



CITY OF
PORTLAND, OREGON

**OFFICIAL
 MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28TH DAY OF SEPTEMBER, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, and Novick, 4. Commissioners Fritz and Novick left at 11:00 and the meeting recessed due to lack of quorum.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Judy Prosper, Deputy City Attorney; and Mike Miller and Jim Wood, Sergeants at Arms.

Item No. 1074 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
1062	Request of Marilee Dea to address Council regarding Oregon-Costa Rica Partners of the Americas (Communication)	PLACED ON FILE
1063	Request of Vicki Tracey to address Council regarding the feeding of squirrels in Portland (Communication)	PLACED ON FILE
1064	Request of Richard Robinson to address Council regarding a presidential candidate's qualifications (Communication)	PLACED ON FILE
TIMES CERTAIN		
1065	<p>TIME CERTAIN: 9:45 AM – Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit (Ordinance introduced by Mayor Hales) 1 hour requested</p> <p>Continued to 1:30 p.m. September 28, 2016.</p> <p>Motion to amend findings 11 and add a new directive e to require additional stakeholder committee and public input on body camera policy: Moved by Hales and seconded by Fritz. (No action taken)</p>	CONTINUED TO OCTOBER 5, 2016 AT 9:30 AM

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<p>S-*1066 TIME CERTAIN: 10:45 AM – Authorize the Bureau of Development Services to permit construction and environmental remediation of the SW Bond Avenue Extension Phase 1 interim improvements under the authority of the City Engineer (Ordinance introduced by Commissioner Novick) 15 minutes requested for items 1066-1067 Continued to 1:30 p.m. September 28, 2016. Motion to accept substitute ordinance: Moved by Novick and seconded by Fritz (Y-4) (Y-4)</p>	<p>SUBSTITUTE 188009</p>	
<p>*1067 Authorize an Intergovernmental Agreement between the Bureau of Transportation and the Portland Development Commission for the funding of final design and construction of SW Bond Avenue Extension Phase 1 (Ordinance introduced by Commissioner Novick) Continued to 1:30 p.m. September 28, 2016. (Y-4)</p>	<p>188010</p>	
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Mayor Charlie Hales</p> <p>1068 Appoint Brandie Dieterle DelaHoz, Michele Wilson, Josue Ramirez and Jon Shadel to the Human Rights Commission for terms to expire September 27, 2019 (Report) (Y-4)</p>		<p>CONFIRMED</p>
<p style="text-align: center;">Bureau of Police</p> <p>*1069 Authorize an Intergovernmental Agreement with Oregon State Police to provide the Portland Police Bureau access to Oregon State Police's Automated Biometric Identification System not to exceed \$36,100 (Ordinance) (Y-4)</p>		<p>188004</p>
<p style="text-align: center;">City Attorney</p> <p>*1070 Pay claim of PMK (a minor) through his mother and father in the sum of \$89,000 involving the Police Bureau (Ordinance) (Y-4)</p>		<p>188005</p>
<p style="text-align: center;">City Budget Office</p> <p>*1071 Authorize contract with Johns Hopkins University for technical consulting assistance as part of the Bloomberg Philanthropies What Works Cities initiative (Ordinance) (Y-4)</p>		<p>188006</p>
<p style="text-align: center;">Office of Management and Finance</p> <p>*1072 Authorize agreement for Downtown Business District Management Services with Clean & Safe, Inc. (Ordinance) (Y-4)</p>		<p>188007</p>
<p>1073 Extend contract with Hyas Group and increase compensation in the amount of \$115,000 for investment consulting services for the City Deferred Compensation Plan (Ordinance; amend Contract No. 30001011)</p>	<p>PASSED TO SECOND READING OCTOBER 5, 2016 AT 9:30 AM</p>	

Commissioner Dan Saltzman		
1074	<p>Authorize the City Attorney to take action, including but not limited to initiating legal proceedings against Charles Iheanacho and Cheryl Iheanacho for breach of affordable housing property development contracts, recovering unpaid Cash Flow loan payments, and compelling contractual reporting requirements (Resolution) Continued to 1:30 p.m. September 28, 2016. (Y-4)</p>	37237
Bureau of Development Services		
*1075	<p>Authorize the Director of Development Services to enter into an Intergovernmental Agreement with the State of Oregon, Department of Consumer and Business Services, Building Code Division for plan review, inspection, and Building Official services (Ordinance) (Y-4)</p>	188008
Commissioner Steve Novick		
Bureau of Transportation		
1076	<p>Authorize contracts as required with three service firms for Right-of-Way Appraisal and Acquisition and Relocation projects not to exceed \$250,000 each (Ordinance)</p>	PASSED TO SECOND READING OCTOBER 5, 2016 AT 9:30 AM
1077	<p>Authorize an Intergovernmental Agreement with the Port of Portland to allow the Bureau of Transportation to administer the design, right-of-way and construction for the NE Columbia Blvd: Cully Blvd & Alderwood Rd project (Ordinance)</p>	PASSED TO SECOND READING OCTOBER 5, 2016 AT 9:30 AM
REGULAR AGENDA		
Mayor Charlie Hales		
1078	<p>Report from the Special Appropriations Committee on recommendations for grant awards from the Special Appropriations Fund and the awarding process (Report) 20 minutes requested Continued to 1:30 p.m. September 28, 2016. Motion to accept report: Moved by Fish and seconded by Novick. (Y-4)</p>	ACCEPTED
Bureau of Police		
*1079	<p>Authorize the Chief of Police to execute revenue generating police secondary employment agreements with hiring businesses for amounts not to exceed \$100,000 (Previous Agenda 740) Continued to 1:30 p.m. September 28, 2016. (Y-4)</p>	188011
Commissioner Dan Saltzman		
Bureau of Development Services		

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<p>*1080</p>	<p>Amend contract with Infor Public Sector, Inc. to increase the not-to-exceed amount by \$604,725 for the Information Technology Advancement Project assessment analysis and implementation planning services (Ordinance; amend Contract No. 30003361) 10 minutes requested Continued to 1:30 p.m. September 28, 2016.</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC AFFAIRS</p>
<p style="text-align: center;">Commissioner Amanda Fritz Portland Parks & Recreation</p>		<p style="text-align: center;">ACCEPTED</p>
<p>1081</p>	<p>Title 11 Trees Urban Forestry Trust Funds 2016 Report (Report) 10 minutes requested Continued to 2:00 p.m. September 29, 2016. Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-4)</p>	
<p>1082</p>	<p>Authorize an Intergovernmental Agreement between Portland Parks & Recreation and Portland State University to develop a citywide tree planting strategy (Ordinance) 10 minutes requested Continued to 2:00 p.m. September 29, 2016.</p>	<p style="text-align: center;">PASSED TO SECOND READING OCTOBER 5, 2016 AT 9:30 AM</p>
<p>*1083</p>	<p>Authorize a competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Mt. Scott Community Center Heating, Ventilation and Air Conditioning Replacement and Direct Digital Control Upgrade Project for an estimated \$581,525 and add the Mt. Scott Community Center HVAC addition project to the Portland Parks & Recreation System Development Charge Capital Improvements Plan list (Ordinance; amend Ordinance No. 187770) Continued to 1:30 p.m. September 28, 2016. (Y-4)</p>	<p style="text-align: center;">188012</p>
<p style="text-align: center;">Commissioner Nick Fish Bureau of Environmental Services</p>		<p style="text-align: center;">188013</p>
<p>1084</p>	<p>Amend contract with Titan Utilities LLC for additional compensation to complete existing contract work and to perform required structural repairs to the pipe supports for the Columbia Boulevard Wastewater Treatment Plant Inverness 30-Inch Force Main Repair Project No. E10629 for \$350,000 (Second Reading Agenda 1058) Continued to 1:30 p.m. September 28, 2016. (Y-3; Novick absent)</p>	
<p style="text-align: center;">Water Bureau</p>		
<p>1085</p>	<p>Authorize a contract with the lowest responsive bidder and provide payment for the construction of the Cornell Road Services - Macleay Park Project at an estimated cost of \$600,000 (Ordinance) Continued to 1:30 p.m. September 28, 2016.</p>	<p style="text-align: center;">PASSED TO SECOND READING OCTOBER 5, 2016 AT 9:30 AM</p>

<p style="text-align: center;">City Auditor Mary Hull Caballero</p> <p>1086 Initiate foreclosure action on four properties for the collection of delinquent City liens (Second Reading Agenda 1039) Continued to 1:30 p.m. September 28, 2016. (Y-3; Novick absent)</p>	<p>188014</p>
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At 11:00 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28TH DAY OF SEPTEMBER, 2016** AT 1:30 P.M.

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

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

The meeting recessed at 2:16 p.m. and reconvened at 2:41 p.m.

The meeting recessed at 3:07 p.m. and reconvened at 3:09 p.m.

1087 TIME CERTAIN: 2:00 PM – Proclaim September 15 to October 15, 2016 to be Hispanic Heritage Month in Portland (Proclamation introduced by Mayor Hales) 45 minutes requested	Disposition: PLACED ON FILE
1088 TIME CERTAIN: 2:45 PM – Accept evaluation of the effectiveness of the Community Benefits Agreement piloted on the Kelly Butte Reservoir and Interstate Maintenance Facility Renovation Projects (Previous Agenda 1061; Report introduced by Commissioner Fish) 1 hour requested Motion to receive the report: Moved by Fish and seconded by Novick. (no vote taken)	RECEIVED

At 5:34 p.m., Council recessed.

September 28-29, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **29TH DAY OF SEPTEMBER, 2016** AT 2:00 P.M.

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

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

1089	TIME CERTAIN: 2:00 PM – Accept Portland Utility Board Annual Report (Report introduced by Commissioner Fish) 1 hour requested for items 1089-1090 Motion to accept report: Moved by Saltzman and seconded by Fritz. (Y-4)	Disposition: ACCEPTED
*1090	Amend Portland Utility Board code to increase the number of board members, change quorum requirement and ex-officio member term (Ordinance introduced by Commissioner Fish; amend Code Sections 3.123.030 and .040) (Y-4)	188015

At 3:03 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.**

SEPTEMBER 28, 2016 9:30 AM

Hales: Welcome to the meeting of the September 28th meeting of the Portland city council, would you please call the roll?

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

Hales: good morning, let me walk through some logistics, we have one council member who's absent this week, commissioner Saltzman, and a couple others who have compelling reasons to leave at 11:00 so we're going to lose a quorum at 11:00 so we will work until then, and then take the rest of the agenda this afternoon. We are going to get to the time certain item, the one at 9:45. There will probably be questions and technical issues with respect to the contract. I want to save that until next week, and anna Kanwit will make a brief presentation and we can save the rest until next week. Folks here to speak, the only one that we are likely to address is item 1065, the time certain hearing on the police contract. If you want to speak on that item just let our council clerk know, and we typically allow three minutes for individual testimony, and we'll try to accommodate that again, understanding that we have a bit of a time crunch this morning. And you don't need to give your name and address just your name, and we follow the rules of basic common sense and decorum and that is that we want to hear everybody's point of view so if you agree with somebody's position on that issue, or any other that's on the council calendar, you are welcome to give them a thumbs up or a wave of the hand or some other gesture of support, and likewise, if you disagree with them, a polite negative hand gesture is fine. We ask that we not applaud or make verbal demonstrations in favor or against the fellow citizen's points of view so that everybody is heard. We make exceptions for visiting dignitaries and school children, so if you are one of those or both, you might get a round of applause but otherwise, we try to let everybody have their say here. That's it in terms of procedure. Let's see if there is anything to remove from the consent calendar. I don't have any requests.

Moore-Love: I had one for 1074.

Hales: 1074, ok. We'll pull that one off to the regular calendar. And we have three people signed up for individual testimony and take them first and we'll deal with the rest of the calendar and move onto the time certain items. 1062 please.

Item 1062.

Hales: Good morning.

Marilee Dea: I know that you have important business to attend to, so I am going to cut this really short. Thank you for having us, commissioners, and mayor hales, I am Marilee dea, a current member of the Oregon partners of the Americas, and we are traveling with 13 costa Ricans, and they are representing the Partners of Americas, so we have an exchange program with them, it was started by Kennedy in 1960, and to call on states to partner with countries in Latin America and south America, for the sole reason of fostering the international relationships through inter-cultural projects and friendships. And we were so lucky to have been picked by costa Rica, so I want to say that I really recommend that you go to costa Rica and come with a partner because they are experiencing some of the

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same challenges that we are, and they have forged ahead in many of them. One is they are -- their electricity is 100% renewable and I think that we could choose -- they have the same kind of similar kind of rivers and climates and they have the greatest biodiversity of any place in the world. So there is that to learn. And they have exchange programs on civil society, professional exchanges, which is possibly what you all could do I was lucky enough to go down the year before last and stayed with five families, and in five different areas. And that's what they are doing here, and they show us the best of costa Rica, and we've been showing them the best of Oregon. They have been in bend and hood river and Astoria and now here in Portland, and today they are going to visit you all, and we're going to the historical society and show them the beauty of Portland as we have. So thank you very much. I wanted to have, to have Zinnia, who is from costa Rica, to just say a few words.

Hales: Please.

Dea: also I wanted the costa Ricans, you are not going to be able to see, could you stand up? [applause] good morning and welcome.

Zina Molina: Good morning. And my name is Zina Molina, I represent Costa Rica who came here to visit you. We have been in four different places, but this is a hearing in your beautiful city. We appreciate you invite us to this session. And thank you very much for your hospitality here in the united states.

Hales: Thank you and welcome. My son is in education at Portland state university got to do a student internship in san Juan, and at san Jose, and really enjoyed it and learned a lot and he came back and said much of the same things about the environmental policy and energy policies in costa Rica, very progressive so we have a lot to learn.

Dea: Do you have any questions of us?

Hales: Questions for this group? We hope that our staff here at the city, the departments and bureaus, are helpful to you, and that we can improve the exchange between our two countries and the knowledge of the people working to make each place better. We would love to help so thank you for coming.

Dea: Hector and chad have been very helpful.

Hales: Thank you and enjoy your time in Portland. Welcome. Ok. 1063, please.

Item 1063.

Hales: Good morning.

Hales: Thank you.

Vicki Tracey: Thank you very much. Good morning, this seems trivial compared to the other issues that you have to discuss today, but it has been scheduled so I will go ahead. We have a problem in our neighborhoods, and actually, I understand we live in a city and rats are an urban issue. I don't see any reason to invited them into our yards and our garages and homes. I stood in my neighborhood and watched as a neighbor feeds them every day, and I watched rats about, I don't know, eight feet long or so and grab this bread this person puts out and run back and forth and this is in broad daylight, and rats normally don't come out in the day. So if you see one you know there are many. I spoke with Chris at vector control and the way things are there are no laws against the feeding of animals in Portland. So the very most that he could do is stop this until a rat problem is taken care of, and then the person is allowed to start feeding again so it is, you know, a nonissue at that point. Not one person thought it was a good idea, one person, the backyard neighbor found a rat behind their stove and a nest in their shed and another said oh, my god, that's where the peanut shells are coming from and spent \$1,100 with their dogs at the vet to take care of peanut shells lodged in their digestive tract. Everyone else says please, let's ask him to stop. However, no amount of pleading and begging has helped, and he's kind of actually dug his heels in and said I do what I do and that's too bad. So what I am asking

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you, because he throws out a cup of seed onto a mound of his property every day. He gives the peanuts out and throws bread every day. What I am asking is if you could consider an ordinance that would make it illegal to do this kind of thing because it's not healthy for the animals and not healthy for the neighborhood and it certainly, you know, should not be asking rats to join us in our neighbors.

Hales: Thank you for bringing there to our attention, a neighborhood mediation program comes to mind.

Fritz: You could stop downstairs in the office of neighborhood involvement, and the crime prevention specialists are out on east Burnside, but somebody at the office of neighborhood involvement could put you in touch with them. And the other thing, whether or not Multnomah county could do it since they are in charge of the public health.

Tracey: So the city has no.

Hales: The city doesn't do the public health, the county regulates that, but we do have a neighborhood mediation program, which is there to try to mediate these disputes, doesn't always work but it's there.

Tracey: This, obviously, won't work because 20 people signed a letter that this person did ignore and in fact, questioned whether people signed it, so, you know.

Tracey: It's kind of a you know; I am hitting a brick wall here.

Hales: I would recommend, and we can do this, forward the letter to the county board of commissioners.

Tracey: You could, ok.

Hales: And we'll do that. But again, they regulate the public health side. I guess that I would get you to consider using the mediation service because sometimes if the third party is there, you can push the reset button on a dispute like this.

Fritz: We do have some, the bureau of development services does some nuisance abatement so I will look at that and see if there's anything there and the mayor will forward your information to the county health department.

Tracey: Ok.

Hales: If you left your contact information with you, since you are on the agenda so we'll get back to you.

Tracey: You will, ok.

Tracey: So I won't do anything until I hear from you?

Hales: We will get back to you from commissioner Fritz's office and mine.

Tracey: I appreciate it, and thank you very much.

Hales: Thank you. Ok 1064.

Item 1064.

Hales: Good morning.

Richard Robinson: Honorable mayor and members, as [inaudible] of negativism, destroyed much of society on the American campuses back in the 1970s, and white panthers and black panthers and students, Ronald Reagan became president in 1979. One of the first things he did, ordered Stansfield Turner to fire all CIA agents who could not speak English. And the iatola came to power. Bill Clinton's brilliant career began its ascendancy. A Fulbright scholarship, Georgetown university, Rhodes scholarship, Oxford university. Returns to Arkansas, becomes state attorney general. And then governor. And he and his wife start whitewater corporation. He becomes president. Now some argue that emails should not be utilized. But very effectively not only did Hillary Clinton depend on Benghazi by utilizing her email. Colin Powell did the same thing when he was the secretary of state. What we have is an information technology network, superhighway, as they used to call it. Information highway. There are those who think that we should keep nothing from the public domain, Snowden. Lord Snowden, WikiLeaks, idiots. Simpletons

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who would destroy the united states of America, are allowed to publish anything that they wish, in America. And let me say this. We saw Hillary Clinton trounce Donald trump. We know that he's suggesting that she should be killed but that's politics. What I want you to know, folks, is that we're the best. They are qualified. We need proven leadership.

Hales: Thank you very much. Thank you. Let's take up the consent agenda minus that one item, and unless there is anything else to pull off, let's take a vote on the balance of the consent calendar.

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

Fritz: Mayor I am wondering if, who pulled the consent item?

Moore-Love: Mr. Lightning.

Fritz: I was wondering if it would be ok to save that --

Hales: Until after the hearing, on the 9:45 time certain? All right. Let's take up 1065.

Item 1065.

Hales: Anna Kanwit our human resources director is here, a couple comments from me. It's important to remember that this agreement is in front of us not because it has come up in the regular cycle of union contracts, that would have this come up next year, but because we face a staffing crisis in the Portland police bureau. When I was first elected mayor, one we cut the positions out of the police bureau because of a historic budget challenge that the city has. Down 21 million. And the police bureau was able to hold the positions, and we reduced the size of the workforce on paper. Meanwhile it was at that point fairly easy for the city to hire police officers. There were agencies all over California that were laying off police officers because of the budget situations. So even though we reduced the Workforce on paper, it was not that hard then to recruit new officers. Since then frankly everything has changed. The police agencies are struggling to hire police officers. The number of vacancies is something like 250 or 300. And their agencies particularly here in the northwest like Kennewick are offering salaries well above what we pay in Portland so in march when I gave my state of the city speech I had indicated that I wanted to open this agreement because we need to be competitive, it's a basic employer question if you cannot hire people, what do you need to do? One thing we did was add more background investigates and working to speed up that process, and the other thing was to raise our starting salary and our pay so that we are competitive, and that people don't want to leave and that people want to leave other departments and come to work for us. So that's the main reason why we opened this agreement. There's some other issues on the table that we wanted to address. One, the Portland police association had filed grievances against the number of policies that the city was implementing like changing our shift system to better serve the community and deal with the fact that we were down in the workforce. And like a new discipline policy that we believe is the right thing to do, and that also responds to our community's need to make sure that we are an accountable police bureau. Like body worn cameras and like the question of multiple independent police review, investigates, they had filed 11 grievances, and we wanted to get those resolved. And then we have the 48-hour rule which is a relic of an earlier time, and a problem for the police bureau. Then we believed it was time to get rid of the 48-hour rule. The agreement in front of us sweeps away all those grievances and gets rid of the 48-hour rule. That's what it does. And I believe that it's the right thing to do and I want to again appreciate the six months of work, Anna, that you and your team have put into the negotiating this, and let you walk us through any other particulars of this that I have missed.

