pretty brazen. We'll take a look at -- thank you for the material. We'll take a look. You've highlighted an issue I hadn't really thought about in terms of the health impacts and I think it's something we should ponder.

Sanders: Thank you very much.

Item 894.

Saltzman: Welcome. If you could just give us your name and you have three minutes.

Yachiyo Iiasako: My name is Yachiyo Iiasako. I'm a faculty for public service at Portland state university. We are here to transfer support of the city of Portland to the Japanese local government managers program that we have been offering the last 13 years. This year, we are -- we have 35 Japanese municipal government managers ascending our program they arrived on July 13th and will stay till August 6th. With me here is Ms [indiscernible] she represents the Tokyo foundation that sponsors the program.

Mya Suzuki: Ladies and gentlemen, my name is Mya Suzuki I represent the Tokyo foundation. Carries out a training program for Japanese officers. With the support of the center for public service psu's school of government. Is the destination for all athletes. Portland is the destination for people striving to achieve successful community building through [indiscernible]. And it's a great honor for us to be here, at the council meeting today, because this fall, we present the spirit of citizen participation. And I'm grateful for your generous support for the program over the past 13 years. As I'm sure the Japanese participants will treasure this experience today and boost their commitment to [indiscernible] respective communities. Thank you.

*****: My name is [indiscernible]. We're from japan. I'm from [indiscernible] in tokyo.

There's 74,000 people. Six of them are in the city council. City of Portland, there are only five commissioners for around 600,000 people, which is very different from my town.

Members of the city council are the administration and the residents here feels closer compared to how things are in japan. In an effort to learn about the difference we believe that [indiscernible] lies with involvement from the community. We're here today with the hope that this meeting [indiscernible] each other. Thank you for your time today.

Saltzman: Thank you.

*****: [indiscernible].

Saltzman: Do you want to take a picture?

*****: Okay.

Saltzman: Visitors, come on up and we'll take a photo.

*****: [indiscernible] [applause]

Saltzman: Okay. We'll now take up our consent agenda. And I've had one request to pull item 899. Are there any others? We'll move on to our -- let's vote.

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

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Saltzman: Let's move on to item 904.

Item 904.

Saltzman: you're going to talk to us about this?

Neil Glowski, Portland Police Bureau: Yes, sir. I'm Neil Glowski I'm a Portland police officer assigned to the traffic division. I've been a police officer for 21 years, 13 of them being at Portland and I'm currently one of the certified truck inspectors for the city of Portland. Every year, Oregon department of transportation is required to develop an annual commercial vehicle safety plan and part of that plan is the Portland police bureau has been awarded \$125,000 to be used until July 1st, 2017 to enforce commercial motor vehicle safety laws. This grant will allow us to expand our truck inspections, to concentrate on safety violations from commercial motor vehicles. Our current inspection ratio is we're placing approximately 43% of the trucks out of service that we inspect and as of October 1, 2016, the traffic division has conducted 186 truck inspections with 81 of those placed out of service. Along with the truck inspections, the grant will cover cost incurred by the Portland police bureau, including our wages and any other expenses incurred from this truck inspection grant.

Saltzman: Thank you. Questions?

Fritz: Obviously, this is a very important function that the police bureau is doing. We've also heard we're stretched with officers are already working overtime. How does this fit in with the current staffing problems in the police bureau?

Glowski: This will be done outside of our normal work hours and each truck inspector is required to do 32 inspections. This is something that will be part of the requirement, as it is.

Fritz: Won't that stop our officers from working on overtime on something else?

Glowski: Not necessarily, ma'am. With our current staffing shortage, we have 13 truck inspectors, we're required to do the inspections annually so this will enable us to do with the state reimbursing us the cost

Fritz: 13, is that all they work on is the truck inspections?

Glowski: No, ma'am, we also do other traffic-related enforcement, our normal daily functions, crashes, dui enforcement.

Fish: Did I understand you to say that over 40% of the trucks that you inspect get taken out of service?

Glowski: Yes, sir.

Fish: Could you give us a sense of what are the most common violations that you uncover?

Glowski: A lot of the violations are related to the trucks themselves, the lack of tread on a tire to the break-away switches on the external brakes for the trailer. We also have several drivers that are placed out of service every year for working over their log book hour requirements and we have several other safety violations, like lighting on trucks. We've stopped several trucks this year that have no taillights or brake lights, which is a huge safety factor because with traffic traveling behind these 80,000 pound trucks. There's no warning that the truck is coming to a stop

Fish: Is it possible to generalization trucks that have an Oregon license and trucks that have another state?

Glowski: We're seeing the same ratio, even from Oregon and other states. A lot of trucks are interstate trucks that travel through the area and we're finding the same violations.

Fish: Thank you very much

Saltzman: You operate on the interstate system?

Glowski: Yes, sir. This grant also covers all public highways within the city of Portland. We do quite a bit on surface streets also.

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Fritz: Do you pull over, at random, trucks to look at the tire tread and such?

Glowski: We are required to stop a truck when we have an actual violation. We can't randomly pull over a truck we see, we have to have a safety violation, such as speeding, lack of required lighting, no seat belt. We get several truck drivers are using their cell phone while driving distracted driving.

Fritz: Thank you very much for your work

Saltzman: Yeah, thank you for your work. Does anybody wish to testify on this item?

Moore-Love: Yes, one person.

Robert West: I'm Robert west and I'm from the police 911 and we have several agencies that have these truck inspections. There's weight stations. There's state police. The sheriffs. And, they're sitting here saying that the officers going to have their time and do the truck inspection as overtime. And we're short on police officers, as it is. We shouldn't be giving these officers overtime when the city police are sitting saying, well, we can't get pay raises. We don't have enough officers. I think we should staff what we have and let the state and the counties do it. We don't get any money from fines that they're issue

Fish: This provides the state will get \$125,000 to cover the cost. They're reimbursing us for that cost.

West: I don't think the Portland police traffic division should be doing the truck stops. They have broken down cars, you see regular police units handling those. When actually it should be a -- a vehicle broke down, it should be a traffic officer and stuff. Like I said, we're really short. I hate to see the officers do overtime, you know, when we're so short on officers as it is. And, the police sat there and said the officers are stressed out because of how much overtime they're doing now. You know? Because they don't have the officers doing what they need to do. So, that's what I wanted to bring up.

Saltzman: Thank you. Okay, this is an emergency ordinance because a delay would jeopardize the awarding of the grant funds from the Oregon department of transportation. Karla Please call the roll?

Novick: Aye.

Fritz: Thank you very much for this important work. I trust the police chief that this is a good use of overtime and the 40% failure rate and also the truck has to have done something wrong in the first place to be stopped shows this is a really crucial safety issue that we want to work towards vision zero so it will. Aye.

Fish: I'm glad Commissioner Fritz said this because this makes our street safer for everybody, for pedestrians, bikers and people in automobiles and we have a long way to go to make our roads safer and that's why we're behind commissioner novick's vision zero campaign. Aye

Saltzman: Thank you for your work. It is disturbing to hear so many trucks are taken out of service. Aye. The ordinance is approved and we'll move on to 905.

Item 905.

Saltzman: welcome.

Jeff Baer, Director, Bureau of Technology Services: Good morning, commissioner Saltzman, city council. I'm Jeff Baer the director of technology services and with me is Beth fox who manages these two contracts. So we're seeking authorization to extend two existing contracts. One is with veteran government services for an additional three years and com structure consulting for an additional three years. These are critical services we have in our performing relating to both of our ads, moves and changes with telephone systems and the build, the Ernie system. We have a multiple agency partnership that use these services so these are existing contracts. We're asking to extend them. Part of the reason for extending them for the three-year time period is that with the Portland building and reconstruction project, starting to ramp up, it's really deploying some of our resources

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toward that effort. We wanted these contracts in place, it bridges that gap so we have these services in place while we go through and move and use these services as a result. Beth is here for specific technical questions related to some of the services, if there are any. I do need to make one correction in the ordinance. It does state in the title that it's \$3 million for each contract. It's actually a total of \$3 million. We are seeking authorization for veteran government services for \$2.5 million and com structure for \$500,000 for a combined total of \$3 million so it's not 3 million each in which the title implies.

Fritz: I move that amendment

Novick: Second

Saltzman: Moved and seconded. All in favor, say aye? [chorus of ayes] did you want to add anything, Ms. Fox?