Anna Kanwit, Director, Bureau of Human Resources: Commissioners, Anna Kanwit, director of the bureau of human resources, and as mayor hales said the ordinance before you today asks council to ratify the agreement between the Portland police association and the city of Portland. The contract, the tentative agreement was ratified by the Portland

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police association, and 95% approval rate, and Darrell Turner the president of the association, will speak for a brief amount of time when I am finished this morning. And if ratified by council, the agreement will be in place through June 30 of 2020. This tentative agreement does accomplish several key goals and creates a multi-pronged approach to addressing our serious staffing issues as the mayor noted. It will move the bureau forward, and make us a competitive police agency and what has become an incredibly competitive environment nation-wide. Most agencies being down staffed and trying to recruit for police officers. As you know it removes language in the contract, requiring a 48-hour advanced notice to the officers before an initial interview. It has been a key objective from the department of justice as part of the settlement agreement with the city, as well as others. The tentative agreement also includes the agreement to a draft body worn camera policy recognizing the input that has gone into this policy already, and also memorializing the Portland police association, and the police bureau agreement to present the policy for further public overview, prior to the filing. We do not have the body cameras yet. Having a policy in place positions the bureau well in terms of being able to move forward with that once that happens rather than purchase equipment and then try to craft a well-reasoned workable policy. As you noted Mayor Hales, we have a tentative agreement, the Portland police association has agreed to withdraw 11 grievances and is agreed to a settlement of one. Many of these -- well all of these are in the interest of the city because when we go to arbitration, it is a third party that ultimately makes the decision and removes the control from the city. Several of them as you mentioned could have significant impacts on the police bureau's ability to continue some important changes. You mentioned the five shift configuration and the outside rotational support and the staffing grievance and all if the city did not prevail in arbitration, could again have a significant impact on the bureau's ability to continue staffing. The grievance that was withdrawn also paves the way the discipline matrix which has been a component of the settlement agreement with the department of justice. One of the things the association has agreed to which was beneficial to the members, to the bureau and to the city is moving to a city self-insured plan, which is different from the current ensured program. This will reduce the cost to the bureau. And also they have Portland police association has agreed to a wellness component in that plan that requires a member to visit the treatment provider at least once every two years in order to retain a 5% premium share. If they do not do that the share moves to 10%. Well, this does not sound like a lot, the import of this is that we know if individuals have a relationship with their treatment provider, they are more likely to disclose the conditions, have earlier treatment, which is, of course, excellent for the individual but also in the end keeps the city's cost down for our self-insured health insurance program. The ability to attract and retain the qualified police officers. This is a competitive market. What we are looking at is an increase complexity of work, increased calls for transparency and accountability, and expectations that are also correct and right around new ways to work with mentally ill. And individuals in the community, and increased community presence, so we want to be able to recruit the officers who embrace and thrive doing police work in these working conditions. Not to say that we don't have the officers who do that already, but that, as we do our recruitment efforts will be the type of people that we are looking for. That is extremely critical, and again, we are not the only police agency looking for that skill set. It reduces the probationary period for lateral hires, and that is the same as the entry level officer at 18 months. And reduces it to 12. Not surprisingly asking officers to come to the city of Portland and then have a year and a half on probation, and really has been too big of an ask and we are not competitive there. It creates incentives for new officers, lateral officers to join the bureau, monetary incentives as well as what we termed a finder's fee for the officers who bring a candidate into the bureau. The agreement also implements a new

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rehire, retire, rehire program. That is also a key component in terms of what is a multi-pronged approach to addressing the staffing issues. Currently, the police officers retire from the city of Portland often go to work for another agency. They were prohibited from doing so under our current contract, and this opens that up, and the hope is that many will stay, post-retirement, which again helps to fill that gap, and given the high numbers of eligible officers to retire, this, again, is a key component of our overarching staffing plans. The tentative agreement obligates the union and the city to discuss the implementation of the community service officer program. This is a program that has more routine work being performed by the community service officers leaving our more experienced and trained police officers to do the work that we think is more important. Going out to the communities and doing active, proactive police work rather than simply responding to the calls. And writing the low level tickets. And we also are obligating ourselves to discuss implementation of a student loan reimbursement program, and again, this is a national problem with a crushing debt that so many students are facing. A student loan reimbursement program for new hires would be Another tool in our tool kit in order to increase our ability to be the agency that is most competitive in terms of bringing in the new qualified officers to come to the city of Portland. The tentative agreement, mayor hales, moves the entry rate of the police officers to our current six-month rate, right now the Portland Police Bureau has the lowest entry rate in the state despite the fact that we have the most complex ones in the city of Portland, and it has been a barrier to our ability to attract the new officers. The tentative agreement also adds three new steps over the course of the three years within an additional 3% between the steps, and which means the officers will top out after eight years instead of five. We believe that this is also a very important component, and again, in our multi-pronged approach to address the staffing issues. In order to, to make the pay for our officers very competitive with the rest of the western region and the country. We implemented the ongoing cost of the agreement, without adding in the cost of the living is 6.6 million. While this is, by no means, an insignificant number, the staffing issues facing the bureau also are not insignificant. The public work session on police staffing, painted a very bleak picture. Decreased staffing impacts response times. And decreased staffing impacts the ability to connect with our communities, and officers have been less able to attend the community meetings, and simply stopped to engage with the Children in the community. Because of the need to respond to, of course, to the most critical calls. Decreased staffing will lead to the increased crime, and most likely in our most vulnerable neighborhoods. The tentative agreement is a balanced agreement, designed to address again, as I said, our most pressing problem and we will position the city and bureau well to be a competitive and attractive agency. This is also the agreement, the result and a model of collaboration, and to meet the needs of both the city and the police with our work with the police union. Thank you.

Hales: Thank you. Questions?

Fritz: I have a clarification question. In the findings, in the ordinance, no. 11, it says, it refers to the public process to discuss body worn camera policies. In the last sentence, following this public review and comment process, the Portland police association and the Portland police bureau will meet to discuss the finalization of the body worn camera policy. So is that -- does it still have to come back to council?

Kanwit: I don't know.

Kanwit: The policies are separate.

Hales: Yeah. Dictated by the chief. They have to be, in some cases have to be bargained and in some cases they are not but they don't typically.

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Fritz: So the commissioner in charge of the police bureau would be working with the police chief?

Hales: Yeah, we're going to have a public process about that.

Fritz: The commissioner in charge who signs off on it? Thank you for that clarification. There was also a discussion of community service offices who might, I don't know if you --

Hales: You did mention that, that is in the proposed project.

Kanwit: Yes.

Fritz: And actually I am not finding the tuition reimbursement for the new recruits.

Kanwit: It is in the contract, as well. And --

Fritz: If you could point me in the right direction.

Kanwit: I will find the page, it is there.

Hales: Those suggestions were good ones and I appreciate those, are in the proposed contract. I was wondering those are suggestions that commissioner Fritz made about both the tuition reimbursement incentive for officers that we're recruiting, and the use of what are called the community service officers done in other cities where their public safety officers, not armed, but they are allowed to do some police work that otherwise would be formed by the police officers basically, stretching the resource that we have. Eugene uses them for example. Ok. Any other questions or points that you wanted to add? Sorry.

Kanwit: Daryl turner will come up.

Hales: We'll take the public testimony after that. Thank you very much. We might have other questions later in the hearing.

Hales: All right. Mr. Turner, come on up please.

Daryl Turner: I am Daryl turner, a 25 year plus veteran of the police bureau and the president of the Portland police association. Excuse me I am getting over a cold and I feel great but sound terrible so if I take a moment to clear my throat, please excuse that. This was a long process. It involved many facets. We talked about the facets. I want to talk about the staffing issues and the community concerns. We have seen the police dwindle to a point that we have catastrophic issues where we were only taking calls for service. And those are the community concerns that I want talking about. Be proactive in the neighborhoods, and the list of what the community had to say and incorporate those in our practices. We were not able to because we are going from call to call to call. Every shift we were hiring because we needed that -- those middle staffing to answer those. We have seen the dynamics of the city of Portland change in the last seven to eight years and a lot of it has to do with the staffing of the Portland police bureau and the lack of resources that we are able to avail ten Years ago. And I worked in the old town district and I was proud to be able to walk my district and proud to be able to meet with the business owners and the people who lived there. I was proud of that, and that was a sense of pride to me. And then with the staffing issues officers cannot do that and we wanted them to. Those are the concerns that we wanted to address. Last night I texted Anna kanwit about the results of the ratification vote, 91% of the voters voted that's a record, vote from our membership, and we are looking at the, the former record was 75 to 77%. And 95% voted yes, and 5% voted no. So that's another record. Our members are engaged and they want to be able to do policing. They want to give resources to a diverse and changing community and they want to do that in a way which is meaningful for the community, and the only way is to bolster the staffing. To keep the best of the best of the best. In the last week and a half I talked to a dozen officers who can retire in October, and they are going to stay based on this collective bargaining agreement, and they are going to stay here in Portland. They are going to stay with us one way or another, either in the retiree, rehire program or stay a few more years, they want to police Portland and do it the way Portland wants to put we cannot do it with the staffing levels that we have. I want to thank you and the commissioners for --

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I have met with the commissioners at least once or twice to talk about this. And we have had a lot of contact with you and your staff and you were proponents of this, and I want to thank Anna Kanwit and her staff and for following pushing forward, but for the police officers, they are the ones that are going to benefit because they can work in the community and the community will benefit because they will have the police officers that they want in the communities. People talk about reform, and we can talk about the 48-hour rule, and which is something put into the contract in the 1970s. We have community concerns about that. We wanted to build more trust, and we want to build on the relationships that we have in the community. We want to build on the partnerships that we have. And the way to do it is to build trust and show that things like this can go away and we can do the policing and protect the police officers but still do the things we need to in the community. Like I said I had a dozen officers in the last week and a half say I'm staying, and we will bring more people in and retain more people and that will help the community and that's what we wanted to do with this contract and we started this conversation earlier rather than later because of the catastrophic staffing issues and lack of resource, and the lack of community contact that we had, over the last 2.5 years.

Fish: You made a case for how this will help us retain quality officers. I can just say from the media that I have sampled, there is skepticism in the public that will help us recruit the officers. Tell us what your confidence level is with the changes we are proposing we'll be able to compete for the officers that we want to have work for us.

Turner: I will tell you it will be the officers working here, when we have people who want to become the Portland police officers going right here, and talk to the other officers and talk to them and say, why do you want to be here and why are you here and why have you stayed? Why have you done that? And it's because the community values are work, and our leaders value the work and we want to be the best of the best but also this is the most dynamic nuances that we have to deal with issues you would not have anywhere else and those are the things that police officers want to do. Police officers want to work. We are here to help people and to make sure that those who don't have the resources that they need get them. And when we do that, the enthusiasm like I am showing right now comes out because that's what they want, and anybody should have that enthusiasm who wants to do this job. When we have those people here, bring other people in and they will --

Hales: Folks, let him speak.

Turner: That will give us the ability to recruit new officers as well as latter officers who want to Come from other places. Portland officers, the most diversity and jobs that you can do, in any police agency in the state, and police officers who want to do this work, want to come here and when they listen to the other officers here, and the enthusiasm that they have and the happiness that they have for being here, they will come here. I talk to a dozen or more officers that were going to retire in October. They were gone and finished and now they are going to stay, and we have an officer, and I will not give his name, who went to another agency and called and said I am coming back. I miss Portland. The city, and the police work. So that's the dynamic that this brings and the retention of the officers bring it in will benefit the community and our agency and the city.

Hales: Thank you very much. I just want to say, daryl-- oh, go ahead, please.

Novick: Mr. Turner we talked before about the fact that major crime is declining 35, 40% since 20 years ago. Now I know the number of calls has not gone down. My understanding is the reason is that we have a lot of calls about things that are not crimes. So my question for you is do you think that over time the community service officers can handle a large percentage of these calls that are not about traditional crimes?

Turner: I think in general most people will -- you don't know what you get until you get there but most people want police officers there. Not because a community officer can't

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unveil all the resources but they feel more comfortable unveiling the resources, and having confidence in the fact that they are getting the best of the best, and getting advice or resources, and the help that they want and need. We talk about people who -- I don't know if I talked to you about it but to the other commissioners about going to a cold burglary as opposed to someone saying my house was burglarized, and I want to make a report. When we had the staffing I not only went to that person but would check their closet and is bed and attic and basement so they would feel comfortable so when I left they felt comfortable their house was safe. After being violated and burglarized they felt comfortable their house was safe. Those are the things that brings, the confidence and safety level that Portland needs.

Hales: Other questions for Daryl? I just want to say that labor negotiations under collective bargaining act are never easy and it is a negotiation so you have to get to yes and I appreciate the positive approach that you have taken and your leadership and the police association has taken and these are difficult and things we don't agree on and the way you conducted your, yourself and yourselves in this process enabled us to get to an agreement that I think is in the best interest of the community and police officers and I want to say I appreciate it.

Turner: Thank you, and I thank everybody and commissioner Saltzman not here right now, for making decisions based on what you heard and sound decisions. Thank you very much.

Hales: Thank you.

Hales: Let's turn to the signup sheet police and again we're going to be taking a break. Whoever is speaking could you ask you to stop so folks can hear? We are going to take a break at 11:00 because we are going to lose a quorum so we will take as many as we can before that. We told people three minutes, even though it will mean that some have to come back.

Hales: Miss Sheridan I think that you are first, go ahead.

Isabel Sheridan: As I listened to the presentations, I think that some of this is old. I am going to go through it quickly and say a couple of things personally. Mayor Hales and members of the city council. I have read three communications to you from the Albina ministerial alliance for justice police reform. First the letter of September 25, 2016, calling for the elimination of the 48-hour rule, so glad that you are doing that. Second, the ama's proposals of August 17, 2016, regarding this upcoming ppa contract. Third the ama's proposed policies for Portland police regarding the use of body cameras sent to you via email on September 17, 2015. I agree with all these proposals. The need to communities to have a say in changing the above noted elements in police contracts is a national concern. I refer you to the "New York Times" lead editorial of September 3, 2016. It's noteworthy. The time saw the 24-hour wait time before Chicago police were questioned after deadly force incidents as too long. We have a 48-hour wait time in the current police contract. I am a white retired professional who moved to Portland intentionally because of the quality of life I wanted in my retirement. I could live a relatively safe life here if I did not get involved in this issue. But I want to be involved. I want to see the Portland police culture change in deep significant ways so that people of color can feel safe being in public the way that I do. I am not referring to people who are in the process of committing a crime. People of any color, of course, we want police to take care of that. I am referring to people who are simply walking down the street or in the mall or legally parked in their cars in a traditionally white neighborhood. The community policing relies on the good will of the community. Racial profiling is always violent. Always psychologically, sometimes physically. When ordinary citizens are subjected to unjustified violence by police, those citizens feel angry and humiliated. They no longer trust the police to respect their dignity.

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Or their lives. The city council needs to change the police contracts, I think some of those things have been done, maybe not all. And the training, mandated by the DOJ settlement needs to include mandatory in-depth trainings on implicit bias and white privilege.

Fritz: Excuse me, everybody is wait to get testify.

Sheridan: I am out of time.

Hales: Yes.

Sheridan: Until police behavior changes.

Hales: Thank you very much.

Hales: Good morning.

Dan Handelman: Good morning. I am Dan Handelman with the Portland cop watch and we call upon the city council to slow down the process.

Hales: Hang on, folks we really need folks to be quiet enough that we can hear and you can hear who is speaking. So go ahead, please, Dan.

Handelman: We call on you to slow down this process on ratifying this contract for the ppa. The term is three years, and the old contract doesn't expire until next June so we'll lock in the impediments until mid-2020 when the next mayor's office race is underway, it would make more sense to allow the incoming mayor to negotiate the terms of the contract that he has to supervise. And it has been an important goal of the community to get rid of the 48-hour rule, doing away with that cannot be the sole achievement of the round of bargaining. The ppa made it clear to the COAB they believed the rule was necessary based on science that dictates a person needs two sleep cycles to refresh their memories. The fact that they are willing to give up this rule in exchange for pay raises means the devotion to the pseudoscience is wafer thin. The city attorney told Judge Simon last fall that the 48-hour rule has never been invoked as officers have come in for interviews, three or more days. Moreover, it seems as if the officers will have longer than 48 hours in cases where they will now be allowed to review not just their police reports but body camera footage and non-deadly force cases. By giving away the demands of the ppa in exchange for removing one public policy issue the city has nothing left. We sent the letter to the mayor and the mayor elect with the coalition and the NAACP outlining the changes that should be negotiated into this. We called the city to fix the binding arbitration clause for officers fired. And our suggestion was to move the force incidents to the system so a judge and not a biased arbitrator could decide. We listed a number of issues in the contract that actually impeded the system. IPR Director Constantine Severe outlined some of those actions in a presentation to council just two weeks ago, and those elements include the ability of IPR to investigate the shootings and compel the testimony. And for the CRC to hear the deadly force case appeals. We also urge the city not to allow the ppa to bargain their ability to review body camera footage. While it's not written into the contract the ordinance you are considering specifically lists that issue as a mandatory subject of bargaining. And even though there is no prohibition in the draft policy saying that there is a prohibition, saying that there is an exception when the officers use deadly force a, that policy can be rewritten unless the council formalizes it and b there is no such exception for use of force which causes injury, but not death. The August letter also asks the city make drug testing mandatory after deadly and excessive force incidents the same way that the federal rules require truck drivers to take tests when they injure or kill someone. I just want to add that there is a couple people that we know have written to you, and the AIME coalition, I don't know why the doctor didn't make it down here this morning, League of Women Voters, two former CRC members including Browning, and the Mental Health Association, and there is a lot of community concern that you are rushing this into place and leaving the new mayor with unaccountable police who are getting very well reimbursed.

Hales: Thank you very much. Good morning.

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Jo Ann Hardesty: Good morning mayor and city council members. For the record I am Jo Ann Hardesty, and I am the president of the naacp. I am here today to ask you where's the fire. I understand in that you say that we short on the police officers, and but I ask you have you considered that we're in a new era of policing? We want different types of police officers to patrol our streets. We don't want armed occupiers, and we want people who are willing to work with the community to solve the crime. I sent you a letter with real details about here's my biggest concern that, is that there is no criteria for retiring the officers who will come back at the top of their pay grade if they want to, there is no criteria to determine whether or not they are culturally competent, and whether or not they build community relations or destroy the community relations. There is no criteria to determine whether or not those officers actually are good police officers, that should be, at it, back to the police force, and so what you are creating is a system where we're going to pay the most expensive cost to the most senior officers, whether or not they are the right people to get overtime. It would make sense that when you are bargaining a contract that you would try to help the junior officers get more hours so that they get more experience, so they are better community police officers. What you have done is created a pay for performance system that rewards people for just basically being in uniform on this street. This is a new era. We have a new expectation of how police will engage with the community members, we don't want the same old, same old, or the robo cops on our street. What we want are the police officers who have cultural competency, and that know the community they police, respectful of all people regardless of whether they are houseless or people of color or children in our community. This does nothing to create a vision of what's possible, and I think that the Trojan horse is you take away the 48-hour rule and you have an unlimited amount of time to be, to review video footage so now it's not the 48-hour rules, but now you have got days, maybe weeks and months before the police officers will have the opportunity to review video that only police officers can review in the first place. You cannot present that accountability measure where the only people that see the video or that decide what's important in the video are police officers, that's ludicrous. Give the next mayor the opportunity to share a vision of policing and let us hold him accountable for the contract we will be living under, thank you. [applause]

Khalil Edwards: Good morning, mayor haless and Portland city council, I am Khalil Edwards, racial justice and alliance building manager at basic rights Oregon, the state's largest lgbtq organization. The lgbtq community knows well what it's like to be the targets of police violence and abuse and profiling, which is why we continue to stand with this coalition on this issue of policy accountability and transparency. The mistrust and fear our collective communities have a based on real experiences and a long history of misconduct from a system in desperate need of reform. This will not disappear until we deliver an open and transparent process around police accountability and reform. We recognize it can be uncomfortable, and this is democracy at work. The process of open transparency and inclusion will go a long way towards building the trust the community needs and our criminal justice system. On behalf of the basic rights Oregon, we join our partners in asking the city council to slow down the process on ratifying the proposed contract for the Portland police association, and it is premature, and works against the progress of healing our communities. Address the many issues in the contract that act to impede our police oversight system. And finally we would add that it is important to not lose sight of the goal. We are here because of the lack of trust that the community has in this process. The only way to rebuild that is for the city to be transparent and inclusive as the communities most affected. Give us a voice. Do not separate in from community oversight. We appreciate the work done towards the progress and we must do away with the 48-hour rule and we must

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do this the right way. Portlanders deserve better. So let's get this process right. Slow it down. Thank you for the opportunity.