Beth Fox, Bureau of Technology Services: Only if you have any questions.

Saltzman: Thank you, both. Anyone wish to testify on item 905? Okay. Seeing none, this is an emergency ordinance because the contracts will need to be enforced. So, please call the roll.

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

Saltzman: Aye. The ordinance is approved. Item 906.

Item 906.

Saltzman: morning.

Jim Rice, Sr. Deputy, City Attorney's Office: Morning. Good morning, commissioners. I'm Jim rice, I'm a deputy city attorney. I was assigned a case to work on and it involved a woman who had two names, actually, he name was tiffany Lynn Wilson and her present name is tiffany Eagleton. There was a different tiffany Wilson in Jefferson County and she committed theft and a warrant was issued in her name. Jefferson County made a string of errors They attached Tiffany Eagleton or Tiffany Wilson to her identification, her social security number, her id numbers and in Portland, Oregon, two police officers were going to assist tiffany Eagleton with a child dispute issues. They were notified, there's a warrant so they met her at the scene and talked to her about the warrant. She said, it's the wrong person. She had identification in both names. To resolve the problem, they would take her to the jail and fingerprint her and it identified it was not the correct person. Unfortunately, our tiffany Lynn Wilson/Eagleton had been in the criminal justice system so the fingerprints matched. She was put into the detention center to be transported to Jefferson County they do that once a week. She spent a week in the Multnomah county jail. She told the jailers, it is the wrong person. One of our detectives became involved in this because he knew her on this child support issue matter and he called out to Jefferson County, trying to find out, is this the correct person. One way would be to get the photograph of the person from Jefferson county and look at the photograph of our person here. Jefferson County didn't have a photograph. They did not release her. Jefferson County wouldn't allow her to be bailed out and she was transported to Jefferson County. Police officers notification was such they were prepared to immediately to look at, is this or is this not the correct person? They drove her essentially home back to Portland, Oregon. Her lawyer sued Jefferson County, the prime defendant who really made this string of errors. Multnomah county, because they kept her in jail for a solid week and additional to Portland police for arresting her on the street. When I got this case, I said, someone was wrongfully arrested here and we need to mediate this thing. It took a while, but we were fortunate to get former Oregon Supreme Court justice Susan Leeson involved in the matter. We held a mediation, it wasn't quite resolved. Multnomah County is paying larger amount than we are. Jefferson County, to date, has paid anything at all. And, we came up with a number of \$15,000 to try and resolve this matter. If this matter went to trial, I think it would get a defense verdict or 10% liability in this scale of fault. We were the small fish in this matter. She's asking for

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\$300,000. So, if we were subject to a 10% amount that would be approximately \$30,000. We don't want to put this woman through a trial necessarily. It was easy to work with her and her lawyer. Becky Chiao from risk management spent a lot of time on this case and we came up with a \$15,000 award for her so we would be removed from the case. She would get that sum of money to move on with her life. Under all intents and circumstances, it seems a fair resolution of this particular matter.

Fish: I have two questions. One, I just want to be clear. What is the specific wrong that's alleged against the police bureau? And then separately, based on this incident, what steps have we taken to try to prevent this from happening again? What's wrong and how will we prevent this from happening again?

Rice: False arrest was the claim because they arrested the wrong person. I try to work proactively. I've been working with the fingerprint technicians who have enlisted with the Portland police bureau and I asked, how often is there a mix-up in fingerprinting, even nationally? The only case is -- we probably remember this -- we have a lawyer for Beaverton who was accused of being involved in the bombing in Spain and that seems to be the sole fingerprint error. We look at fingerprints, these are individual done. Technology's becoming involved now, too. Iris scans, double-check things, as well. In this particular case, I asked our officers if all these identifiers match, how would you solve the problem. Its fingerprints. I'm arrested, I'm Jim rice and I go, I'm not that Jim rice. They take people to Multnomah county jail and fingerprint them and take them home. There's no positive way it would never happen again.

Fish: Was she not eligible for a bail hearing because the warrant was issued in another county?

Rice: Correct. They tried to get her out and Jefferson County has a different attitude because this is a misdemeanor theft case

Fish: Why didn't they release her on her own recognizance and have her report to Jefferson.

Rice: I can't answer that.

Fish: The last question is, we had someone that, through a regrettable series of errors, spent a week in jail. We're also having to provide services to someone in jail that's completely innocent. Why are we on the time line on Jefferson County? Why doesn't Multnomah county have a rule that if it's another county, they have to make arrangements? It could be -- you said it's a weekly shuttle. It could easily be a monthly shuttle or annual shuttle. Why does Multnomah County accept that? Why don't we have a rule that says, within 24 hours, that person has to be moved? You're delaying, by one week, their right to have a bail hearing to determine initially that there's a mistake, which any other defendant in Multnomah County would have the right to do.

Rice: When we met with justice Leeson, the head of the jail was there and they were working, trying to figure out how do we never have this problem happen again. They had someone really high up in the sheriff's department.

Fish: Can I make one suggestion? We don't run the jail system, but we do have video conferencing and other avenues. My guess is that had a judge been presented with this case and her side of it, it would have given pause and she would have been eligible for bail.

Rice: She actually contacted two different lawyers in this case. Her family, on the outside, was not particularly cooperative with her. First of all, she had a domestic relations lawyer. It's kind of a complicated matter.

Fish: I'm just -- I think -- I'd like to hear -- we'd like to hear, in terms of lessons learned and the police officers were executing what they thought was a valid warrant. How did Multnomah county and Jefferson county court system handle this, we'd like additional

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information on this. In a regrettable set of circumstances, it doesn't make sense that someone has to wait a week in a Multnomah county jail because there's a problem in transporting them to the place that has jurisdiction.

Rice: The video conferences idea is really good. I'll follow-up on this and talk to the Multnomah county attorney's office and ask him to speak to the jailer about that and report back to you on that

Saltzman: Any other questions? Thanks, Jim.

Rice: You're welcome.

Saltzman: Does anyone wish to testify on this item? Okay. I see two? Two people. Okay.

Shedrick Wilkins: Can I go first?

Saltzman: I was going to start with Dan, but Dan's deferring to you.

Wilkins: The police use for warrants -- the only time the police should be able to detain you is if your violent or you're a threat to the community. If it's a theft issue, don't arrest this person some other time, it ties up a police car to ride them down here. Unless a person is a threat to other people, I don't like the Portland police department used to apprehend people. They could be done at other times. Find out where they live and do it then.

Dan Handelman: Good morning, commissioner Saltzman and others. My name is Dan handelman, I'm with group Portland copwatch. The limited information on the agenda item online didn't make it clear what the other agency was. I'm glad to hear that the city of attorney is identifying Jefferson County very loudly and repeatedly. It would be very helpful to post the paperwork -- the court paper work as public record. I understand, it's filed. It would be great to have that online so that we could learn those things without having to come down to council. My initial reaction to reading the description said that Ms. Eagleton name was attached to her fbi's numbers in the law enforcement data system so I suspected it had something to do with the joint terrorism task force. In violation of Oregon law, fbi has much lower standards to suspect somebody of criminal wrongdoing with the help of the Portland police who are now working with them and that person can never get there name out again. So commissioner Fish asked how can we not make this happen again and I think we should be very wary about these multi-jurisdictional systems. The fbi is not involved directly in the case, but this is a good time to think about it. Remember the jtff got joined and we have a new police chief coming in. I also want to say that, you know, I'm glad that it was also explained that the \$15,000 was a small amount of money because it was a very huge violation of her rights and the city attorney explained that the other agencies are going to pay out more than that. It has come to our attention -- we watch the city council agenda every week -- there haven't been a lot of law suits about the police. Most of them are car crashes. I understand that a lot of ones that are being settled for \$5,000 or less, which means it doesn't have to come before you. It's part of the doj agreements to have explanations of the lawsuits, judgments, anything where money's been paid out for police wrongdoing so the community can look at that in terms of patterns. Finally, with the last 30 seconds, I'm sorry nobody from cop watch was able to come to the meeting about the ipr. I want to ask you to please slow down this process, stop trying to rush it in before September 7. There's too many unknowns and too many people opposed to taking these hearing behind closed doors and we want you to delay that. In the meantime, everybody here, except commissioner Fritz needs to replace their members of the advisory board

Saltzman: You have three minutes.