Hales: Thanks very much. [applause]

Kimberly McCullough: Mayor Hales and commissioners, I am Kimberly McCullough, the legislative director at the ACLU of Oregon, and I have submitted written testimony that has more details on what I will say here. I hope you do take the time to look at it. As an initial matter we are very disappointed the whole CBA process has been done behind closed doors. There are a lot of issues that impact our community, and in serious ways, and the fact that the community has only now seen a draft CBA and a draft body camera policy so late into this process and jumped to the full ratification is disappointing to us. That is so as it relates to the body camera policy, we were heavily involved in the negotiations over the statewide body camera legislation and worked closely with representatives. It was what I believed was our mutual understanding and what I heard from legislators over again that the body camera policies at the local level were to be crafted after a collaborative approach with the community. That's not what we have seen happen here. To frame the issues, body cameras have potential to be an oversight and accountability tool but the policies that are attached have to be right. If the policies are not right they won't do what the community needs. And they won't feel like something that, you know, they have been offered to the community as body cameras are the solution to the problem. If the policy is not right the community will not see it that way. We have a lot of concerns about some of the particular issues in the body camera policy. I have done my best to review that in the few days that I could look at it before it came here, so we do have more feedback, and we will give more, and I have attached a copy of my testimony in May to this council and the body camera policy recommendations that we have sent to the mayor's office with offers to work with this commission and with the police bureau to work with all of the stakeholders involved on crafting a body camera policy. We have played those offers, and we think that needs to happen. We think stakeholders need to be brought together in a room to discuss this. Instead what's happened is there were some community forums. Apparently six, I heard three. I heard one the day that it happened, and another two days before it happened and another after it happened in the news. I searched the internet and can't find everyday anywhere of the other three. If they were well publicized, you would think that there would be something online about them and that a group like the ACLU of Oregon would have known that they happened. So I just don't think those forums were sufficient. Beyond that, there was an online form that you can put information into. Giving general input is not the same as looking at a draft policy. There are things on the policy that I did not think would be there. If ratifying this agreement truly does nothing to the body camera policy and if we can truly make changes then why include it in this ratification at all and why is it saying that it's just going to go through the universal review and comment process which again is an online forum not bringing the stakeholders to a table, and why does the agreement explicitly state that officers reviewing footage which is our biggest issue with this contract that is a mandatory bargaining issue. Mandatory issues are like wages and hours, and terms and conditions of employment but review of the footage is something super important to the public safety, and this council's responsibility to our community, so that should be a permissive issue, and I am just very concerned we are moving too fast with too little time frame input.

Hales: Thank you very much. Thank you. [applause]

Fritz: Can I ask a clarifying question? I asked about that finding 11. Is it your -- although it will be your police commissioner's right to finalize the policy, we have this council that asked the bureau to look into the body cameras, so is it your intent and presumably the mayor-elect's intent there will be a council public hearing on it?

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Hales: I would expect that; I will do that. So while we're working on it, this agreement says keep working on the policy. You are right so that process will be public, and I think having the council involved in it would be a necessary step with that in mine --

McCullough: Can I ask a question? It says it will go through the review and comment process and it says that in the agreement but nothing about this council looking at it again or anything about stakeholders, so I have deep concerns what's on the paper here is not the process that, that the legislature anticipated. I ran into a senator and I said look what's happening and he's like what?

Hales: I will make sure that we talk about that.

Hales: It's my intent that the city council review the project. There will be public involvement in creating it. The council needs to be involved and the community needs to have a chance to talk about the proposed body camera policy. Ok.

Novick: I know we have a lot of people that want to speak but I know that we have heard a lot in the past several years about eyewitness testimony often being inaccurate. Not because people lie but because people don't recall correctly. So I can see the idea -- I think some think if you give the officers a chance to review the body camera footage then it will save them from lying but also just save them from misremembering. My concern is if we allow officers to review the footage we don't allow the other people, the suspects or whoever to review it, and you will often have a situation where it looks like the police officer is truthful and the suspect is not, just because one had an opportunity to review the footage and the other did not. So I am curious if you would consider the possibility that having the police officers review the footage might be ok as long as you allowed the suspects or others involved to also review it.

McCullough: Thank you for the question. I get what you are getting at but we have a different approach, which is that the officers should write their report without reviewing the footage and they can review it after that and make clarifications, if there is just a problem with the eyewitness memory being faulty, there are like, there is like a slew of recitals in the body camera policy itself about that very exact issue. I think there will be an understanding on the part of judges and so on that memory welcome back infallible but letting them review the footage ahead of time does is in those situations where someone is being deceitful we won't catch it and I would like to give one quick example to illustrate that. We at the aclu have -- it has been brought to our attention where the officers have learned to move their body in a way that the camera doesn't pick up the footage and there was one incident where they were yelling at this man, stop resisting and while they beat him. And they turned their chest in other directions, and an eyewitness caught it on their own video. If the officer was able to review that footage if they wrote their report they would be like oh, look, I managed to do what I was trying to do. I am not saying all officers lie, there is a lot of police officers that go into this job and the majority who want to protect their communities and to help people. The problem we get these stories of officers harming people and lying and this is a huge concern so I feel like it will unravel the positive impact of the body cam footage so write the report and review the footage and have the opportunity to make updates and if there is a fallibility there a judge will get that.

Hales: Thank you very much, look forward to more discussions. Thank you. Go ahead.
[applause]

Teresa Raiford: For the record my name is Teresa Raiford I'm the lead organizer of don't shoot Portland were an extremely active black lives matter movement here in Oregon. My first thing is that I just want to state, what accountability looks like. As the police accountability activist, when we came into the opportunity to engage with the city of Portland, our mayor and our commissioners, independent police review and anyone else that stood on the front of the public service, we felt like by attending sessions in Salem and

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working with the prosecutor language with senators that were writing the language, by bringing people out to testify and coming in here and being active with the coab process and promoting it to our community, we thought that those were angles of activity that would show that we were accountable. My mic is having an issue. So when we get to this situation, and we are told that we should have been a part of this, six months ago in order to say that the process needs to be delayed because there hasn't been enough community engagement in regards to the policies, and I am not saying that everything that's in there is not right, I am saying that there are a lot of people in this community for a very long amount of time that have said that we have issues with the community policing. We already got the MacArthur red foundation report that says that there is a problem with over policing the minorities in Multnomah county. And our jails are filled with children, and in and out of maclaren and Oregon state penitentiary, for very low level crimes. We are raping children's ferpa rights so children can receive wrap-around services through Multnomah county, and those rights are being waved and their information is shared with different city bureaus. That's causing more over representation in our criminal justice system for the juveniles is causing this function and overrepresentation in the foster care system for those families that are vulnerable that live in poverty, and the biggest enforcement tool that you have for all of this is the police, and so if we are taking that the humanity of the most vulnerable citizens in the state are being undermined by the law enforcement, the overrepresentation, the over policing, and we have managed to organize it in a way that we can engage with you, at this point, what I am saying, in front of a board that is five People white, and I am black and you know we've been saying black lives matter, I don't see that you care. I cannot say that at all that any part of us trying to engage with people that have power, has given us any kind of understanding that safety is a part of the initiatives that you are seeking in these contracts. We have a mayor-elect taking office in January, and this is not even due for signing in until June and we are asking you, we've been begging you, and we're demanding that you delay it for the same reasons that Dan handelmann from the Portland cop watch and the naacp from bank rights Oregon and ama and from the aclu and any other organization, the statements are valid. And we need you to delay this process. Thank you.

Hales: Thank you. [applause]

Hales: I don't remember the order so whoever wants to go ahead.

Ashlee Albies: Good morning, I am Ashlee Albies, with the Portland chapter of the national lawyers guild. We've been involved with police accountability and oversight in the city for many, many years. We appreciate the opportunity to testify here today on this proposed ordinance that would ratify the collective bargaining agreement. As an initial matter, mayor hales I was here and I heard you this morning say that staffing is a critical issue and part of the reason for negotiating this contract less than a year of when the contract ends. And if you are going to do it now do it right. There are a lot of issues that are not addressed by this collective bargaining agreement that relate to police oversight and accountability. The national lawyers guild strongly affirms the right to bargain over the terms of employment and we support labor rights, but where the public policy related to police accountability and oversight relating to the safety of our community, relating to the holding the officers accountable when they violate the law, when they violate directives and threaten the community members and make people feel unsafe those issues are public policy issues that should not be bargained for. The police can enforce the law and arrest people and use force against community members and take a life if necessary, the people here today are speaking out because they want one thing and that is a check on this power. Teresa Raiford made the point that the read report shows that there is a disproportionate policing against communities of color. In the state, and the police data

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itself shows that there is disproportionate policing in the city. We applaud the elimination of the 48-hour rule but what is existing in this contract allows a reasonable opportunity or time for the officers not involved in deadly force but a profiling case for a discrimination point to review that before writing the report and this goes to commissioner novick's question about do they, can they correct miss memory but this is a tool for accountability. If somebody, an officer is accused of profiling and they have the opportunity to look at that police footage and all of a sudden finds a law that was broken, just by walking down the street and jaywalking, and if that is a biased police encounter it provides to skirt the accountability by finding a reason and there could be any reason for making that stop. I have heard former chief o'day and chief marshman discuss the small amount of use of force that the Portland police members actually bureau members engage in. So these accountability tools and measures that are going to apply to a small number of police interactions. And it's our position that this oversight additional oversight is necessary for those small interactions to, for officers to be held accountable in the interactions. And I have provided additional information about mandatory, the city conceding that the, the video policies subject to mandatory bargaining, and I think that's a huge concern, mayor hales you just stated that you believed that the city council will be able to review that but that does not change that this agreement says that this is subject to mandatory bargaining which means that the ppa has more say than the people of the city over the policy. And we think that that's, that's a big mistake. Thank you for your time.

Hales: Thank you. Who would like to be next?

Tom Steenson: I am tom steenson, good morning mayor and commissioners. I am a member of the community oversight advisory board and Chair the data systems use of force compliance subcommittee and a member of the accountability subcommittee. I cannot speak for the coab for a couple reasons. The city has refused to fill the vacancies. We are now down to eight instead of 15 members, the city also has refused as required by the settlement agreement to have twice annual meetings, and the mayor specifically the chief and others are going to be at those meetings, and as a result, on august 12, we voted, or not voted but six of the eight of us decided we had to do something because we were not allowed to meet. We voted, the six of us to recommend that the doj find the city in noncompliance with the agreement because of the failure to fill the vacancies. We are supposed to be the go to at this point, and you put us in a position where we cannot hold the meetings and what happened after the vote to have you hold it in noncompliance, seven days later we were forced into a recess, the doj decided that we could not meet for 60 days. I anticipate that's going to be more like six months by the time the changes get considered and we are reconstituted in some way. It's deplorable that you have not filled the vacancies and won't meet with us. I want to point out pending our 44 recommendations on accountability, that we spent probably six or eight months meeting with city officials, and community members, and researching policies throughout the country, and drafting, unfortunately because the coab can't meet those recommendations can't be considered, and I will make them part of the record, it's a comprehensive analysis of what needs to happen in the city for ongoing police accountability. We are terribly concerned, I can only say individually but I think that I speak for the others, as well, informally, we are terribly concerned that this contract you are about ready to sign, is going to lock us out of changing the policy, not policy but the provisions in the contract that relate to the operation of the ipr and who gets to investigate the police and change accountability. We urge you to slow down. There is no reason to rush this through. Take your time. Delay it. And look at the recommendation and address the accountability in the fashion it august to be addressed. Thank you.

Hales: Thank you. Good morning.

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Carol Landsman: Good morning. I am Carol Landsman with the Portland cop watch. And I want to say something that lots of other folks have said. Cop watch, Portland cop watch is dismayed the bargaining sessions were held behind closed doors, and we don't understand why the city doesn't strive for more transparency. The other thing, the other thing, the other thing that they can, that concerns us is that as I think you said and other people again, we don't understand why the police union gets to decide policy issues. I am an urban transportation planner, and if I came in for a job with the city, I said well, before I accept this job I want to negotiate level of service for roadways. I think that all of our streets should be B. You would look at me like I was crazy. Why am I negotiating a public policy and best practices issue? That seems to be what you are doing with the police. Now we have a series of issues with the policy and I will spend a minute telling you or probably less than a minute telling you why I think that the whole process has really been done very poorly in the city, and the city has failed the public. These are the things that we don't like and the current policy. Cert is not required to use body cams, and they are the officers who are most likely to conduct, to have something violent or untoward happen. Cop stone have to video mere conversations even if frisking is involved. Cops can take advantage of the sex crime victims but interviews won't be taped. We had two Portland police officers who did in fact, take advantage of the sex crimes and we would have no record of that. Perhaps the cops don't have to remind the people of the right to remain silent, and you also seem to forget the state laws will cause faces to be blurred. Overall, it seems that these policies focus more on prosecuting the civilians over holding cops accountable, and that's not surprising because you negotiated with the police officers and their unions. However, I want to talk a bit about this process. I went to a couple of those forums. First they were very poorly attended. And secondly, well intentioned or not the police officers walked in and said, so what do you think that we should do? Most don't think about cop cam policy but the city had a responsibility to do and failed, was to conduct a best practices survey. To look at what other cities were doing and then come to the public and say these are the best practices, these are some of the things that we like, and what do you think? That's where the forum should have started. It's like coming in, you know, you are going into, in to see your doctor and the doctor says I am sorry we're going to have to conduct surgery. Why don't you tell me what you think we should operate on? Anyhow, in summary because I have seven seconds, put the contract on hold and allow the mayor to bargain, and create better policies with better public input.

Hales: Thank you very much.

Hales: I want to verify this and let these folks speak but because we're going to lose a quorum we need to reconvene and we can reconvene earlier than 2:00, at 1:30? According to the people's offices here? We will take a recess from 11:00 To 1:30. Welcome.

Gary Marschke: Good morning. My name is Gary Marschke and I am here because the power of privilege is being used by this body to silence the voice. And in this case, it also is the voices of those underrepresented and clearly not as privileged. I am speaking to the new police union contract and all that it represents, and additional millions are paid to the culture of oppression and violence and the police oversight committees are being disbanded. Staff support to support the community-based conversations and solutions is being eliminated. And those that want to change the system from within are once again being manipulated and marginalized and muted. We often wonder why people want to destroy the system. Yet when they try to work within it privilege works the system to put every conceivable obstacle in their path to make sure the status quo is maintained and that allows you the patients to hide behind the podium while the barbarians at the gates starve for lack of attention or resources. That same privilege allows you to be oblivious to change,

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the same privilege that hears only the voices of privilege doing all that they can. As I said in the beginning I came here because the community is being silenced and purposely and systemically told that their voices don't count. That's privilege in its purest sense and privilege is preserving the most narrow and Inclusive language when developing public engagement rules and strategies. Privileges using words that narrowly define the public participation in democracy to include only like minded and too often like looking individuals. Privileges practicing containment rather than collaboration. I also came here because I happen to be old enough and naive enough and privileged enough to believe that the system can change and will work. Voices that are believing what the system needs is new and fresh voices to bring that perspective into how the government should work. Voices that are empowered to make change outside rather than the culture inside. Voices out here, and asking for a tidbit. And currently it seems evident that you are doing all that you can, and resort again to the privilege. I empower you to embrace the new perspectives rather than exclude them start by rejecting the contract. An obvious attempt to ignore the pleas of the community and give the community, especially those most directly affected real and independent voice to make change. You have the power and privilege. Do the right thing. Let change happen.

Robert West: My names Robert West I am with film the police 9-1-1, and there is several issues I want to bring up. One is that you made sure that yesterday you were shut down. The other thing is that from the police and people that go out and film the police are often targeted. As far as the professionalism, I don't see professionalism too often. I've been spotlighted with the intent to disrupt my video. And one time they had 120nd and division shut down. And they are allowing people to walk back and forth. I walk across the street with a crowd, and I am the only one that got a ticket. There was another guy with film the police, he was driving up the street and got pulled over and he just got it for not having insurance, that's not a reason to pull someone over. You have to have a legitimate reason to stop someone. This year, and last year, I am facing nine criminal counts for filming when I am standing on the sidewalks and on a divider, and I have seen the police go in and lie in my case, and go in and lie teresa's case, and you are going to give them a pay raise? And say, good job? They are sitting there and committing crimes and lying in court is perjury, and in the Multnomah county, they don't care about perjury as long as the officer goes in, and says it does not matter if it's true or correct or what, and that's a shame. And I would sit there and say no, these officers don't deserve a pay raise. They don't deserve the privileges. I don't see the teachers' contract but I know that they don't have such a nice contract, and they are having to deal with Kids all day. So they say oh, police are in a dangerous situation, and firefighters are in their line of duty, when they are out doing what they are supposed to be doing, and they are in more danger than a police officer. A police officer may pull his gun once a month. Once a year, and the firefighter goes into a burning house, and once every couple of days. And inside of a burning house anything can happen. Walls can fall and they can trip over stuff and get hurt. Because they don't see it, and to say these officers are risking their lives, they are not. They have brought in a whole bunch of officers when they did not need them.

Hales: Thank you very much. Mr. Johnson, you get the last word for this morning and we will take a break.

Charles Johnson: Good morning. For the record I am Charles Johnson, and I don't know if he was helped by his phone, while he was looking at it, and Steve made one of the most insightful comments here, and down, down, down. Way down. Crime down. That's why the police are sending 20 officers to respond to the old Chicago pizza at 102nd and Burnside when all people have done is teased them. That's where you get massive police response, and that's why we have so much resources that we can pay or let apple or target pay for

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city police cars to sit idle next to the apple Store and next to the target store where they don't need to be. The other problem is more a complicated dynamic and the way that you need to ask yourselves if you are a bunch of mafia, you shake down the taxpayers to finance your brutal thugs. When you -- when the previous city council murdered James chase through the police department you extorted millions from taxpayers to cover up the police brutality, not to cover it up, it was obvious, but to keep paying his murderers. Some of his murderers have left the police department. And of course this does not -- it does not just apply to him but Kendra James and to Keaton Otis. It applies to way too many. When we look at this 74-page pdf, we don't see any change in the mafia thug function of the Portland city council of just transferring money to misbehaving police officers and extorting money out of taxpayers to cover up for mistakes that came from the oversight that never -- I can't say never gets any better. We're having a good period, I don't know how long. I hope Dan Handelman is here and we can find out how long it has been since the police killed anybody since they killed Michael Johnson near a hospital. That's a proud tradition, go to the Adventist hospital without a gun, have a phone in your hand and get killed. Go to good Sam, and that person, at least at good Sam, Mr. Johnson was armed and if we are going to pay the police 10 or 6 million more, we want to be Buying police thugs that are at least less violent, that use their non-lethal weapons 100% of the time. Thank you.

Hales: Thank you very much. Ok. [applause] we're going to recess until 1:30 and then folks that signed up will get a first chance to speak then. Thank you all and we are recessed until 1:30.

At 11:00 a.m. council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

SEPTEMBER 28, 2016 2PM

Hales: Good afternoon everyone council will return to order. Please call the roll
[Roll call taken]

Hales: Welcome. We're going to return to the item we were on this morning, but I first want to bring an amendment to the council based on what we heard this morning there was a lot of concern about what the process is going to be for both the development of and the public review of our body camera policy. So our clerk has copies of the amendment for anyone that wants to talk a look at it. Let me walk briefly through it. What it said before in item 11 of the ordinance was that following substantial public and internal input ppa, the Portland police bureau, have agreed to draft body camera policy, et cetera. Now it's going to say following substantial public and internal input the Portland police association and Portland police bureau have agreed to a draft body worn camera policy version 2.2 dated 5/6/16 attached as exhibit b to exhibit 1. Substantial additional public input will be required prior to finalization of the policy. Then there's a new -- some new language at the very end item 13. This will now be e, that will say council directs the police bureau to convene a stakeholder committee to review the draft body worn policy version 2.2 and national best practices as they continue to evolve. Additionally, the public will be given the opportunity for universal review and provide public comments to the bureau's established directives process. A report will be presented to the council by the stakeholder committee and subject to further public input at that time. Following this public review and comment process the ppa and Portland police bureau will meet to discuss finalization of the body worn camera policy. It lays out what people were asking that we do which is, one, involve stakeholders, two, bring that policy back before city council before it's finalized. I want to put that amendment before us now so we can accept it if you want then take testimony on that in addition to the rest of the matter.

Fritz: Second.

Hales: We adopt an amendment, take testimony then throw it out or keep it or whatever based on what we do.

Fritz: I think it would be better if we hear the testimony.

Hales: Let's leave it on the table then you can testify on that as well then we'll consider that amendment before we obviously take action on the ordinance itself.

Fritz: Mayor, the other clarification I need to make, because I had not understood the memorandum that says it's a mandatory subjective bargaining, that is the bureau of human resources and the police union acknowledging what the current law is. That's not something additional. It is something that would be subject to bargaining. That's just for clarification, its not that we're saying it's the right thing it's the law.

Hales: Okay. Let's return, please, to the sign-up sheet from this morning and keep taking folks in the order they asked to speak.