Robert West: I'm Robert West I'm from film police 911. I want you to think if you were on a public street and a police officer came up and said that he had a warrant for you and arrested you and you spent a week in the Multnomah county jail and then transported to another county and you spent a couple days in that county jail, what would that be worth?

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The loss of work? The embarrassment? Having your name put in busted magazine? What is that worth? Is that worth only \$15,000? This lady suffered a lot. And, you know, you can sit there and say, well, yeah, she was in the fbi system or whatever, but the thing is, is she's arrested for a crime she did not commit. And, it's -- every officer should work to make sure that he arrests the right person. And, that's -- that's what I wanted to bring up to you guys is if this were to happen to you, would you be happy to settle for \$15,000?

Saltzman: Okay. Thank you.

Handelman: I forgot to say, one of the things they asked -- the police ask people is what's your date of birth and I don't understand why the date of birth wasn't identified as this being the wrong person.

Saltzman: This is an emergency ordinance, so please call the roll.

David Kif Davis: I was going to speak, too

Saltzman: Give us your name and you have three minutes.

Davis: So, my name is David kif Davis us with Multnomah county cop watch, separate from Portland cop watch. Basically, inmates make the county about \$200 a day, so it seems that about almost \$1,500 was made off of arresting this person falsely and I'm pretty sure that they knew that they had the wrong suspect and then they just shipped her off to the next county because I don't see how it could be all that confusing in the -- and having a week to go over all this with the inmate repeatedly saying, she's the wrong person? And, I agree with the nick Fish that we shouldn't be housing inmates from other counties or other jurisdictions and they need to actually have a hearing quick so they can clear their name, if there is any stuff like this because obviously, if the justice system is totally flawed and also, you know, this person, on a minor theft charge to waste so much money and resources is kind of ridiculous in itself and I think that, you know, a lot of the reasons that there's a lot of problems in the world is over policing, you know? And, dealing with stuff like that instead of dealing with stuff like child sex trafficking, which Portland is number one for. You know? I mean, the reality is, is there's about as much money spent on parking enforcement as there is on child sex trafficking and that's -- that's just going around, writing tickets for cars that are parked in the wrong place. So, you know, you -- you guys have these mixed up priorities, to begin with, and then they result in stuff like this. Because, the whole justice system is a rotten, bloated, corrupt corps? So, why would you try to revive a rotten, bloated, corrupt corps to begin with? You need to reform the toxic justice system in America and if you want to act you're progressives, do something progressive. Give her an extra \$15,000 or \$30,000, because \$15,000 isn't worth a week in jail, eating bologna sandwiches or losing your job

Saltzman: Thank you.

Davis: That happened to her.

Saltzman: Please call the roll.

Novick: This is a really awful story and although the city's involvement obviously was relatively minor, I'm happy to vote aye.

Fritz: On behalf of the city I apologize to Eagleton for the portion of the damages and I appreciate her willingness to settle for this amount. Aye

Fish: I appreciate the city attorney who came forward and gave us the whole background on this. I think it was important. We had a couple people testify about is our portion satisfactory? The reason I'm going to support this settlement is that Ms. Eagleton was represented by counsel and chose to go to mediation and helped them come up with a number. Mediation is a voluntary system. No one is required to follow the outcome of mediation. If her and her attorney believe this is an appropriate settlement, then I think it's our duty to affirm it. Aye.

Saltzman: Aye. The ordinance is approved. Please read item 907

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Item 907.

Saltzman: second reading vote only.

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

Fish: I want to thank freed miller and his team and all the folks who have been working on this complicated project. Aye.

Saltzman: Aye. Ordinance is approved. Could you read 908 and 909 together?

Item 908.

Item 909.

Saltzman: These projects are multi-projects, which encourage private developers to include affordable units and participants receive a 10-year exemption on property taxes. Both of these are in northwest Portland. The first one, northwest 17 and Kearney, 139 apartment units, mixed with ground floor commercial space. 20% of the project, 28 units, will be dedicated to affordability to households at 80% of median family income, which is well-below the market rate for that area. The second project is located at northwest 17th and petty grove and 117 units and will also include ground floor commercial, 20% of the project or 23 units will be affordable units at 80% of median income. Developer for both of these projects is hall development and they have committed to specific strategies to promote equity and want to achieve a 20% minority women participation rate. I want to thank Dory Van Bockel and Andrea Matthiessen who managed the programs. Andrea is here, if you have questions. No questions? Okay.