Hales: If you want copies of that amendment I think karla has some.

Moore-Love: We're out of copies right now.

Hales: We'll get some more. Welcome.

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Joe Walsh: Good afternoon. I'm Joe Walsh. I represent individuals for justice. Here we are again. I didn't figure three or four major controversies that group after group have come before you asked you not to do it. The ACLU, NAACP, individuals for justice, Cop Watch, all asked you not to get involved with the terrorist task force. The TTF you did anyway. Group after group came before you and asked you not to cover the reservoirs. You do it anyway. Group after group asked you not to do the fluoride. You did that anyway. We overrode you. I'm trying to figure out what brilliant statement we could make that would get you on our side, not an amendment, just to stop. Just stop. It is amazing to me that Ted Wheeler has not really said much about this. I think, it's pure speculation, that I think he is saying if it fails I'll blame Hales. [laughter] If it works, I'll take the credit. I think that's what politicians do. A normal person would say I'm coming into the office. I don't want this contract. I want my own contract. I want to meet with the NAACP. I want to meet with Black Lives Matter. I want to meet with individuals for justice and say what is it you want? You're the citizens. Tell us. We have been here I have been here for nine years. I have done this for nine years. This is the worst I have ever seen it. This is the worst. Apparently you are good people. Why is it the worst? I don't have a clue. I really don't. I don't know you to make a judgment on you, I only know what you do, and I only know what you don't do. What you don't do is listen to us. We represent a lot of people, but you won't listen to us and then you wonder why you have banners on your buildings. Why there's graffiti inside the buildings. This is the beginning, not the end. If you think I'm a pain in the ass, wait until you see what happens after me. Because I'm mouthy. I'm nonviolent. But what comes after me is really fury, and you better pay attention to this and stop this contract sucks. You know it and I know it. 48-hour rule is a Trojan horse and you know it. Stop it. You're going out. You think your legacy is going to be based on this? [shouting]

Lightning: My name is Lightning. I represent Lightning Watchdog PDX. Some very good speakers here today. I'll try to cover some points that I have on this issue. Now, on the agreement itself, again, I stated to you, Mayor Hales, on Springwater Trail, hold off on that. Wait until the new mayor steps into position. Give them some time, let him handle it. Otherwise you leave us a disgrace. Now another issue on this agreement I'll say this again, hold off on this agreement. Let the new mayor step in position, and if you don't, it will be considered as someone said deplorable. Do not move fast on this agreement. Let the new mayor step in and handle this situation. Now, again, pertaining to adding more staff, as you know in Multnomah County they are literally beginning to reduce jail beds in Multnomah County jail. They are reducing crime, looking at new programs called the lead program in Belltown. They say that's having a great effect on recidivism, the turn-around rates, they think they will not need as many police officers because of that. Again, hold off on this agreement. Let the data come in, be presented to the next mayor on the affects of going into a lead program and allowing low level offenders not to go into jail but to go to treatment. Not to damage them from getting housing, not to damage them from getting future employment. These programs are being implemented, they are being funded, they are moving forward right now. They have already closed certain jail beds off in the jail and they are watching this very close. The timing of this is wrong. Let the new mayor step in position and make the determination. We do not need any more police officers plain and simple. We will not need more police officers. We can save money by doing this. We're saving money right now. Issue on the body cam. It needs to be a public resource. They need to have control of the film, not the police. We need to have an independent third party that looks and reviews this film but is also the property of the public to make certain determinations on how we're going to use that film. If the police are the only ones that have access to the film, it doesn't do the public any good to have the cameras on them. We have to have access. It has to be our property, our property so we can view it but with

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a third party in place to allow the public to have access to it. Of course there will be exceptions to that rule on various issues in the policy. Thank you.

Hales: Thank you. [applause] welcome.

Jamal Williams: Mayor and commissioners, I'm Jamal Williams. I represent myself. I have lived in Portland for 46 years. And what is going on right now is the police have put language in their contract that circumvents their service to the people. This whole meeting right here is so that the community can weigh in and there's been an overwhelming amount of testimony in opposition to this. You folks are representatives of the community. You serve the community first. Then you serve the police department. Please pay attention to the testimony. It doesn't hurt our city at all to wait. It doesn't hurt us at all to wait. When the service position becomes self-serving there's something really, really wrong with that and that's what I see happening. The police have covered their own back sides with this language and we need to have language that works for the people that the police are going to serve. I don't have a canned testimony. I don't have a written speech for you guys. I'm just coming to you as a citizen of Portland, a citizen who has been here all my life. I don't want you guys to continue to treat us like subjects. We are not subjects. We are citizens. Our voice is really, really supposed to mean something. When the folks like they go unheard, they will continue to disrupt the regular, normal operation of the city. Why go do that? Why put these people through that when they are crying out so loud for so long listen to us. Pay attention to us. That's all they are doing. If you want to pay attention to the police department who the people do not trust, then what you're doing is you're creating your own mess. Mayor, you're going out. Let the other mayor come in and handle it. There's nothing wrong with that. Just let him come in and handle it because if not this is going to go down, the people are going to protest and the whole city will be like look what the mayor left us. The responsible thing to do is pay attention to your constituents. The overwhelming majority of people here today and this meeting was open to the whole city so everybody had an opportunity to come, but the people who came are in opposition to this. You are obligated, incumbent to pay attention to that. Thank you.

Hales: Thank you.

Fritz: Excuse me, Mr. Williams? Mr. Williams? I have a question. I was wondering if you could give me something specific in the contract that you don't like.

Williams: I don't like the 48-hour rule. Right? I don't like the language. I don't have the language memorized but I don't like the language that was already spoken of today that gives the police total control of the footage from the body cam as was stated before, what good does that do? What good does that do? We wanted to implement the footage, put body cams on so the public can feel safe and know they can hold us accountable, but by the way we're going to just hold on to it for ourselves. Not really. You understand what I'm saying? It's that type of language that circumvents the whole community oversight. Who do they serve? Who do they work for?

Hales: We understand your concern but there's nothing in the contract about body cameras.

Williams: Then I misheard that. [audio not understandable]

Fritz: Thank you.

Williams: I apologize. Maybe I misspoke. I could have sworn I heard that. Excuse me I misspoke, but at the same time I'm here as a concerned citizen saying pay attention to the testimony that is here.

Fritz: Thank you.

Hales: Thank you very much. [shouting]

Hales: Welcome. Go ahead.

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Gregory McKelvy: As you guys know my name is Gregory McKelvy. Last Friday I helped lead a group of people here when we were uninvited we tried to speak with you and you didn't listen to us. We came when we were invited, yesterday, and you didn't come. You didn't listen to us. Now you are still here today. We all know what you plan on doing at the ends of this and you're just pretending to listen to us. Every single person has come up here and testified that they don't support this contract and you're going to come out with an amendment like we're going to be happy about that? You know what this says? If you're going to change the contract based on the testimony from the people I assume you'll also amend it after we testify, right? Or if this contract was so good you're going to represent it to us right now then why are you just now amending it to make it acceptable to us here? You know what's wrong with this contract? Whatever happens after you approve this contract and we're still here protesting and whatever your police force does to us and those police officers are going to continue to do it to us and be at every one of our protests and never be terminated, that's wrong with the contract. Whatever happens after today is on you guys. We tried to speak with you guys and you didn't listen. Then you invited us here, you still didn't listen. Now we're here where the community is supposed to be heard and you're just pretending to listen to us. We know exactly what you plan on doing as soon as this is over and as soon as that is over I spent all night I haven't slept one minute. I spent all night out there and I'll stay there until this contract is delayed. It doesn't make sense that a mayor that is leaving right now, you're a lame duck mayor, is going to fast track this through when it's the next mayor that's going to have to live with the terms of the agreement. What would we lose by putting it off? The contract doesn't lapse until 2017 what are you trying to pull here, right? What benefit could there be for not listening to the community more? If you guys were able to amend that contract based on the testimony we gave this morning, then that shows how valuable our opinion is. That shows how valuable our testimony is. It shows you guys are willing to listen so why cut us off now? It doesn't make sense. If you respect us, respect the community, respect the protesters that that we led here yesterday to meet with you and nobody met with us, then listen to us. If you're going to amend the contract you need to allow testimony I say until ted wheeler. Ted wheeler, where the hell are you? [cheers and applause] I yield my time to him. Whatever time I have remaining is for him.

Micah Rhodes: I'm Micah Rhodes, lead coordinator with don't shoot pdx. I led march with Gregory on Friday here and like Gregory said we were met with riot cops and gang task force was there. Right off the bat we're met with police opposition trying to lead us where to go, trying to direct traffic away from us to make sure our message is not heard, yet here we are in your face right now and we are the ones who get the blunt end of the force that they push on us. You guys, this does not affect you guys. You're not even going to be in office by the time this contract is going into place. It doesn't actually matter if you sign it or not but you're choosing to sign it and it's not fair because you're not going to be the mayor. It's not your job. It's not going to be your job. Let the next mayor sign it. It's simple. It does not affect anything. Let the next person who is actually going to be serving sign the contract or make up their own contracts. It's just not up to you. You know what? We have all these people outside and we have more people that are willing to come down and you bet people are going to come down. We're going to be here. Because we want our voice to be heard. We're sitting here talking to you right now but y'all already made up your minds. You're going to sign this and it's not going to make any damn difference what we say but we're letting the world know. People are watching. People are talking. Just know that we are standing against this contract and if you are standing with the contract then you are against the people. We're your boss. You work for us. Remember that.

Hales: Thank you.

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Michael Durrow: Hello, mayor. Nick. I am Michael Durrow, I represent the people elected. I'm representative of the mesd, in northeast Portland. I wish some other people that represented the people would be here to say something. I'm also I have been called a perpetual gadfly in Willamette week. The most patriotic people in the city of Portland are here. That's why they are here. They don't want to tear the city down. They don't want to mark the city up. They don't want to burn parts of the city. They want to talk. They just want you to listen. Points about the contracts, I don't have very much time, one of the important things is that we need more time to actually read this. It all came out on Friday and there really hasn't been enough communication during those three days. We need at least two weeks for laypeople to go through this and read this and understand this so we can comment appropriately. I don't know what the actual language is about the body cams. Or who holds the video on the body cams or who has access to it, but I think it's appropriate that we treat the video on these cameras like we treat government documents. I worked for the federal government for six years for the Bonneville power administration. There's a federal records act which caused every document we generated to have to be retained. It doesn't belong to us; it doesn't belong to the department of work force. It belongs to the federal government and the people and it goes the archives because it tells a story about what happened today. That our country is better than anybody else at retaining this kind of record so we can go back and we have the federalist papers, all the way back to the beginning. Anything that has not been burned. Civil war. Anyway, I would just ask you to even if you insist that this contract needs to be signed in short order, please include the next mayor. Please give us a few weeks so we can make an informed comments. Not come in here and -- we hardly know what's on it. We have seen a little bit of it. That's all we have had time for. We don't need to rush this. Maybe you can set something up so you can get away with the 48-hour rule under some other agreement but please give us a chance to have open, transparent process.

Hales: Thank you very much. [applause]

Hales: Welcome.

Gregory Monahan: I'm Gregory Monahan. I'm here as a representative of the Oregon chapter of the sierra club. The Oregon chapter of the sierra club stands in solidarity with the naacp in its opposition to approving the proposed contract. It represents a missed opportunity to build trust with the community because it does not address the issue of binding arbitration which has resulted in lack of accountability for police officers. The contract was negotiated behind closed doors out of the view of the public. The contract was negotiated by the outgoing mayor depriving the public of the opportunity to hold the incoming mayor accountable. The only opportunity for public comment is the limited time allowed today before the contract is to be ratified. Because the existing contract does not expire until July 2017 the Oregon chapter of the sierra club urges Portland city council to delay consideration of the contract until mayor-elect wheeler has taken office and full public hearings have been held. Additionally, it appears that a procedure for body worn cams is also going to be discussed today. It was not clear from your agenda. This procedure is listed in the public agenda only as reference b. This is an important topic which requires a full public discussion. Because body cams are relatively new technology there's no recognized standard for their use which impacts public privacy rights, use in legal proceedings and the public's right to view footage. The monetary impact of adopting this policy can also be substantial and needs to be addressed. The Oregon chapter of the sierra club urges the Portland city council to delay consideration of body cam procedures until there have been full public hearings on these complex topics. Please seize this opportunity to build public trust with open community dialogue. In doing so Portland can establish itself as a leader in community policing. I also have a few comments on your big

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breaking amendments to the body cam ordinance. Thank you. First of all I don't see any definition of ppb in there. You probably know what it means.

Hales: Portland police bureau.

Monahan: I suggest unless it's -- that be decoded in the document somewhere. Most people don't understand what the bureau's established directives process is. I think it would be helpful to clarify that. You do not define how the stakeholder committee will be selected. I suggest that every organization that has testified today be considered an interested party and be invited to be a member of the stakeholder committee. My last comment is your final statement in paragraph e says following the public review and comment process the ppa and ppb will meet to discuss finalization of the body worn camera policy speaking on behalf of the sierra club I find this completely unacceptable. I think this needs to come back to council and have another final public hearing and the decision be made in public with public input. Thank you for listening.

Hales: Thank you very much. Thank you.

Joe Meyer: I'm Joe Meyer. I object to this proposed police contract on this theory called silly and control of law enforcement. I volunteered as a reporter for kb radio as a research scientist for Portland police forensics. I speak for myself. I hope I don't repeat too much of Mr. Walsh's testimony. My objection to this contract is in the context where I personally see the whole world increasingly ruled by force. Strange fruit still dying all over American streets. Where white juries still find white killers innocent and innocent black kids guilty. I moved to Portland over 15 years ago, and I haven't always had that nice civilian controlled police feeling. I don't just mean the strip searches at the airport. After Mayor Potter stepped back from the jttf, I think because he didn't have that good civilian control over police feeling, the FBI constructed their famous real Christmas tree and fake bomb show and the next day a commissioner who I would name except he's not here proposed that we rejoin the jttf, and sure enough, we did. The scary thing about the tree lighting ceremony for me was the police chief and select officers were part of this thing. Mayor Adams didn't have a clue. He was up there giving a speech when he was told. I have also seen Portland police officers Humphrey and nice, brutal murderers of James Chasse, being reinstated with a pay back because of an arbitrator that said so. Probably many of you have seen Jason Renoux's alien boy and agree that Chasse didn't really have to die. It was a shocking case of brutality by the Portland police that caused his death. It's a good time to remember in this context that Portland union president Daryl Turner is quoted in the Oregonian saying sergeant Nice and officer Humphreys are trained to be police. They are not paramedics or nurses. Likewise reinstated by some arbitrator I have never seen after he shot in the back and killed an unarmed black man called Aaron Campbell. Say his name. Aaron Campbell. None of this adds up to a warm civilian control of police feeling for me. I covered the Mohammed Mohammed trial. Law enforcement skillfully prevaricated and outright lied and got their all white conviction. I was alarmed how similarly Portland police prevaricated and lied on the witness stand. That's not the kinds of police training I want from my tax dollar. By the end of the trial I agreed with the defense attorneys' claim in his opening statement Portland police officers colluded to deprive her of her civil liberties. Regarding the issue today, I recommend along with Portland Cop Watch, many fine citizens, Jamaal Williams, Michael Darrow people in the Sierra Club that we table this and use the time to have a real discussion of what civilian control of police looks like in Portland. Thank you.

Hales: Thank you. [applause]

Cameron Stark: My name is Cameron Stark. I'm a tax paying citizen of Portland, Oregon. Guys, I'm tired and I'm not talking about tired from last night. I'm tired because I have been in the street since 2014. This contract is important to us because this is a chance at justice. It's a chance at accountability. We don't have this thing come up just every six

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months or so. This comes up every few years. And for somebody who is not even going to be here for the duration of this contract, to sign off on it for the next guy, is just irresponsible and I mean it leaves it open for the next guy to say, hey, I didn't sign that. I didn't agree to it but he's got to deal with it. I don't know what I'm trying to get at exactly but do not sign this contract. If you sign this contract, we need to vote these guys out of office. It's not fair. [shouting] I know we are. I didn't vote for any of them, that's for damn sure. That's all I got.

Hales: Thank you.

Hales: Welcome.

Maggie Adam: I'm Maggie Adam. I am really confused and disgusted how it is that we're even having this conversation standing outside with you last night the disrespect and the disregard and the excuses. You didn't answer anything directly. Your response to a mother telling you about her concerns with sros in the schools was, oh, a lot of people like them. Your explanation about how our police would be improved if we just had more of them and gave them raises is ridiculous. You're not listening to the people. The people march all the way across town to come talk to you. You don't talk to them. You invite them back and you leave, and I believe that's an effort to disempower their point. Their purpose of coming together and we're supposed to sit in this room having a discussion about a paradigm that doesn't make any sense because the most vulnerable people in the city are crying out for your help and you're completely ignoring them and putting a shine on it like you are understanding and compassionate and progressive. I don't believe any of it. I echo everything everybody said about slowdown in an effort to respect the citizens who are begging for you to listen to them. Thank you.

Hales: Thank you. Welcome. [applause]

Briana Staples: Hi, I'm Briana Staples. I support the plaque lives matter movement and don't shoot pdx. Mayor, commissioners, we just need you to recognize 2.5 working days is not enough time to go over a 70-page contract. We need you to take time to realize that it takes time to make an informed decision about these things. We want you to keep your word and adhere to the 2012 community engagement plan and don't fast track the Portland union contract. That will give \$10 million to ppb and before necessary reforms are put into place. It will retain a faulty arbitration process and body cam policies without public input. We're asking you to consider who this contract will affect the most for four years and take that into consideration before you sign it into law.

Hales: Thank you. Welcome.

Danielle James: I'm Danielle James. I'm here with don't shoot Portland. Are you familiar with the name Seanelle Hart and Mia Oakley?

Hales: Go ahead.

James: I asked a question.

Hales: I have heard the names.

James: Do you know who those people are?

Hales: No.

James: They are my children. I'm raising them here.

Hales: You had one of them here last night.

James: She's here today. He will be here to speak with you next. My point is that I'm a black mom here. Fortunately, I don't have to be a black man out here with the target on my back. I'm raising my girls here. I want them to be able to survive. When I was growing up the police were out in the community giving children food at the parks, providing water hoses for us to get wet in the summertime. Bringing food boxes to homes that needed it. I have not seen that since I was a child and I'm 30 years old. Please, please, please give us

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time. I'm here begging you. For everybody behind me, please give us time. Can we get a better understanding? Can we get due process?

Hales: Thank you. Appreciate it.

James: No?

Hales: We'll discuss it when we're done. We're going to hear from everybody first.

James: I'm done.

Neveah Lara: Hi. I'm Neveah Lara. I have a question for Mr. Hales. Why is it that we are still fighting for justice that should have been served to us years ago? I think that we should all be served the same rights and that people there are officers here are just killing black people for no reason at all. And that white people -- white people mostly are getting away with these crimes. But most of the black people are not even doing anything. Kids are walking outside getting shot for no reason. If a white man will go outside and he can go and kill somebody he will go to jail for like a month and get out.

Hales: Thank you. Welcome.

Seanalle Hart: Hi, my name is sheanelle hart. I'm 14 years old. Please don't sign the contract. All these people, Kevin, William, Kyle Monroe, Joshua baker, the rest of them. Yeah. Black lives matter.

Hales: Thank you.

David Davis: My name is David kif Davis with Multnomah county cop watch. I wanted to talk about on Friday sergeant kyle nice, the guy who killed James chasse, who was also involved in an off-duty road rage incident, who, you know, was Daryl turner said that sergeant nice is a competent supervisor. If that's what passes for competency in Portland, I truly fear for the citizens of Portland. He's the guy who was pushing around 15-year-old high school students and basically was sitting in a ptsd type of stance with his can of mace behind the line of every other cop who didn't seem that threatened by the crowd approaching him. He was sitting there like, you know, ready to face some violent intruder at his house with a can of mace or something. You can clearly see the guy is suffering from ptsd, and he needs to maybe just be retired, you know? He's killing citizens. And he's still out doing riot duty and stuff like that, which is some of the most stressful police work you could put people on. I have actually recommended this to several other supervisors and captains and other stuff to at least take Kyle nice off protest duty. You know? [applause] that is real simple, you know? And you know, this low intensity warfare that's being waged on the community by the police needs to end. And you know, people are going to jail for stupid offenses like possession of some controlled substance and actually the way to cut down crime would be to send some drug addicts out of town top Canada or Mexico to go to an ibigain treatment center and deal with their addiction and then that would reduce crime alone actually dealing with addiction and crime in a meaningful, progressive way that is actually there to heal things instead of putting people in jail over stupid low level offenses and then using them as inmate slave labor to clean up homeless camps and stuff like that, which goes on all the time. Also there was this Friday protest I also saw that there was Portland public school's security officer and he was across the street snapping photos of kids that were at this protest. You know, I chased him away. You can see the video on Multnomah county cop watch YouTube channel. It even -- you know. Shows what was happening. Some kids alerted me to that. So this is just ridiculous. Charlie, you know, you have no right to even vote on this because you're going out in like a couple months. You shouldn't have any say in this. You're basically an inept turd circling the rim getting ready to be flushed and we don't need the ghost of your bad decision haunting Portland. [shouting]

Hales: Okay. Sit down. Thank you. [shouting]

Hales: We're going to take a recess. [shouting]

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At 2:16 p.m. council recessed.