Saltzman: Does anybody wish to testify on 908 or 909. Seeing none, these are both -- they're not emergencies. Those both will move to second reading. And then could you read --

Fish: Nice job, Andrea.

Saltzman: Nice job. Could you read 910?

Item 910.

Saltzman: second reading vote only please call the roll.

Novick: I really appreciate what I think is -- colleague's support of this change, as we discussed last week, many years ago, the city made a decision to tow rather than boot vehicles in order to get people to pay their parking fines and I think that we need to revisit that because of the point of towing is to get people to pay their back parking fines, booting is effective and towing imposes \$168 fee, which I believe is unnecessary and stressful for people who are subjected to it. Their vehicle disappears and they may need to access it. We should have penalties sufficient to get people to comply with the law, but there's no need to have excessive penalty's although \$168 penalty is bad, but for low-come people, adding \$168 is even more problematic so I appreciate council's willingness for this change. Aye.

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

Saltzman: I do think the boot will have an enormous impact. I think they'll be encouraged to settle up. Aye. The ordinance is approved. We will move to item 911.

Item 911.

Saltzman: Second reading vote only please call the roll.

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

Saltzman: Aye. Ordinance is approved. 912.

Item 912.

Saltzman: second reading, vote only. Please call the roll.

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

Fish: I want to give a special shout-out to Scott Gibson and his team for their presentations they make here. Aye.

Saltzman: Aye. Ordinance is approved. 913.

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Item 913.

Saltzman: second reading. Vote only. Please call the roll.

Novick: Aye.

Fritz: We have a World War II veteran, I don't know if he wants to speak to us. Aye.

Fish: Aye.

Saltzman: Aye. Okay, ordinance is approved. 914.

Item 914.

Saltzman: second reading. Vote only.

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

Saltzman: Aye. Ordinance is approved. 915.

Item 915.

Saltzman: second reading. Vote only.

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

Saltzman: Aye. Ordinance is approved. 916.

Item 916.

Saltzman: second reading. Vote only.

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

Saltzman: Aye. Let's go to 899.

Item 899.

Saltzman: So, I understand we have a Mr. Scott Karter here for this item? Okay. Anybody else wish to speak on this? Come on up. Welcome, if you just give us your name and you each have three minutes.

Moore-Love: They're from the bureau. [laughter]

Saltzman: Sorry, I thought you were here to testify. Do you want to give us a brief overview -- did you want to testify, sir? Are you Mr. Karter?

*****: I build affordable homes, you guys aren't building them.

Saltzman: Sir, we'll take you after this item. We'll give you three minutes.

*****: [indiscernible]

Fish: Is there anyone here to object to this particular matter?

Moore-Love: Mr. Lightning pulled this item.

Saltzman: Give us a brief overview and we'll hear from the public.

Scott Karter, Revenue Bureau: I'm Scott Karter with the revenue division. We are -- the purpose of the iga is to have the city of Portland, who has a dedicated hotel auditor and the city of Gresham does not have a dedicated auditor, that we would do a pilot project where we would audit several of their hotels on a pretty small-scale basis and based on the results, we would look at something in the future. The city of Gresham would reimburse us for our cost. They have the need, we have the bandwidth to do this. It's an example of good government and it benefits the -- part of the taxes that would be audited would also potentially go to Multnomah county, which would provide services to Portland residents, as well. So, it -- we've talked about doing it for a long time and we've gotten to the point where we can test the waters and see how it goes.

Saltzman: Want to add anything?

Rhonda Etherly: Rhonda Etherly I'm the -- I'm the auditor who would be doing the audit

Saltzman: You're the auditor. Okay, great. Welcome. Thank you, both. We'll have Mr. Lightning, Mr. West, come on up. We'll give you the last word, sir, after these two people testify.