At 2:41 p.m. council reconvened.

Hales: Welcome, whoever would like to speak first. That would be you. Karla? Folks, could we let folks speak, please? Thank you.

Aesha Lorenz Alsaheed: Hello. If you look at me you might just see a Muslim woman. But if you really know me, you would know that my grandparents were German immigrants to Portland in the 1920's. My grandfather built lee college library with Lorenz brothers construction. My mother's grandfather had a church on Fremont. I'm invested in this community even though I lived for 30 years overseas in the middle east I came home every year with my children so they could appreciate my culture. Please don't override public opinion. It's so important. We're so grateful to have this forum to be heard. But the fluoride fiasco cuts my family and friends to the heart. I hope you can override that, please. It's poisonous for the pineal glands among other things. I wanted to bring up the fact that we must try harder to identify officers or future officers in training who have hidden prejudice or bias against others of different shades of skin or religion. Maybe specific safety measures in training or recurrent training to identify officers who have no empathy for minorities. It's fine to talk about officers with a good attitude willing to connect and I have a nephew he's an emt. I can relate to all kinds of people. And we need people that will help with the community. I do remember in the '60s and '70s police were the friendly neighborhood officers. They came to our schools, they were around. You could talk to them. They were approachable. Now it's like they and us and it shouldn't be like that. We have to get over that. Now training is so centered on crowd control and has lost too much individual outreach. We used to benefit from that so much in personal settings. We need friendly policemen willing to talk with us. I'm not against hiring additional members. There's a lot more people in Portland than there used to be but we do need more time to study this contract and hopefully the city and the nation can generate better criteria or psychological evaluation of police recruits and currently serving policemen and identify those with a pre-martin Luther king mentality. We Muslims, whether German, Arab, Americans or whatever, we are all Muslim Americans, all of us connected intimately with black lives, brown lives, police lives, all lives as sacred under god.

Hales: Good afternoon. Welcome. [applause]

Jessie Sponberg: Hi, guys. I'm Jessie sponburg. There's something that's happened today that I have never seen in all of the years that I have randomly been coming to city hall. It was in the testimony. Today is the first time that I have ever heard the community speak as one unanimous voice. I have never heard such articulation of the desperation of the population. As today has progressed, I realize that stopping this contract is the most important thing that we can do if we are really talking about saving lives in this city. When we talk about black lives matter, we talk about homeless lives matter, this is a direct intersectional opportunity for us to really show that it does matter. We need to be moving towards a futuristic form of policing, which means newer, better cuts, not throw more money at bad cops and asking the old cops to come out of retirement. We want those cops to go away. We want new, futuristic cops that can interact with neighborhoods, that can speak with compassion, that really believe that lives matter. Period. That lives matter. So make sure I pick my words really carefully here. It's weird when you think maybe when you're in the bathroom looking at the mirror, you got three minutes, Jessie, can you come up with just the right set of words that could get through and break through that suit and hit the mayor in the heart and hit commissioner Fritz -- I know you are good people. Only good people go into public service. But I don't think that you have the history to be the guy to make this decision. You're the guy that signed the mark kreuger people work. You're the guy that covered up for a police chief who shot his friend in the back. [applause] you were

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the guy who approved the sweeps which are displacing people whose only crime was trying not to die on these streets. Everybody asks, hey, Jessie, where is your old buddy ted? That's a very fair question. Ted has been absolutely invisible in this city since he's been elected but I'll tell you why. I can't speak object officially for ted but I spent five months debating with ted every week. Ted is my friend. We have had drinks together. I consider him a personal friend. The reason he's my personal friend is because ted is a good guy. Ted is a team player. Ted is the kind of person that's going to let you do your job. He's expecting you to do your job. But I'll promise you this, ted has a 10-point plan for real police reform. I have seen it. Nate Howard pushes it all the time, there's a real plan, but ted is giving you a chance to create your legacy, chuck. He also has a 10-point plan for the houseless but he has not cast a shadow over you. He hasn't been looking over your shoulder. He and the rest of this city because we all want what's best, it's you, man. That's you. You are the only dude who can create this legacy. I really hope that what I'm saying supersedes all the politics or every time I called novick a scum ball or told you guys to screw off. I know in your hearts, Steve, you know what I'm saying'. Imagine that we're just having beers and we're not in here and they didn't tell you to f-off. Yesterday when I saw you come and finally show up after people had been waiting all day, mothers with children, mothers who have lost children. You told them to meet you here on Tuesday and you can make all that other zigs and zags to dodge responsibility but the truth is those people needed to be able to file with the independent police review board. You took that away. Hold on. I promise I won't come back next week. [laughter] you took the opportunity from those people to file what was their right. You locked the doors of our house on them, right? Then when they told you that, you callously told them, come back tomorrow. Because it's so easy for people to take a whole day off to wait for Charlie Hales to decide that they are important. That breaks my heart. I hope it breaks you guys' hearts and I hope you understand there's a new mayor coming and that we have spoken in one unanimous voice for the first time I have ever seen. Even the fluoride had people arguing on both sides. That means that this proposal and this contract is more toxic than the bio cumulative neurotoxin.

Hales: Thanks very much. Go ahead.

Matthew Klug: Thank you. I'm Matthew Klug. I just couldn't sit by and not come here and at least offer some free advice. There is periodic complaint status assessment report due any day. There was one last year from September 10, 2015. I think you should look at the first years and one coming out any day. You should wait. Last years was 96 pages. I predict this year will be longer. Chocked full of great advice. Look at those things. Let's table this for a little while at least. If you go back the auditor's office announced an investigation January 15, 2015, and a press release. Look that up. That has to do with complying with the united states haves Brady. 1963 supreme court decision. That's over 54 years ago. That was decided. Unfortunately, there is no agreed upon methodology of handing over from the Portland police bureau to the city attorney to the district attorney. So now this is how it affected me is that I just found out there was never a complainant in the case against me but they didn't tell me for 11 months after they so the and obtained my settlement. This is dirty pool. It goes all the way into the Multnomah county d.a., an elected official. This is bad stuff. This is the pattern and practice. The feds know about this. This is bad. I'm just giving you guys a heads up. There is a report that the auditor's office is going to release in December to state whether or not the damn police force is complying with united states versus Brady, supreme court decision. That's 54 years ago. Let's get into this century, please. There's going to be all sorts of information in that that we're not going to be able to regurgitate through that until January probably. They aren't releasing it until December. This periodic complaint status assessment report by the federal government is

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coming out any day. What's the hurry? You know? I really -- again, I know you don't like free advice, but I'm not just any schmuck off the street. I have lived experience with a lot of this. Okay? Thank you for your time.

Hales: Thank you both. [applause]

Fritz: Mr. Wolf, I apologize for the lack of an interpreter. We're going to work on that thank you for being willing to testify by my laptop.

Hales: First, is the captioning working? Let's see. Okay. [applause]

Hales: Thank you. [applause]

Philip J Wolfe: [through laptop]

Hales: Thank you very much. We're going to make sure we have sign language interpreters here in the future. We have had a couple of instances lately where we didn't have anyone to accommodate folks that needed that. My apologies. I believe that's concludes the folks signed up.

Moore-Love: That's all who signed up to testify.

Hales: We have a lot of other items on the agenda. I'm going to recommend -- no, no, I'm going to recommend that we continue this item to next week for council discussion and consideration of amendments and questions of staff. I'm going to close the hearing. I'm going to tell you what we're going to do. I'm going to continue this to next week for council to consider amendments, talk to staff. Anna needs to go over some points people have raised in testimony. There have been a lot of questions, issues brought up. Obviously the council needs time to not only have heard the testimony we heard today but also to cross-examine our own staff and to get answers on some of that and consider the amendment that I put on the table and if there are any others to suggest today we ought to get those before us so we can take action on them next week. That would mean that second reading would be no earlier than October whatever that is, Karla. 13th? So again we would act on amendments next week second reading the week after. That make sense? Okay. Any other questions or comments at this point? We got folks waiting for some of the items this afternoon here.

Fritz: I have a comment on this. First of all, thank you, everybody, for being here today and yesterday. Obviously we all have email capability. We take input in many different ways. So as you have time to read through the contract and have additional comments, there was a fairly short time this time, at least send them to me. I will be very happy to respond and figure out a way forward. We did hear lots of testimony about the speed of the or lack of time to look through what's in the contract, and I will be very interested after you have had more time and had some discussion to get your additional feedback. Thank you.

Hales: Thank you all. We're going to take a one-minute recess and come back with the rest of the agenda. Thank you all.

At 3:07 p.m. council recessed.

At 3:09 p.m. council reconvened.

Hales: Are we ready? Folks are in the room. Everybody, let's welcome our folks that have been waiting for this item. I think they are here. Thank you so much for waiting. We're going to take item 1087 next then return to the rest of our morning agenda and the things we left behind but because we have people here on this item we'll have Karla read that item and I'll read the proclamation.

Item 1087.

Hales: This is a great day, a great occasion. Let me read this proclamation and invite some people here to come up and speak about this. The proclamation says this. Whereas the Hispanic heritage of the united states extends historically over five centuries and has been a consistent and vital influence in our country's growth and prosperity; and whereas Hispanic or Latino culture is tied to Iberian ancestry, the rich tapestry of our culture

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recognizes that Hispanics or Latinos are multiracial and multicultural and also trace their historical roots to indigenous and African ancestry. Hispanics represent people with origins from 24 different countries including: The United States, Mexico, Puerto Rico, The Dominican Republic, Cuba, Guatemala, Belize, El Salvador, Costa Rica, Honduras, Nicaragua, Panama, Colombia, Peru, Ecuador, Paraguay, Uruguay, Brazil, Venezuela, Argentina, Bolivia, Chile and Spain. They reflect an array of distinct and vibrant cultures that have enriched our country in valuable ways; and Whereas Oregon's Latino population is growing at a rate faster than the national rate, 12% of the state's population is now Latino representing a 72% growth since 2000. In Portland there are over 60,974 people of Hispanic descent making up 10% of the city's population. While Portland's overall population for 2013 grew by 1.2%, the rate of growth for our city's Hispanic population in 2013 was 6.9%; and Whereas the number of u.s. born Latino Oregonians has increased 21% compared to 1% growth in the number of foreign-born Latino Oregonians. The median age for Latinos is 24 years; and whereas Hispanics have supported Portland's economy with a myriad of contributions in the fields of commerce, science, technology, public service, health and more. Today their purchasing power in Portland is nearly \$4 billion; and Whereas Portland recognizes the many organizations, institutions and people helping Hispanics overcome disparities such as poor health outcomes and low educational attainment, working tirelessly to ensure that they remain a flourishing community; and Whereas continued access to jobs and livable wages for Oregon Latinos is essential for our state to thrive, Hispanics currently make up 5% of the city of Portland's work force. To help connect more Hispanics to city jobs and to support them throughout their careers with the city, the Unidos Latinos Americanos (ULA) city employee affinity group was re-established in 2014. ULA has reached over 50 members and continues to grow. Therefore, I, Charlie Hales, Mayor of the City of Portland, Oregon, the City of Roses, do hereby proclaim the week of September 15 to October 15, 2016, to be Hispanic Heritage Month in Portland and encourage all residents to observe this day. Thank you for your contributions. [applause] I believe Amalia Alcaron de Morris is going to lead off the presentation this afternoon. Speaking of empowering important Latinas and Latinos to take roles in our community, here's one.

Amalia Alcaron de Morris, Office of Neighborhood Involvement: My family certainly thinks so. [laughter] so thank you, Mayor and Commissioners, for inviting us here. I am going to reread the proclamation in Spanish, then say a few words before we move forward. So. "Por Cuanto, la herencia hispana en los Estados Unidos se extiende históricamente mas de cinco siglos y ha sido una influencia constante y vital en el crecimiento y prosperidad de nuestro país; y Por Cuanto, la cultura hispana o latina esta ligada a raíces ibéricas, a las que se suman la gran riqueza y diversidad multicultural y multirracial de nuestras culturas indígenas y africanas. Los hispanos representan mas de 24 diferentes países de origen, incluyendo: Estados Unidos, Mexico, Puerto Rico, Republica Dominicana, Cuba, Guatemala, Belice, El Salvador, Costa Rica, Honduras, Nicaragua, Panama, Colombia, Peru, Ecuador, Paraguay, Uruguay, Brasil, Venezuela, Argentina, Bolivia, Chile y España. Reflejan una variedad de culturas distintas y valiosas que han enriquecido nuestra comunidad en forma notable; y Por Cuanto, la población latina de Oregon esta creciendo a un ritmo mas rapido que la tasa nacional, los latinos representan el 12% de la población estatal, con una tasa de crecimiento de 72% desde el 2000. En Portland, hay mas de 60,974 personas de origen hispano que representan el 10% de la población. Mientras que la población general de Portland creció en un 1.2% en el 2013, la tasa de crecimiento de la población hispana de la ciudad fue del 6.9% en el mismo año; y

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Por Cuanto, la tasa de latinos nacidos en los Estados Unidos viviendo Oregon ha crecido en un 21% comparado al 1% de latinos nacidos en el extranjero que radican en este estado. La edad mediana de latinos en Oregon es de 24 años de edad; y

Por Cuanto, la población hispana ha contribuido a la economía de Portland con un sinnúmero de aportaciones en las áreas de comercio, ciencia, tecnología, servicio público y salud entre otras. Actualmente, su poder de adquisición en Portland es de casi \$4 mil millones; y

Por Cuanto, la Ciudad de Portland reconoce la multitud de organizaciones, instituciones y gente ayudando a la población hispana a superar disparidades tales como los indicadores rezagados de salud y nivel de logro académico, trabajando incansablemente para asegurar que sigan siendo una comunidad próspera; y

Por Cuanto, el acceso a puestos de trabajo y sueldos dignos para los latinos en Oregon es fundamental para la prosperidad de nuestro estado. La población hispana forma un 5% de la fuerza laboral del Ayuntamiento de la Ciudad de Portland. La asociación de empleados Unidos Latinos Americanos (ULA) fue reestablecida en el 2014 con el propósito de conectar a hispanos con puestos de trabajo en el Ayuntamiento de la Ciudad de Portland y apoyarlos a lo largo de sus carreras. Actualmente, ULA cuenta con más de 50 miembros y sigue creciendo;

Por Cuanto, yo Charlie Hales, Alcalde de la Ciudad de Portland, Oregon, proclamo que del 15 de septiembre al 15 de octubre de 2016 sea reconocido el mes de la herencia hispana en Portland, e invito a todos los habitantes a celebrar este mes.” [applause] so as mentioned before 5% of employees are Latinos. Whereas they make up 10% of Portland's population. Progress is being made to attract more Latinos to our work force however more needs to be done to retain and advance Latino city employees. They are underrepresented at executive level positions with only 2% self-identifies as Latino. 7% of city at will casual limited duration and temp appointed employees are Latinos. Since being established two years ago or Ula affinity group has shown commitment to creating a professional network to promote advancement and mentoring for all city employees as well as help continue recruiting Latinos for employment. Members along with member's city's african-american network and women's affinity network created this program to support the growth of professions. The program was launched this spring with support from deep and the city's office of equity and human rights. The leadership development program includes a one to one membership component culturally specific trainings and leadership trainings and community building opportunities. The goal is to expand the program to other affinity groups in the future and I'm proud to be a mentor. 15 city employees are participating in the leadership development program including three ula members. Ula sit on the coordinating committee and other members are serving as mentor for program participants. We ask council for commitment to support the professional advancement of Latinos within the city of Portland and strengthen efforts to recruit oregon's growing and young Latino population to city jobs. We're eager to share our professional experiences.

Hales: Thank you very much. I believe you have a couple of your colleagues, Manuel and Yolanda, who are going to speak as well.

Alcaron de Morris: I believe Manuel had to leave, but Yolanda is here.

Hales: Welcome.

Yolanda Gonzalez: Good afternoon, mayor, commissioners. I just want to acknowledge a lost emotion and passion in the room. On as a community member that was hard to hear. I wanted to acknowledge that. Let you know that I have a lot of respect for you all as well as the community. I wanted to start with. That I'm Yolanda Gonzalez, program manager for

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the community healing initiative program at Latino network. I want to take a moment to thank you for honoring our heritage with today's presentation. Thank you for I also want to say thank you for the work the city affinity group has been doing, the leadership they bring to the city every day to highlight the diversity, not only to our city, but the whole community. Since 2000 Oregon Latino population has grown by 72%, outpacing any across the country. 64% are U.s. Born with 36% foreign born. The median age are 24 compared to the white population at 41. 72% of Latinos are 16 an older participate in the work force but only 28% of Latinos live outside poverty 1/3 living in poverty. Children living in poverty. With near 23% of students are Latino. I mention these to express gratitude for mayor's community center initiative. Last year the total number of unduplicated youth was 617 youth. Last weekend I wanted to just note that 70 youth showed up to teen night at the east Portland community center. It the initiative has provided us with opportunities to collaboratively serve Latinos and the community based organizations in our community. I believe these numbers attest to the fact that our youth are seeking a safe space to engage in positive activities that allow them to go youth. We had tensions throughout our summer programs. They came together at teen nights and put their difference ass side and engaged together in art class we hosted. We have had parents thank us for creating a safe space. One family in particular thanked us for inviting all ten of their children and making them feel welcome. I would also like to take this moment to thank the city for awarding the initiative with the grant to start a girls' basketball program. The goal is to serve young at risk females, youth of color in our community. I had the honor of working with a team and organization dedicated to working to ensure those we serve thrive. We are grateful for the opportunities to partner with the city and look forward to continuation of our partnership. Gracias.

Hales: Thank you.

Fish: Can I make one comment? It's interesting, you're representing Latino network. It was carmen Rubio really began as a leader to make her mark when she worked for tom potter. Tom gave her this platform. Then she briefly worked for me and I was the beneficiary. Latino network stole her and put her in this other but in some ways that's how it should be. In leadership we should be given people platforms and then the community should steal and elevate people and vice versa. That's the pipeline should go both ways. I just want to observe something because Latino network is doing great work in cully. It's helping us address poverty. There's a newspaper story today, a weekly, that criticizes the city for using a loan guarantee program to help hacienda build a community center in the middle of their campus to serve low income families. It's a useful reminder that we don't necessarily have buy-in from everyone in terms of some of these initiatives. When we use a loan guarantee program to help hacienda build a campus we're investing in the success of families that they are serving. Again there's a story today criticizing the city for doing that. I for one am very proud that the city took that action but it reminds us that we have to fight this battle every day. We have to make the case. If we can't justify using loan guarantees in the highest poverty census track in the state of Oregon to help a community that's been left behind too often, I'm not sure what equity and opportunity means in our city. So we'll continue to have that discussion and please tell carmen that congratulations for belle noche.

Gonzalez: Thank you.

Hales: The combination of having people in our own work force who are culturally competent and inclusive is really important but you combine that with organizations like has Latino network and all that you do in our community, then you combine that with a growing number of people rising from perhaps working city hall to running for office and serving in important roles and elected office as well, one of the things that happened in the

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belle noche, carmen read off the long list of Latino and Latina elected officials around the state. It was a really impressive list. It's gotten longer. It needs to get longer yet. I just appreciate this partnership very much both the affinity group here, I have that ula. We love having our own work force empowered and celebrating their heritage but the partnerships we have in the community with Latina network in particular are really powerful. Thank you all. Would you like to take a photo with your leadership and the council before we move on? We would. Thank you.

Hales: Thank you all. Great work.

Fish: Let's move, then, to the second item from this morning that we need to take up, which is 1066.

Item 1066.

Hales: Commissioner novick.

Novick: I believe we have Steve Szigethy and or Kurt Krueger to introduce this item.

Hales: We've got Kurt.

Moore-Love: Do you want 1067 read as well?

Hales: Yes, please.

Item 1067.

Hales: Take it away.

Kurt Krueger, Portland Bureau of Transportation: Good afternoon. I was not actually the one slated to make this presentation so you'll get it live and I'm going to be a little raw because the presentation isn't here. The gist of these ordinances we have a code that didn't actually expect a road to be built and greenway review so we have a code that asks when you move a certain amount of dirt in south waterfront that would trigger the greenway review and design review we didn't anticipate that the design of bond avenue, so we have before you is an ordinance that says we're going everything the code will ask at a later date when we go to put the permanent, final design of bond in. We have committed to council through the south waterfront design plans a special design area that will bring us back to design commission when we have a final design but at this time we're placing a road with interim sidewalks and street lights until we have the final design when ohsu and the city are ready to partner together. So in essence were setting the code aside because the code doesn't put fort approval criteria. If we were to bring this to design commission at this stage, there wouldn't be much for them to talk about. That's essentially what these two ordinances do.

Fish: I have one big question. It's been a long day. Forgive me if it's a basic question, but does the action that you're asking us to take in any way address the question of the liability of the respective parties particularly in light of the changed legal landscape?

Krueger: Can I take another shot at that question? I want to make sure I'm understanding the question.

Fish: We have had the elm landscape has changed a little bit since the street was first envisioned. there are now some new and unclear guidelines about how we do development in flood plains.

Krueger: I'm going to take a stab. City attorney can correct me if I'm wrong. I believe we're under the current rules, new rules are not in effect yet. If we're constructing this, we will be grandfathered in not subject to those new regulations.

Fish: That means that the current rules apply and in terms of the apportioning the liability this has been worked out by bes, pbob and the city attorney?

Krueger: And deq we're actually going through the permitting process with deq at this time.

Fish: Thank you.

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Fritz: The department of environmental quality and bureau of environmental services both have to sign off on the cut and fill aspects of it?

Krueger: Yes.

Fritz: Have you heard from the south Portland neighborhood association on this?

Krueger: We have not. There hasn't been an avenue to advertise a land use proceeding so there hasn't been formal presentation to that neighborhood association.

Fritz: And if they were concerned the answer would be they can could do the design review which will include the street when that happens.

Krueger: We will notice like any other land use case when we come back to deal with the special design area and the neighborhood association would be noticed and able to provide comment.

Hales: Reinforcements have arrived.

Hales: Did you have some slides you wanted to show us?

Steve Szigethy, Portland Bureau of Transportation: Certainly, Steve Szegethy pbot capital projects.

Krueger: I hit the high notes.

Szigethy: So as your aware we have two ordinances pertaining to sw bond avenue phase one interim improvements so just to geographically orient you we're talking about between the river parkway cul-de-sac underneath marquam bridge, Southward to porter street also known as the west end of tilikum crossing bridge of the people. This is surveying the developing the ohsu shnitzer campus including the night cancer research building under the construction. The city's investment in this project is the city's contribution to the knight cancer challenge. Project milestones showing you where we've been and where we're headed. We were here in July of 2015 for design of the roadway. You recall, in February of this year, we were before you to amend the south waterfront street plan, to move the alignment of bond avenue closer to the river, to facilitate more for the campus. The ordinance did require us to build the roadway in an interim fashion and come back to design commission when we're ready to do the final improvements. In march, we finished 30% design. In august of this year, we finished final plans for the first stage of the project, which is the retaining wall and surcharge element. Here in September, we're looking at this new iga with pdc for \$3.6 million and the permitting ordinance. After today, ohsu is scheduled to begin remediation of their site at the end of October through December. After that, the city's contractor would come on-site to start building the road. As I said, that first stage would be surcharge, placement of surcharge materials, which is elevating the road and letting that settle for about eight months. In the city, with using anticipating state funding, would be doing remediation under the marquam bridge. In December of next year, surcharge would be complete and we would build the typical improvements via the roadway and that would be built in interim fashion.

Fish: Does the announcement have any impact on this planning? When he announced he's going to get out of the barge business?

Szigethy: It doesn't effect this particularly part of the roadway. We're coordinating closely with them, in terms of how the rest of bond avenue will be built, whether it will be built in one swoop or in additional phases instead of one additional phase. So -- but it doesn't have much impact on this north of porter segment. We do anticipate being finished with in interim roadway project, north of porter, in October 2018, at approximately the same time as knight cancer research building opening. There is a possibility that the final design may occur before then and concurrently with the interment process. Look at project costs. This is -- we are looking at approximately \$9 million. Those costs are attributed to the technical complexity of the project. We're elevated this road as high as 17 feet above grade and we're building retaining walls along development frontages and a slope along the

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greenway side. You can see the three stages of the project there, that add up to our total. A cross-section there, that street light would be more of a temporary street light in our interim phase. And our project sources. The iga that's before you today between pbot and pdc would authorize \$3.61 for the purposes of constructed the interim project. We are anticipating to get a grant from the state of Oregon. It would be a \$1 million grant, of which \$750,000 would be used for remediation under the marquam bridge and the balance would be from city of Portland transportation. That would be city-wide tstc's. Worth noting is that we anticipate having sufficient urban renewal and tstc for south of the porter site property. The ordinance, the other ordinance, this would allow remediation work and construction of the interim roadway without city land use review. Bureau of development services staff and pbot staff agreed that it wouldn't be appropriate to take the project through type three design review at this stage, but to rather postpone it. And we think this is a prudent approach because we have an abundance of regulatory insurance and review of the project elements. Ohsu and their remediation work, they have a 700-page remedial action plan that is being reviewed by Oregon department of environmental quality and bes staff and we'll actually have bes staff and pbot staff will be out there on the site, inspecting the actual work that will be taking place. When pbot's contractor goes out to construct the road, we have a manager that will be coordinating the work and going out on the site and inspecting the work. It is consistent with the street plan, as we amended it in February. As we mentioned previously, we will still come back for design review and land use review for the final improvements to the roadway. Including in the special design area, where the roadway's adjacent to the river. Absent of this ordinance, we'd be looking at redundant reviews and extra staff time costs, so that is where we ended up with this ordinance for permitting the remediation and construction. So, those are the two ordinances, the iga ordinance and permitting ordinance.

Hales: This is fairly unusual process. That's okay. I think this makes sense. Of the -- of the funds that we're spending or investing in these improvements, how much, if any, will be sort of redundant in the sense that we'll do something different or what will tear out work and replace it? \$9 million, real money. How much is wasted, if any, by the fact we're doing it this way versus completing the entire review process and then doing all the improvements?

Szigethy: That would come down between the cost of asphalt and concrete. That's the main cost there. It is a fairly typical approach that you'll see putting in the asphalt sidewalks. You see that in other locations in south waterfront and southeast water avenue near omsi. There is some throw-away, but we don't think it's a significant amount.

Hales: That's because we have to search our site and let it settle or because of the land use process or both?

Szigethy: The surcharge process benefits, you know, the interim and the final product. The only throw-way elements are the asphalt sidewalks. The roadway and everything between the curbs would pretty much be what it's going to be. We're also doing concrete intersections that are permanent. So, there are many permanent elements of the roadway. The temporary are the sidewalks and street lights.

Hales: Any questions? Thank you, both, very much.

Szigethy: I apologize for my tardiness.

Hales: No problem. Anyone want to speak on either of these items. If not, they are both emergency ordinances.

Moore-Love: Do we have a substitute on this?

Hales: Is there a substitute for 1066? Yes, there is. Further discussion?

Fritz: Can you tell the folks at home what the differences are?

Szigethy: The most significant is the change, the title of the ordinance adds the words,

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without land use with view approval, to the end of the title. And that was to be more clear and transparent with the intent of the ordinance.

Hales: Questions? Roll call and a motion to substitute the substitute.

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

Novick: I'd like to thank Kurt Krueger for rushing over to fill in for a few minutes. Thank you, Steve, for the presentation and thank you for waiting in the wings in case there was a question for us. Aye

Fritz: Folks will know that I don't likely give up land use reviews. I'm convinced by Kurt Krueger in a briefing that i's will be dotted and t's will be crossed later in particular for the public to way in on the final design. I'm comfortable good job commissioner novick. Aye.

Fish: Thank you all, aye

Hales: It's been a long time sense we hastily drew a street plan. Aye. Second ordinance, please?

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

Hales: Aye. Thank you, all, very much. Let's move on to the pulled item, which was 1074. **Item 1074.**

Hales: Commissioner Saltzman's not here to talk about this item. Someone pulled it because someone wanted to speak on it.

Moore-Love: Mr. Lightning pulled it.

Hales: Let's take action on the resolution.

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

Hales: Aye. Okay. Let's move to the regular agenda. Right? Wait a minute, do -- i'm sorry. Let's move to 1088.

Item 1088.

Hales: I think our first order of business is to see if there were folks signed up last time, that are here still. And wish to speak today, because we had, I think, 10 people left on the sign-up sheet. Maybe if you're here and you signed up, raise your hands. I see three or four people. We won't be too formal about it. You're on the list. We'll make sure you get heard. And then we'll move forward. This is on the cba issue issue. It is 1088.

Matt Malmshaim: My name's matt Malmshaim. I'm an attorney with the northwest regional council of carpenters and alliance for work force equity. I'm here to discuss a number of issues related to the report and also to address what I understand are lingering concerns about the legalities of the tools used in the cba. One that we've heard repeatedly is there may be some prohibition with the city becoming engaged with agreements in the unions. There is no legal impediment to this agreement, to have this sort of agreement that they are or for the city to engage in those kinds of agreements. The state's public relations law specifically exempts the city. The state's public employees law, which does say that the city can't take a position on union involvement union recognition, union membership only applies to those unions that represent public employees, namely the city's employees, so that's not a basis to say that the city can't engage in those engagements. It provides an exemption for executing a contract. So far from being a legal impediment, the state's public contracting law provides an additional layer of protection to the city from legal challenge on the agreement issue. I know there are a lot of questions about why does it have to be signatory? What's the importance in this venue? Well, I think one that's been repeated a number of times, Mr. Meyers spoke about it last week, is when you have signatory agreements and non-binding agreements. The binding legal agreement's going to take precedence. That's the parties to the agreements so that everybody at the table is not only committed to it, but legally bound to the other party to fulfill those promises. There's not a single other contractual obligation that the city's going to say, sure, go ahead. We trust you on it. That would be obviously irresponsible. Given the history on good faith efforts, on

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attempts to make headway in this avenue, on simply taking people at their word and not having that kind of binding agreement, they haven't succeeded. They have succeeded and that's one of the reasons that signatory agreements are recognized nationwide, not just here, but nationwide among the people that do this kind of work as practice. Now, as an attorney for a union, I also want an additional layer of protection because I've got to worry about potential lawsuits against my clients. And those can come in the form of people who didn't get sent to a job. If I've got an agreement that's a lawfully executed commitment made with the city of Portland, with the governmental entity that my union's a party to, I'm going to feel much more comfortable and much more confident in my ability to, one, avoid lawsuit, and two, defend a lawsuit. If I don't have that agreement in place, looking at a collective bargaining agreement that may or may not be consistent with the anti-discrimination. They have anti-discrimination provisions in them and seniority issues. Both of those bear on this. You don't have to take my word of it. The city of Seattle runs into the same issue and they have signatory agreements for all of these kinds of work because they know they need that in order to join with their labor partners in this work. You don't have to take just my word for it on the fact that there's no prohibition against doing this. Look across the river. Multnomah county, they're putting together a project labor agreement on the Multnomah county courthouse. We're talking about nationwide, we're talking about region-wide. The final comment I'd like to make on this issue -- I think the issues are quite important and I want to make sure that everybody's informed about where we are on this. We said, commissioner Fish, you said, we're friends. If your friend is telling you, I need this. I need to have this signatory component, if best practices are recognized as the signatory agreement, if that's an essentially component of it, why wouldn't the city engage in that? Why wouldn't we use that tool that's proven to work --

Hales: I need you to be as brief as you can because we're way late.

Malmshaim: Understood. The other comment dovetails on other comments I made and regarding the goals we're setting for ourselves. There was a comment that, well, the Washington reservoir is actually more aggressive and that's better. Numerically, the numbers are higher but they're aspirational goals. Without any kind of community oversight on the ground and no signatory agreement, that's the complete recipe as being the failures of the programs that's have been designed up until now, to deal with this issue. I would say, again, they provided you with the golden opportunity to take the next step because the pre-condition of those failures, to move the ball forward are the legal pre-conditions you need to make the binding agreements and make those hard goals. So then, the final issue that I'd like to bring up -- one of the biggest problems that I have with the recommendation -- not myself, but the organizations I work with and I represent, is that the recommendation say we should only be using these on a small, minor portion of contracts that we're talking about. Alternative procurement. Not the competitive bid contracts. Well, again, there's no legal reason for that. The city has to award those low-bid contracts to the lowest responsible bidder and a responsible bidder is one that can meet all of the contract requirements and that includes social requirements. Not just the least cost. So that's something that can be implemented on all of the projects across the board. It doesn't have to be limited to any kind of limited procurement. The final comment I'd like to make is there's a reason we're coming out, saying, reject this report. It's not that we want to jam up the works. It's not that we want to slow down the business of the city. We want to make sure we get it right this time going forward and the biggest concern is the recommendations do not take the lessons learned. They shelve them and say, city council, accept a plan that hasn't been presented to anyone on this council that hasn't been vetted by community and eliminates the best part that make it work, the recommendations are a step backwards. And so, whether you call it accepting, whether you call it, we're going to

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receive the report. Whatever terminology you choose to use, our position is, this is a first step towards a regional policy in the same way that they're going to be a first step and this is a follow-on to that and don't go down the wrong path. If we do that, if we make that first step, it's that much easier to make those kind of mistakes and we're going to be back here in 15 years. We've got the proven tools. So I urge you, the city council, to vote no. Do not accept it as written and don't accept the recommendations there pointing us in the wrong direction.

Hales: Welcome.

Beverly Logan: Hi. Members of the council, I'm Beverly Logan. A leader with Metropolitan Alliance for Common Good. MACG is a broad-based organization of faith, labor, health, education who work together on the issues pressing on our families. They have worked over decades, as the Portland organizing project on different issues around projects. We have had to fight against misinformed and anti-union sentiments. I'll just say, it's never made sense to us to pay less than family wages and have those workers go to the state or county to get food stamps or healthcare because they weren't able to earn a family wage on their job with public money. That's the one part of why we have consistently stood up for signatory agreement. When this CBA was developed by a broad cross section, we were thankful and hopeful that we could stop wasting scarce resources. We thought this was a done deal, and that it would establish a predictable and reliable floor to advance the common good. But here we are instead trying to prevent you today from ripping up those floorboards. MACG is troubled by this. It feels very much like the results from the pilot projects have been selectively interpreted by interests opposed to organized labor and the communities process. The pilot results speak for themselves, exceeding goals. If the critique of the pilot results had involved the same community collaboration, it would merit respect. Community groups have no interest in supporting a model that doesn't accomplish our goals. I want to say the status quo is a powerful thing. Moving a bureaucracy away from the status quo requires leadership. It has benefited the community, we call on you council members to resist the pull of status quo and anti-union voices to the city's bureaucracy. We ask for your leadership and respect and support of the community benefits agreement, complete with the union requirements necessary to achieving its goals. To allow one perspective in the initial test of the model, to allow that to define how you proceed is not persistent and not bold. We expect you to stand for the community. At the very least, we expect you will allow implementation for a period of time, adequate to accumulate a sample size. To close, I'll say that eliminating union may well-increase the profits of private businesses. Upholding union elements increases the stability of our workers. When unions are strong, all workers benefit. When unions are weak, the middle class deteriorates. You have control of the bureaucracy. We call on you to resist taking it backward and to use your power instead to steer it firmly ahead in collaboration with the community. Thank you.

Hales: Thank you. Welcome.

Ranfis Villahro Giunnetlino: Thank you, everyone. Members of the council. My name is Ranfis Villahro. I'm currently with the mrg foundation the past seven years, as an organizer for immigrant rights-based organization. If I'm looking over my shoulder, I'm making sure my 3-year-old is still there. I apologize if I'm shifting over there. I'm here today to support the further use of community improvements. I want to point out that our procurement process is by nature exclusive. It is for the benefit of developers and contractors. Although some would argue that a low-bid process makes it less beneficial to the latter. Our nation and our city has a rich history of labor and community groups that have tried to insert themselves into this development process, to advocate for the rights of workers. We take for granted some of those victories include a prevailing wage. Worker safety. A bargaining

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contract. Some of those victories even include how we even got light rail here in Portland. I really want to hone in on this key on equity, what is equity? Yes, last week, I heard that equity is the outcome. Equity is about process, as well. It's equally important. We would not be here talking about equity or addressing inequality or inequity if it were not for a system that exists. So, every conversation that we have around trying to address equity is about addressing the process. This is very important that we address that. I want to sum up my support in three points, the history of the success, inclusiveness of bringing in stakeholders. There is actual oversight. When the independent auditor was asked about the inclusion of the participants, she made it known that people should be included in the development process. To me, there's no more [indiscernible] process than an oversight committee that looks at community partners as partners. Now, I think verses participants or -- just, you know -- their comments being seen as suggestions. I want to drum in one important part about my concerns for a ceip or the community equity inclusion plan, that's this. Construction has historically had a bad record of worker safety standards and rights. We know that wage theft is an issue that affects immigrant workers, as well as people of color. It is very important that the city, as a steward of our taxpayer dollars, insures that we keep a high standard for workers. If the own is now is on the city to insure the outcomes of not only the participation of people of color in the work site, they also have to insure that their standards and safety and making sure that they're not becoming victims of wage theft are being insured as well. Because that is the bottom line of retention. If we cannot address that from the beginning, we're going to have a cycle where folks are feeling exploited and won't want to work on future projects. I want to encourage the council to consider that. If there's any consideration to move away from any agreements, that we really need to look at how do we address wage theft in work sites that historically, there have been issues on that. Thank you very much.

Hales: Thank you. Thank you all. Who else do we have from last week? Come on up, please. Go ahead, whoever would like to be push.

Kennedy Morgan: Do I push the button?

Hales: No, it's on.

Morgan: I'm with northwest infrastructure. We perform earth work and utilities and demolition. I've spent time mulling over what I've heard. It's interesting for a small-town girl who had little exposure culturally growing up. I never knew how much discrimination exists in our society. During my four-plus years with northwest infrastructure, I've come to realize some significant things. The construction industry is cut-throat. We've had jobs that should have been ours. We were low-bidder and thoroughly qualified. They gave it to others who needed work more. Or found ways to get last-minute bids from others they'd rather work with. We have been told we weren't selected because they didn't feel we could meet their demanding schedule and yet they never asked us about the schedule. We never had a discussion about if we could meet it. Doing dot work, we've seen first-hand, as well, how marginalized minority companies are. Do you know how the majority of that was achieved? Flagger and dump trucking. Only once were we ever contacted about doing other work. The areas of our business that have a higher profit margin. How does this system grow business? How do these companies gain capacity? The answer is simple. They don't. An unregulated system where big contractors are allowed to keep money in-case and subtract to their favorite is destined to fail us. They had a chance to be a part of both pilot projects. At Kelly butte, we were a sub-tier to the general. The trucking hours were performed by our trucks. The remainder went to 50 small companies we contracted to. We struggled with customers calling out their trucks on their own and not running it through us. Our contract value and participation would be reduced. However, the oversight committee was invaluable. We called upon them more than once. The oversight committee was our voice.

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All in all, the experience was a good one. We learned a lot and the \$1.5 million in trucking contributed greatly to the growth of the company. We participated in the water bureau cba pilot project. Northwest submitted a bid on the earth work package. Within the scope, they required five years of experience in handling contaminated materials. We had connected with an environmental company who was willing to lend their expertise to make sure employees gained the experience. Despite our having been the only minority-owned bidder for the work, we were not awarded. We did participate. An agreement was drafted whereby one of our foreman was able to work with them. It was performed for \$74,000. Without this, we wouldn't have had that opportunity. With the support, northwest has also transitioned to an industry-specific management and bookkeeping system, doing so helps us to operate more like the large companies, providing reporting and detail that --

Hales: Try to finish up quickly.

Morgan: Yes, I'm almost done. What we have learned is that having an oversight committee is paramount. Having an advocate, a board and people who keep generals and owners in check is the only way to insure compliance and have a voice for participation and enables a company's capacity to benefit. What I'd like to offer from a personal perspective in closing is this, as a country, we clearly have not come far enough. Statistics cannot be argued with. White, male-run businesses are flourishing. Hoffman, canal, Walsh. How many multi-million dollar projects are run by minority-owned businesses? Ask yourself this, do you believe the reason you don't is because they aren't capable? Aren't competent? Lack capacity? In your heart of hearts, if you say, yes, then you are the problem. If you question why, just look at the statistics. Listen to what people here are saying. Look at what they are capable of and how they have tried to bring a different approach.

Hales: Thank you very much.

Fritz: That was really helpful. Thank you for coming back. It was even more helpful that you stayed and talked you could've sent it in by email. To give everybody and the public awareness of what's going on is really helpful, thank you.

Hales: One of the values of this set of hearings is how much we've learned. So, I appreciate that. If you would be willing to leave us a copy of that so the council members could have that read again, that would be very helpful.

Morgan: Okay. Thank you.