Lightning: My name is lightning, I represent lightning watchdog pdx. One of the concerns I had on this is it would be my understanding that Gresham would have their own auditors. By this agreement, we'll be paid \$5,000. My understanding is we're taking on a lot of liability as far as if we make mistakes. Why don't we have Gresham use their own auditors,

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take their own responsibility on this. It said several hotels. Is this going to be, like, a selective enforcement of certain hotels that maybe Gresham doesn't like and we'll do the audit, which will open up all the records and kind of just go over them with a microscope? Because I notice it said several hotels. I'd almost like to see what hotels they're deciding to do. What is the reason they're picks these certain hotels and the owners of these businesses and have a clear understanding. The way I would see it is you would want to audit all the hotels. You'd want to go across all the hotels and look at the situation. I'm a little concerned if that's going to be a selective-type enforcement. I want to make it clear, from my position, does this go into accessory dwelling units? Does this also go into the air b and b situation, as far as lodging taxes? I wanted to have a clear understanding on that, is that going to open the books on what Airbnb does? As far as the type of business they run? And make the lodging tax or transient lodging tax is being paid? I had concerns on how far this is going to go. I hate to get into the situation of Gresham when I think they can handle this themselves. It mystifies me on why we would have to do this for Gresham. I think they're more than capable of auditing their own hotels and doing the job that needs to be done here. Thank you.

Saltzman: Thank you. Mr. West?

Robert West: My name is Robert west, I'm with Film the Police 911. I agree with lightning. We shouldn't be putting our people, in Gresham, to enforce Gresham regulations, do audits in Gresham, when we got hotels here we got to see. You know? I think it's a waste of our time. I think it puts the city in a huge liability. What happens if the person goes out there and gets into a traffic accident and they say, it's the city's fault? Gresham's not going to pay for that, we'll pay for that. What happens if one of the audits are off and the hotel sues? You know? So, that's my issue, is there's -- you'd be putting the city in a huge liability and what's Gresham going to do? \$5,000 a month? If you get \$100,000 judgment, what's \$5,000 a month? It'll take a long time to pick that up. I think what we need to do is let Gresham do their own audits and Gresham should enforce their own laws and as far as the audits of the hotels and stuff, anyway, I feel that's 100% wrong but that's my personal opinion. I believe that if there's -- if they did anything wrong, then it would fall under the fifth amendment of self-in crimination

Saltzman: Thank you, both. If you could give us your name.

Joe Levesque: The name is Joe Levesque. I'm from camas. I've been there for over 10 years. It's the worst 10 years of my life. I used to know this country when it was a free country. You people think you're running a free country here. You're not. I spoke to the fbi last week, for a whole half-hour. I went through county commission meeting yesterday in Clark County. I'm including Oregon, Oregon's part of the problem. Oregon and Washington are both in the same boat. My background is affordable housing. I build homes for over 200,000 people. I generated over \$200 million worth of tax revenue. I believe in the free enterprise system. I believe we should have a federal grand jury investigation on what the hell is going on in Oregon, as well as Washington. You people have problems out here. I spoke to a state legislator last week, I said, you don't have to go to school to be a politician. All you have to learn how to do is scratch somebody else's back. I come from the state of New Hampshire. Live free or die. I lived through the depression. Those were tough years. You people think you have it tough now, it's going to get tougher. We're living on borrowed money. \$10 trillion we're living on. There's not one politician that's showed you how to pay that back. I've got solutions to some of that stuff. I know what's going on. Let me tell you what's going on. I had three kids that went to state universities. My kids have been brainwashed. They have been indoctrinated. It's the same thing that joseph stalin used in communist Russia and Hitler used in Germany. They brainwashed the people into believing what they wanted them to believe. You go to school to learn what you

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don't know. When you go to school, they teach you what they want you to know. Well, when you get out of school, you learn what you have to know. What you have to know is what made this country. These guys knew what they were doing. This is a great constitution. I'll die for it, I believe in it. I know what you guys have to do. This town has room for improvement. There's four things you need for affordable housing. There's four things you need, you need land. You got plenty of land but people don't want you to build. The homeowners aren't bitching, the realtors aren't bitching. Everybody's excited.

Saltzman: Your time is up.

Levesque: I know, my time is up. It's a free country and I thank you for letting me talk. Let's do something about it because I want a federal grand jury investigation on what's going on.

Fritz: Thank you for your service.

Levesque: I'm just a survivor

Fritz: You are a hero to me.

Saltzman: This moves to a second reading and we are adjourned until August 10.

At 10:45 a.m. council adjourned.