Chloe Eudaly: My name's Chloe Eudaly. I'm here to support the work for metropolitan workforce equity because the city of Portland should be using our public dollars and its purchasing power to end disparities in employment and economic opportunity in our communities to the greatest extent possible. Capping community investment, associated with future project with no clear plan of how these funds will be used and no meaningful community involvement and oversight is not an acceptable alternative. Think about how much better off we'd be if we'd been doing this over the last few years. People are affected by gentrification would have had greater opportunities and making them less susceptible to displacement. We need this because the city needs to do a better job of involving the community and decision-making, particularly communities of color. Asking people of color to participate in advisory bodies with little or no power to monitor will only serve to increase cynicism and division. It is unlikely the city will make any progress without meaningfully involving the communities. I come from a working class union family. In fact, some of my family's income depended on public projects. My dad worked on tom McCall waterfront park. I recognize that I have had more opportunities to succeed because of the color of my skin and my cultural heritage. It's important to acknowledge that heritage when you face things like today. I urge the council not to accept the staff report. I urge the council to rededicate itself to community benefit agreements, which have demonstrated strong

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results in our pilot projects. Projects funded by the gas tax would be an excellent -- would be excellent candidates for community benefit agreements that will continue to pull people out of poverty and provide economic opportunity to historically disadvantaged populations. Since I have a few seconds left, I want to say, when I talk about these projects with the public and how impressive the results were, and that the city seems to be dismissing them, they want to know why. And I can't tell them why because it's not because we don't have enough women and minority contracts to hire. It's not because they're not skilled. It's not because they're not able to come in on time or on-budget. It's just because. And just because isn't a good enough answer to the people that dedicated their time and expertise to this process and the workers who got to benefit from it. Thank you.

Hales: Welcome.

Crystal Magana: Thank you. Hello, my name is crystal Magana and my testimony's going to be a little bit different. I was released from coffee creek 90 days ago after serving 16 and a half years I went in at the age of 19 with only a ged. I'm first-born generation here in the u.s. And Cherokee nation and white so I've faced a lot of obstacles. Both during incarceration. If it wasn't for the cba I would have never had an opportunity to go through the Oregon trade women's program and graduate that. I would not have had the opportunity to go to mount hood community college and go through a certification program. Nor, would I have signed my iron worker's paperwork [applause] the folks that are sitting here in the room, the people that weren't able to get another day off of work, every one of them matters. 1% is not enough. There are more women than myself that are getting ready to release from coffee creek who are struggling just as hard as I am. I just happen to have a harder head and am willing to hit more brick walls to get my goals accomplished. I urge you with everything within me to support the cba and to push it forward and to open it up so it's wider and bigger. If you guys don't support the unions and the open shops, folks like myself, I have a 17-year-old daughter, I will not have a wage to, number one, support myself. But, number two, be there to support to her to get to college and have a future -- I'm sorry [crying] that doesn't include an incarceration. Currently, I'm housed at transitional service unit in downtown Portland and as soon as I start iron workers, the first week of November, I'm looking forward to moving into an apartment. I live in the heart of trouble and drugs and alcohol and recidivism and if it wasn't for this program, I wouldn't be moving forward and moving out of that. So, thank you.

Hales: Thank you. Thank you very much

Fritz: Thank you so much [applause]

Hales: Okay. Others? Come on up. Good afternoon.

Nathaniel Hartley: Good afternoon. First, I would like to address -- I want to thank mayor hales and community members here. It's a pleasure and an honor to be before you this afternoon. My name is Nathaniel Hartley and I'm the owner of plaster llc. We install drywall ceilings. We are 100% union. I'm a member of the professional business development group. And we are comprised of state-certified contractors. Pbdg's primary purposes are to improve by increasing the capacity. Number two, to link contractors to measure public works and private sector opportunities. We work with all types of contractors, union and non-union. We have over 40 members and even more attend our meetings, 50 to 60, attend our bi-monthly meetings. It allows contractors and professionals an opportunity to work on large projects. Some of our firms took part in the technical assistance services. Through their work, their capacity grew bigger and better contracts. I benefited from the cba. I participated at the -- oh, gosh -- the water bureau project. And, it went very well for me. My territory was expanded. I was taught how to install rigid foam installation, which has been added to my operation. Because of the cba, my business is expanding. I received software training and it's -- now I'm able to operate on a higher level of

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functionality. It is a phenomenal program and I hope you continue it. It's had a great impact on a lot of people. I want to thank you for your time.

Fish: I was thanking our water quality team. Did you do the drywall and insulation?

Hartley: No, sir, I did the insulation on the entire exterior and interior.

Fish: Congratulations.

Hartley: Thank you sir

Jodi Guetzloe Parker: Good afternoon. Thanks for your time today. I think it's been a long day for you all. I am Jodi Guetzloe Parker and I have the experience -- the wonderful experience of working with people to craft this community benefits agreement, along with my predecessor, Paul rigs. I was able to come in and along with many others, help close that deal. With will forever be proud of my work there. It's -- it warms my heart to hear the stories that I've been hearing. I will forever be proud. I'm nervous. I was the co-chair of the labor management community oversight committee and that was not without its -- I don't want to say struggles, but there was some complications. We got through them and I was glad to help where I did. The impact's behind me now. I'd like to tell you a little bit about Aj. If you'll excuse me if I get a little emotional. You might want to get me a tissue. [laughter] that woman before us tore me up. That's a story. So aj, is a laborer, she was an apprentice when we were putting together -- when the project started. So, we needed a majority. We needed a female. Aj hit both of those marks. And, she went through -- I'm so sorry. It's been a long time since I've been able to do this. Working for that contractors and I'll forever be grateful for her to come in and do that. She did that, all the while, working to raise her three children. She's later gone on to become Oregon's first female bellman, which is working in a very dangerous job, rigging the loads and telling the crane what to do, slide them up to whatever stores they're at. She was so brave to do that, I'll tell you. I want to ask you, what do you think gave her the courage to do that incredible job? Please. I always will believe that -- strong foundation, we laid up at Kelly butte. It's difficult to be a woman in the trades. It's difficult, I'm sure, to complicate that young children at home and her own story and her minority status. She rose to the occasion. She helped complete that work, you know, forever, I'll be proud of her to do that. She's a strong laborer today working with a major contractor, building buildings in this town. Her children -- if I may?

Hales: Sure.

Guetzloe Parker: Her daughter's now entering college. She has her first job. Her son is entering high school and he playing football. The youngest, he comes to our union meetings and he's a handful and I admire her job there and she's raising them right and she did that with the benefit of a good apprenticeship. I hate to say that we need to fill the slots, you know. If you know me, you know that I'll go out as -- obviously, I'm a female. When you get me out on the job site, i'm a hard worker. It doesn't matter what my gender is. We need those doors in. You know that. You know, you helped pave way to Portland streetcar and I thank you so much for that. I want to ask you to, you know, take another look. Just think about the women, the men that are being impacted. Aj's buying a house now. It's an amazing story and I'm proud to tell it, proud to be a part of it.

Hales: Thank you.

Guetzloe Parker: I got through it.

Hales: Yes, you did.

Grant Page: Grant page, I'm representing power plus electric. It's been a long journey to get here. There's been a lot of nay-sayers and I was told I could never get accepted into an apprenticeship. Especially not a union one. I was told that if I did get in, I would never finish because there's going to be too many roadblocks. I was told I would never be able to start my business. I'm glad I never listened to the nay-sayers because I proved them all wrong. The nay-sayers are saying although Portland is a good place to live, they're saying

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we're not ready to have minorities participate in state-run projects. The city's going through an unprecedented growth period. I've always participated in the growth of Portland. I want to participate as an electrical contractor. I'm urging you all to support the cba. The cba does need oversight and teeth. I believe that's the best tool we have going forward. If it wasn't for people like pat, from constructing hope, who testified on Thursday, people like Keith Edwards, who also testified on Thursday, and people like Maurice, they reached a hand out to me. They didn't need to. They didn't get any extra money from that. You can tell a lot from someone's spirit and heart by what they do with their time and money. I saw those people spend a lot of their time not only with other people, but with me, also. And I didn't see them get any money for that and that tells me where their hearts are at. So, I believe that Maurice has made a lot of recommendations to add to the cba and I urge you consider those.

Hales: Thank you so much. Does that complete the list of folks who were signed up from before? Come on up, please.

Kacky Marshall: Thank you. Good afternoon, my name is Kacky Marshall I'm a master's in public policy candidate, 2017, from the Hatfield school of government, Portland state. It pleases me to be here today to be speaking to you on behalf of the citizens of Portland. The information I want to talk about today has to do with the exhibit that was presented for your approval, specifically the report from what looks like from the water bureau, talking about the cba. There's a page in that report that outlines the set of recommendations going forward. That clearly describes the set of policies that are involving a new type of equity and inclusion plan being proposed in lieu of a cba and talks about not continuing with the guidelines that had been proposed by the initial cba. I'm requesting -- and in fact, I'm advocating very strongly that you do not support that report on the ground that it violates the policies that you voted into ordinance, in the Portland comprehensive plan. Portland comprehensive plan states that on page -- let's see. It's in the -- gp2-12, guiding principles and policies. Policy number 2.30 talks about culturally-appropriate processes that planning of this nature needs to be -- include consulting with communities. Meeting the needs of those affected. Evaluate use, tools, technologies, to inform and engage people underserved people. Policy 2.31, innovative engagement methods. 2.35, participation and monitoring talks about evaluating throughout the planning, which includes the reporting period. Policy 2.36 talks about adaptability. The policies 2.26 talk about verifying data. Any data would have had to be shared with the communities and coalitions. There's policies that are being violated in here about transparency where we're supposed to believe that the one signature is the one person that created that policy when it's clear that the plans and suggestions going forward, specifically reflect the exact structures that were put into place about the Portland plan building into place. In effect, you would be authorizing and condoning a bureau manager to provide you with reports that are negligent of following these policies that you voted into ordinance in the comp plan. Change is something that is sometimes uncomfortable. Being a part of creating that report, you haven't providing the bureau directors with any training or insight into how to change their practices and behaviors. So it falls upon you, as our leaders, to let them know when they submit a report to you that is no longer in compliance with new policies that you've set forward. So, now's the time for you to stand behind the policies that you voted into ordinance on the Portland comp plan, change isn't going to be easy. A lot of people are going to need to change the way they do business and the way that they present their findings to you in order to communication, provide access for input and make sure that the people who participated in the pilot project are not only given the data that's used to create the report, are able to give their participation to creating the report, it's transparent to them and their voices are being included in the information that you're adopting and accepting as a valid report. So,

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that's my point. It doesn't really matter whether it's accurate or not, the way it was created is totally out of compliance.

Hales: Thank you. Thank you very much. Okay. I appreciate the testimony --

Hales: Dante's going to come up and provide comments to us. Director James, come on up, please.

Hales: Good afternoon.

Dante James, Director, Office of Equity and Human Rights: Good afternoon.

Commissioners, Mr. Mayor, I guess I should say I appreciate the opportunity to provide closing remarks. As difficult as this conversation has been over the last couple of days of testimony, I appreciate those who have testified and appreciate their passion and commitment to this conversation. I want to preface my remarks by telling a story. I sit on the city's prequalification board, which is designed to determine prequalification for general contractors who want to bid on city work. It was created a couple years ago. Contractors are required now to provide information on the last several years of projects that they have done, private and public. And also, required to provide information on the percentage of utilization on those projects. Last week, I was reviewing one and of at least the -- over 30 projects they had listed as an example of the work they had done over the last couple of years, out of all of those 30 or more, two of them -- two of them had any utilization of minority or woman-owned businesses. One of those projects -- I take that back. The only projects that listed any participation were in two jurisdictions. One was in Portland and one done for the state department of transportation. All other projects they listed, at least 20, probably half of those were public, Eugene, city of Salem, McMinnville, Gresham, none of them had participation of minority-owned businesses or women. It's clear that Portland leads the way in doing this work in requiring participation and utilization as contractors. If we don't do it, it doesn't happen. The private sector has no goals or expectations, it doesn't happen. Cities that don't require it, it doesn't happen. And so, what we're talking about is institutional racism and sexism in the construction industry and the testimony that you've heard over the last couple of days, as diplomatic as they were trying to be, detailed for you the institutional racism and sexism that exists in hiring and working on the site and being a contractor, trying to get a job. That's why we're having this conversation and I just don't want to lose that foundational understanding of why we have to have this conversation in the first place. And so, what my task today is, is not to talk about the cba's good/bad/indifferent, but to talk about where -- what has been put in place to move forward, at least as a draft concept. And it's been mentioned as the ceip, the community equity and inclusion plan, as part of the conversation. And so I'll tell you where that came from or how it began, which was a work group was put together to take the various tools it had been used, cba, cbp, all of the documents, and distill the similarities across them and put them into a document for discussion. So, each of those documents have been vetted by community in various ways. And so the goal was -- I wasn't even at the beginning of the process -- the goal was to find the similarities in those documents and put that in one so that could be used for conversation moving forward. The draft of that document has been provided to the ecpc, which clearly has now made it out to the community, which is fine. We're not trying to play hide the ball. We wanted to give the ecpc the first opportunity to look at it because it is a commission representing the city of Portland. And, representing not the city, as in government, but city, as in community. And offering their thoughts and specific recommendations about it. They have until tomorrow, I think, to provide final recommendations and thoughts to -- back to the work group, which then will allow it to then be disseminated to the community. We have plans on talking to most of the folks who have been in the room testifying, organizationally, to see the document that's been created and adjusted and provided I the input of the ecpc. So, our plan is, the goal is, that that is what

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happens next. Once the comments from the ecpc come in, there's going to be a conversation October 10th with the city attorney to include and engage those comments. And then subsequent to that, we are meeting with -- planning on meeting with lots of organizations to have a broader conversation. So, there's -- and also, the document itself, absolutely has an oversight committee in it. By name, at this point, it was looking at ecpc doing it. But that may not be the best methodology or mode to do that. But it was the placeholder initially. So, there will be an absolute community oversight, at least, in the document, oversight committee that is in place to do what's already been discussed as a necessity. The timeline is an aggressive one because there's a date on your calendar, December 14, to bring that. I've been very clear that it's a very aggressive goal and if we don't meet it, we don't meet it because what needs to happen is community involvement and engagement and support and feedback and you don't want it to come to you and have this chambers filled with people who are screaming about -- against it. So, there's a desire and an effort that will be real and true community engagement and feedback on the document. So, again, the goal is -- just because it's on your calendar before the end of the year -- again, it's a goal. Maybe aspirational goals we've been talking about. That's an example of one. So, anyway, that's kind of the process. I just want to close by saying this - if you have in a questions, I'll be happy to take them. We were blessed today to see the proclamation for Hispanic heritage month. You'll hear one on indigenous people's day. Symbols are important. Those are beautiful examples of recognition symbolically. Symbols don't put food on people's tables or get people a job. It's up to us to implement the meaning behind those symbols. And so that's -- at least my effort in participation in this project. What I've outlined is how we see this currently set up to move forward.

Hales: Thank you. Questions for Dante?

Fritz: The next opportunities for the public to weigh in and hear comments from the commission is at the -- ecpc's October 10 meeting is that what you said?

James: October 10 is when members of the ecpc will meet with the city attorney to help incorporate their comments into the document. Then, it will go out and we will hold community meetings or meet with community organizations.

Fritz: Will it come back to the equitable contracting purchasing commission before it comes to council?

James: That's the hope in terms of timing.

Fritz: And I just want—this isn't complicated enough I'd like to add something that the laborers 483 reps brought to my attention yesterday, which is that we have -- in some of our bureaus -- entry level positions and then working up to more senior positions, similar to the apprenticeships and journeymen position. Commissioner Fish, I don't know whether -- i'm pretty sure that water bureau and bureau of environmental services have that kind of training tract im not sure that there is that in parks. I'm going to be looking at, are the ways within our city -- the Portland city government, that we can be modeling this also. And do what commissioner Fish was saying in reference to the Latino proclamation, helping to prepare people who have absolute qualifications which if we don't have any positions in parks, the training they got in parks might help them get into a better position within the community. So, I just wanted to mention that.

James: That's great. To that point -- points made earlier -- the data that you got presented by ecpc, I think it demonstrated two things specifically. One, that even if there were goals being met, that the goals were being met in very limited areas, like trucking, like flagging. And then secondly, in terms of workforce, the workforce numbers are being met in areas -- I mean, not in any management, not in any supervisor positions. Very much entry level positions in tend to be met in one demographic as opposed to across the board.

Fish: Can I engage you in a colloquy for a moment? I have to confess, i've been -- i've

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been up since 4:00. I know your goal is to get to the rest of the agenda. We have a lot of communities partners here. I want to suggest a way to bring closure today to this item, for your consideration and council consideration and we can have that discussion and I think Dante can help us. So, there is no decision that is -- comes out of this meeting, with respect to a cba/cbp/ceip. My apologies to commissioner Fritz for using acronyms. We heard, don't jump the gun. There is no new something that we are adopting. We're laying a path forward for community conversations. Number two, mayor, you and I have slightly different pieces of that. My bureau's did the pilot project. We've reported on those numbers. Your bureaus are overseeing the consideration of alternatives and different kinds of ideas. All with the goal of building on a success. All with the goals of, can we get a better outcome? So -- but what I have heard in this hearing is a lot of heartburn about some of the documents that are before us. And, that's what we've heard from a number of people, don't accept because by accepting, you're ratifying and we have concerns. So, I'd like to propose a compromise that allows us to move forward with some clarity and allows us also to complete our agenda. In lieu of accepting the reports for this item, we simply receive the report as filed. There's a difference between accepting and receiving. Receiving is just a matter of transmittal and it's filed and we don't have to officially accept and take a vote. That's your discretion and under the rules. That way, it doesn't go into the ether. That's my first suggestion that we receive it, file it and not accept it and postpone taking any official action on it. Second, I think it's important that we be clear that Dante has laid out a path. It's going to depend on what feedback he gets. I think he's made clear, there's going to be a lot of tonight for public comment and we might not get there. Third, nothing is going to change in the interim because we've already, as a council, adopted a cbp for Washington park and set higher goals than we had in the pilot. So, that's behind us. There actually is no particular thing, which we are being asked to adopt. We are continuing a process. Quite frankly, speaking for myself, I have found the last two days of hearings on this, while they were raw and sometimes uncomfortable, I thought they were very helpful and not just to ventilate tough issues, I thought there were new issues, like the regional approach, which I think is something we have an interest in doing so we're not just doing one off job opportunity's we're creating a continuum and also, you know, having some follow-up conversations about what accountability looks like, what oversight looks like, the legal issues raised by signatories. I've taken a phonebook worth of notes. If we receive it and don't accept it, we give ourselves more breathing room. Dante has laid out a path for considering a modified proposal, which we may or may not take up in the balance of your term. Beyond that, there is nothing we are doing to change the status quo. There was a lot of heartburn about that. We have acted on Washington park. My proposal is we receive it and decide if this is a time line we're comfortable with.

Hales: I like that.

Novick: Second.

Hales: I think is a way to resolve what we have heard --

Fritz: I don't think we vote on it?

Hales: We don't --

Fish: You have the power, as the presiding officer.

Hales: I also want to give members of the council an opportunity to comment.

Novick: I think that's a very good suggestion. I think that in the past three years, there's only been one report that I voted to not accept, which was the jtf report which had non-existing content. There are certainly some controversial statements in the introduction of the report. There were in distinguishable improvements subcontracting goals that have been achieved on other procurement projects that did not have a cba. That is one statement that is subject to dispute and I would not have wanted to vote to accept this

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vote. I am taking one side or another on -- disputed issue. I think that the suggestion that we say we're receiving the report makes it quite clear that it doesn't mean we're agreeing with everything in it. Commissioner Fish noted that maybe the timeline Dante has outlined is too aggressive. Commissioner Saltzman has said he has seen every new mayor address this issue and he expected the next mayor will, as well. And i've already had conversations with mayor elect wheeler and tom Rinehart about the importance of taking a long look at how we engage more woman and minority contractors in the workforce. So, thank you, mayor, for giving me the chance to expound.

Hales: Thank you. Commissioner Fritz?

Fritz: Thank you. I heard a lot of good testimony both today and the last time we discussed this. I'm glad that the equitable contracting and procurement commission has moved into the office of equity and human rights. We need to figure out how to get it properly staffed, as well. Normally, we would want a lot of these conversations heard by the commission before it gets to council. You say, the planning commission, you want it 90% ready -- 95% and then come to council for us to make the final tweaks and it didn't feel like anything was close to 90% in these discussions. Tom Rinehart, who will be the new chief administrative officer will start work on October 1 so he can hopefully be engaged in this process. Another person is Christine moody at procurement services. She let the community give their input and I know how committed she is to equitable contracting and to finding ways of engaging more women and minority businesses and workers because whenever she brings something to council, she's telling us what she did after the bids to make sure that the amounts of participation got better and she's had some spectacular results. I want you to nod director James that Christine will be very much engaged in this. Absolutely, good. Thank you very much. And really, great participation, especially for the people who came and told their personal stories, which were so moving and helps us really understand how important this is. Thank you, everybody, for your work.

Hales: Commissioner Fish?

Fish: Thank you, mayor. I want to thank the city staff, that pulled together the materials that we've been reviewing. I want to thank the Imoc. I will speak for the water bureau, that we've learned a lot from the two pilots and we're proud of the results at the two pilot projects. And I am more convinced than ever that we are -- despite whatever differences we have, we're all united in the goal to create opportunity for women and minority-owned businesses. The council has a consistent track record of supporting wage. There are some legal and what I would also say technical issues that we are disagreeing over or we are having -- within the family -- a lively discussion about. And I think people made very compelling arguments during this hearing and now we have a chance to hit the pause button and to evaluate and consider those arguments. I don't want anyone to leave this piece of our agenda over the last two sessions thinking that we are not committed to high-road standards for working people, that we're retreating from prevailing wage, that we don't think that standards should be enforced. How you balance all those things is hard and the cba's an example of a very well-intentioned effort to craft something that could move the ball. One of the questions that i've had throughout this process, as someone with a proud history in the labor movement is, can we do better? Because this has been a little raw and commissioner Fritz mentioned it hasn't been as cooked as we would have liked. Some people maybe have misunderstood that we're not looking to retreat, we're looking to advance and how do you advance and do so in a way that isn't divisive. The one part that gave me pause is when I saw my friends questioning each other's motives and that, we can never do. That is a sin. We cannot do that. We cannot function in this room if we do that and I hope we limit that in the future. I don't question people's motives. I think people have different life experiences and different perspectives and our job is to try to reconcile

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things. We start with a foundation of shared values. I think my one regret over the lengthy process is, I think too much time has been spent focusing on the 1% -- and I don't mean the 1% in the way that commissioner Novick speaks about the 1%. And not enough by the 100%. By that, I mean we should never accept progress through the lens of how we spend a 1% carve-out. Our measurement of success is how we spend the 100% of the project funds in advancing shared goals. We've been talking about who pulls the levers on the 1%. Folks, it's the 100% that we care about. Just a comment about accountability. I've been on this council long enough to hear all kinds of views about accountability. But the consistent thing that I've learned is that accountability cannot be delegated. We can have oversight bodies and partners at the table and people helping us. But at the end of the day, the mayor and his four colleagues are accountable. And no one else. And when a bureau says, we're going to get to a better outcome and puts the commissioner in charge and the director's name on that commitment, that is, in my view, as it should be. Now, how we get there and how members of the community help us get there is a good conversation. But the accountability, in our form of government, rests with the commissioner in charge and the director. We can never, ever confuse that -- we can never, as a substitute say we're going to delegate that to a well-intentioned group and if we fall short say, too bad. These council has to be accountable for these goals. When they say they're going to do better on Washington park and say we're going to better than the cba we're on the hook for that and we don't get to 10 years from now and say gosh you were right we should've had a process for that. A commitment has been made and it's a rather audacious commitment. I can't use the excuse of having my bureaus reassigned. Thank you to everybody that participated in this discussion. I think it's been one of the most important conversations we've had and I hope we can take the positive energy here and approach the next chapter in the spirit of doing better than we've done in the past.

Hales: Thank you, commissioner. Let me add a little bit to these good comments. One, I said this last time, I'll try to restate it in a way that I hope makes sense. In one capacity in another, I've been in this room for 14 years. We've been talking about this subject for the entire span, which included a 10-year gap. The -- this particular hearing in all those 14 years is the most peculiar combination of frustration, celebration and agreement that I've ever seen. And, it's a little puzzling, in one sense. You go back to the beginning of this hearing and you look at what Fred Miller listed, break down the data on workforce, alternative contracting is working better than low-bid. We have to do better. Focus on a pipeline of engagement. There's so much agreement in this room about where we should be and about what's working. And the cba's clearly have been working. And I've learned a lot. So, that's the other thing. I have learned so much in these two discussions in this chamber. And I think one of the things that was illuminated right at the end is probably the most important point. We're still talking about this, as Dante said, because there's institutional racism and sexism and it's in city government as well, not because we are racists and sexists, but because if we don't make changes that are real enough and big enough, we don't achieve equity. I've learned that from Dante James. So, thank you. In this case, all that's necessary for the triumph of injustice is for us to do not enough. The cba's are a high-water mark of doing more like enough, if I can put that in artfully. We did a little more like enough. Let's use -- there's no progress on this. That includes real oversight. The equitable contracting and purchasing commission and the oversight committee are both attempts at having that real oversight from labor and management and the community. We've got to have that in this case. We've got to have real data. Disaggregated about who's getting it and how many hours. We've heard some good stories. That was a teachable moment, as well. Each of those workers who came here and told us their story, so, thank you, for them and for those who have helped them. We got to

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create real consequences for non-compliance. There's got to be real teeth to this because if we're going to push people in an uncomfortable direction, then we've got to have penalties for not going where this community says we must go. So, equity is hard work. It's worth the extra time and I appreciate the amount of time that the council has put into this discussion. It's worth a lot of energy. For the remaining time that I am here in this position, as your mayor, i'm going to keep pushing this progress and the use of tools that work, including community benefits agreements because they do work. So, thank you, all, for really helping us understand better. I actually want to close. My colleague, Dan, is not here to defend himself. He could have been interpreted as saying, well, nothing ever changes. That's true. We're not there yet. We've learned some things here and we've got some tools that work and we, as a city, will use them. I will and I believe the next mayor will and I know my colleagues want to make this work and make this progress real and stick and grow. I learned a lot. Thank you, all. More progress to come. This report is received and filed.

Hales: So, we're going to do 1078 and we can do that to do 1083. 1078, please.

Item 1078.

Rachel Wiggins, Mayors Office: Mayor, council. I'm Rachel Wiggins. Apologies in advance. I think we are all a little tired so if I forget some items, that is why. If you'll remember, I came to you back in June with a resolution around forming that committee and some guidelines with which we would use to review applications. Before you, there is a report with the committee's recommendations and how we got to those recommendations and recommendations for moving forward. This committee was created as a way to address the concerns around awarding special appropriation funds. It's not as transparent as it should be. Council felt this would be an appropriate step forward to make it more equitable process. We established five areas with which people could apply, Opportunities for youth, community health, community based arts and culture, expanding economic opportunities for Portlanders in limited terms. The committee received 80 applications from organizations. Initially, we established six different means of evaluating those applications. Does this application address one or more of the city's measures of successes, as established in the Portland plan? Does this organization or request impact an underrepresented community? Does it address the city's equity goals? Does it have a positive citywide impact? Does it have measurable outcomes and is the program feasible? That last one was because these are one-time requests and we wanted to make sure we weren't putting them in position where they were going to be in a lurch in a year two and come back to the city for more funding for a one-time request. So, the committee awarded scores out of 10 and used it as a means of establishing which ones needed to be discussed. This process was created to be more rigorous than a political process, but still has the flexibility so the committee could address questions. It is the first year and we recognized that it wasn't going to be perfect, year one. And we didn't want to tie our hands. So, in taking a look at the applications, a couple of things rose to the top. We placed an emphasis on organizations who had never been funded by the city or were not being currently funded. We had requests from organizations who had received funds in the 16-17 budgets and additional asks. Additionally, when taking a look at the asks, we prioritized those that were more than an fte. And lastly, we had \$1 million to allocate out and recognizing that there were 80 organizations requesting funds, the committee felt it wasn't appropriate to award more than 10% of that fund. Using those emphasis, as well as the 10%, we came up with this recommendation, which is 20 organizations. Half of them are fully-funded asks. We are a little short than \$1 million. It didn't make sense to throw that at an organization and account for that. So from this process, we came up with a couple of recommendations and encouraged the council to continue on. One, that organizations

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should only submit one application. We had several organizations with multiple asks. And it was a little difficult to weigh both those asks against each other and other organizations. Again, no requests should be awarded more than 10% of the fund. Organizations not currently receiving city funds should have more consideration. There were several instances where we felt that an organization should get funds, but perhaps not through the special appropriations funds, whether that be the arts tax dollars or connect them with the bureau and have the bureau fund it. You will see, in our recommendations, there are a couple of arts organizations that we think would benefit from art tax dollars, specifically, the young audiences of Oregon. We think that's a great opportunity to connect with our tax funds and have it be supported that way. And then some questions that should be added to the applications, what outcomes did your organization already track? How do we insure that the funding is going to actually move a needle? If you're using these funds to create a new program or hire an fte, what are your long-term plans for funding that position and asking them to break their budgets into one-time and ongoing cost.

Fish: I have one question for you. I know it's late. There were almost seven times the asks than the available funding. You had five categories. Not only do you have a recommendation on how to allocate the \$1 million, it is the consensus recommendation of the committee and no council member is planning on offer an amendment?

Wiggins: I hope

Fish: What do you attribute to that?

Wiggins: Having staff process was helpful. We came into a room without egos and attempted -- I do not mean that to be offensive. [laughter] we went into a room, attempting to make a process work and recognizing that nobody wanted to duke this out in council chambers and each staff members was very committed to awarding good organizations with good asks, not organizations who knew their boss.

Hales: Well-said.

Fish: The rest will be dealt with in an hr matter [indiscernible] [laughter]

Hales: I appreciate the good work. I would have a slight bias. I would say, Rachel Wiggins is the reason for that. Your colleagues did good work as well.

Wiggins: They were wonderful.

Fish: What I heard from Jaime, the briefings from the meetings, they were really lively and they were open and there were some big disagreements along the way but somehow you came together on a set of recommendations. So, I'm going to join with the mayor and say, congratulations to you.

Hales: Anyone else want to speak?

Fish: I move the report.

Fritz: no one else wants to speak?

Wiggins: I got chills then.

Hales: Roll call, please.

Novick: First of all, I'd like to thank the mayor for recommending that we move to this kind of process to do special appropriations. I think this is a very transparent and fair process. And it's given the council office the opportunity to discuss the merits of each application and the priorities of each office in detail. I really appreciate the hard work of the committee. Rachel Wiggins, Tim Crail, Tia Williams, Sheila Craig as commissioner Fish just noted did an incredible amount of work. Thanks to them very, very much. I appreciated some of the suggestions for tweaking the process, for example, asking future rounds, what outcomes does your organization track? I think that is an important question to ask, that will enable us to make sure that we're giving funds to organizations that do track outcomes and have a proven record of achieving those outcomes. There is one rule that -- where the committee adopted, that I'm a little uncertain about. You should only allocate no more than

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10%. You might get two \$500,000 projects and it might be better to do that than to break it up into numerous applications. That can be a discussion we have in the years to come. But, thank you very, very much for all your work and a particular thank you, Erica. Aye.

Fritz: I agree mayor I think this is a much better process than has happened before. I hope we can continue it. Congratulations to the 18 organizations that are receiving these public tax dollars. Some of them have representatives here to make sure that nothing falls off. And I don't -- I believe that the ability of the staff to meet together, all five of them with their grant staff, is part of the reason that we got to a good product and certainly, tim crail my representative was checking back with me but not very much. The appropriate amount are the things that are really important to you. I hear what you're saying on some of the transformative projects. I think that the -- it is special appropriation money and spreading it amongst more organizations is probably the better way to go. As noted by Rachel thank you, Rachel. Some of them could go in to the bureau's budget or into the big projects. So, it would be nice next year if we do this. I don't know if we'll be able to do this with the budget. I do agree with the committee's recommendation. The extra piece would be there are more people in the audience, giving testimony, on the budget, the big budget, then were able to get away today. Thank you very much. Aye.

Fish: I'm going to repeat what people have already said. Charlie, I think this was a good idea and I think it's produced a great outcome. Rachel tires of hearing this. You know, she's a fan-favorite in my office because of the great work she does. You played a role in getting everyone together. Jaime, i've never seen him so excited. Everybody who was designated really took this on and gave it their best. I'm very proud of these -- of these organizations we're funding and I could go through each one and tell you why but i'm going to pick one and then shut up and that's the confluence project. It is one of the smallest dollar amounts. This is the project that is investing in mylan's monumental piece of naturalistic art, which will be installed on the Columbia, which dates back to the removal of silo falls and the damming of the Columbia and the consequences to native people and to commerce. And the concept here, so, why Portland? We were approached because on the theory that every single government in the stream of commerce had some benefit from the dam, that also disadvantaged a native American community and what a beautiful statement if every government that's impacted by that decision gives a little bit of money, symbolic amount of money to a nonprofit, which is going to revisit the heritage of this site and reconnect all of us to this river and to our history. And, mayor hales, i'm hoping that you and I can prevail upon the county to match that amount because I think that would be a wonderful statement. Every government along the river, acknowledging that in one way or another, they contributed to or benefiting from a decision that has great historic significance to native people. It's a small amount of money, but i'm proud that this council's making that statement. Aye.

Hales: This worked out better than I hoped. We got to yes through an effective process. If you look at what we're doing in the community, in terms of community benefit through all these organizations and what they've come up with, it's another case of, this is magnifying the effect of good government at the city in ways that we wouldn't have thought of, just like the innovation project that we have in our own bureaucracy that the five of us would never come up with. I'm excited about what's going to happen in Portland because of the organizations that have gotten help from us in addition to the fact that we're doing good work here. Aye. Let us try to deal with a few emergency items before we lose a quorum

Moore-Love: 1079 is an emergency –
Item 1079.

Hales: Thank you for waiting.

Eric Schober, Portland Police Bureau: Thank you, sir. This ordinance is designed to

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shore-up discrepancies that were found on secondary employment. The Portland police bureau is authorizing and signing most police secondary employment without council approval. And during recent research, it was -- revealed that there's no specific ordinance or ordinance language that covers this allowance. This ordinance, like I said, will fix the discrepancies within the ordinance and delineates a clear process for community members to hire police officers for secondary employment. This will allow the police department to move in a better response to community needs. There's nothing in this ordinance that would be adding extra cost or negating any patrol services. This will add additional officers on the streets for patrols. The -- this is a cost-neutral ordinance. All secondary employment being reimbursed to include any administrative fees. This ordinance has been reviewed by the city attorney's office and the city fiscal department bureau and they all approve and recommend this ordinance.

Hales: Thank you. Let me ask the obvious question from this morning, if we're short of human resources, does this still make sense and how it is regulated?

Schober: Yes, sir, it does quite a bit. This is only hiring officers that are in an off-duty status so it has no effect on patrol staffing. It will enhance it because the officers hired for police secondary employment can do calls that are hiring the police officers. It literally puts them at the spot where these entities and events could cause police calls. And it puts them there and limits the criminal activity and so forth and they're the first person in response to any issue that happens there. It puts on the entity and the business that's creating the event. They're paying for these officers so it limits taxpayer money for these events.

Hales: Further questions?

Fritz: Can you explain that in a different words cause I didn't understand it several of concerns that Dan Handelman had sent in documentation at a previous time? I'm going to say it and you can tell me if i've got it right. The officers, on their day off -- they get a day off and they can choose to do overtime on the bureau or do a contract job. If they go for a contract job they're doing police work and in their official police uniform. They are on-duty and they -- for instance, in a business, with shoplifting, they write that up and they don't have to call anybody else, which is how the patrol officer would be free to do other things because a shoplifting call would be less urgent than what people are doing in patrol cars and it's paid by the contractor and includes benefits and retirement?

Schober: Yes, ma'am.

Fritz: Deanna Mitchel was very helpful in explaining all that stuff to me, including the concept of how it could possibly help when we're in such a shortage. The chief has to authorize each particular one, so the contract -- they're not going to be at a business that we wouldn't like to support.

Schober: That is very correct. Regarding the patrol staffing, minimum staffing levels, if we have to order officers in, the contracts are all stipulated to the fact that patrol staffing comes first and we'll cancel that contract if we need that officer for patrol.

Fritz: Fabulous. Further in discussion with Deanna, I'm wonder if a contract might solve a problem with the rock and roll half-marathon that the rose festival could apply for?

Hales: Thank you very much. Any other questions for him? Anyone want to speak on this item?

Moore-Love: Mr. Johnson.

Hales: Come on up.

Charles Johnson: There's still -- I don't know if it's in propriety. When we talk about having a police resourcing crisis and then we see these officers serving -- I mean, my activity's limited to downtown. I don't know if businesses in lower financial traffic areas of the town are really able to afford to buy extra protection. People are renting a higher-level of police service. They're the winners, apple corporation. They have \$186 billion. The

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people in Portland, in large number, when they look inside the apple store, they don't want to see a Portland police bicycle sitting around for eight hours because that's how this contract works is when the officer that takes -- that comes from the bike squad, they may or may not get a car and park it in front of the apple store for a few hours. There are arguments that that is a deterrent tool. I'd like to have more police vehicles and not tell people that we have less police. I don't think it's essential to vote no on this. You need to be prepared that -- to understand that the community's not fully persuaded that this is really good community safety policy. It's really a chance for officers, who often tell us that they're -- we're so stressed out because we're understaffed, but, hey, i'll go hang out in target or apple store if you give me whatever the numbers are. They're normal human resource number hours. A lot of people in this community, a lot of the Latino employees, they may seem like really generous compensation amounts. No is a good choice and if you vote yes, just remember that i'll be encouraging all the centers to perpetually hold your feet to the fire on this decision.

Hales: It is an emergency ordinance.

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

Fritz: Mayor I have a request I think we can do this in a few minutes.

Hales: Please do that. 1083?

Item 1083.

Fritz: Thank you. It's pretty much explained in the title. [laughter]

Hales: That's a minute right there. What else do you want to add?

*****: Mayor Hales and commissioners, thanks for a long day and listening to this. We're here to get your approval of the ordinance that was just read. I'm going to turn over to Jerry, really quick, the project manager, to briefly describe the project.

Fritz: Your name for the record, please.

Gerry Verhoef: Gerry Verhoef, project manager and construction manager for this project. Mount Scott buildings were originally -- the originally building was built almost 89 years ago and other pieces were added going along. Some of those same units are still in place. Which is more than twice the anticipated life cycle of these units. This project will replace those and get more efficient units in there, as well as expanding the areas that have correct heating and correct cooling to make it more -- more supportive to having patrons and staff. Part is asking for the list. The way that will come about is that ask for the unit that will be for the gym. Currently in the summer months, the only programming that can be done there because of how hot it gets is in the early hours, when it's cooler. And then in the evenings, for drop-in and it's not a lot participate in that. So the sdc ask of \$120,000 will put that unit with an air conditioning cycle in it, allowing them to expand the use of the gym during the summer months and expanding the use of cooling centers for senior citizens and also for first responders.

Hales: Any other questions? Anyone else want to speak on this item? We'll need to get commissioner Fish back for a moment so we can take this vote then we'll move to items that don't require all four of us.

Fritz: Thank you for the very succinct report. This was a onetime general allocation in the 15-16 budget? The \$120,000 is 20% of the cost?

Hales: Instead of making comments when we vote, i'll comment now. Unless that's commissioner Fish? No, it's not. 23 years ago, this month, I stood on the crumbling edge of the Mount Scott pool with Charles Jordan and suggested that we ought to pass a bond measure. That's one of my favorite memories of my public service. People said, yes, and the outdoor pool is gone and here we are. We didn't do everything the building needed, obviously that's why this is here. We started a train of events that leads to today at that moment I believe it was September 1993 so cause we put it on the ballot for May of 1994

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that's when the voters passed it.

Novick: Mayor I have to ask you've essentially memorialized that commitment on a bar napkin.

Hales: No bar napkins were involved in that one, but a lot of great meetings with Mary Ann Cassin and David Judd and Charles Jordan. Ok we're ready to take a vote commissioner fish is in the house so roll call please on 1083.

Fish: Mayor I was monitoring this on the television in the restroom.

Novick: Aye

Fritz: Thank you very much for staying for this one, thank you staff for sitting all afternoon and for all your good work. Especially nice to have a chief engineer thank you Aye.

Fish: Aye

Hales: Aye. Ok we have some emergency items we'll have to carry over until tomorrow namely 1080 do you want to carry it over—

****: I think 1080 was referred back.

Moore-Love: Right.

Fish: We have a water Bureau thing t'd up to go.

Hales: Ok so 1080 is referred back to commissioner Saltzman's office lets go ahead and try to do the rest 1081. Right want to do that today commissioner fritz?

Moore-Love: Do you want to do that with 1082.

Hales: 1081 and 1082 are carried over until tomorrow. 1084 is a second reading lets do that please.

Item 1084.

Hales: Questions before we vote? Roll call.

Fritz: Aye **Fish:** Aye **Hales:** Aye

Hales: 1085.

Item 1085.

Hales: Commissioner Fish

Fish: I'll turn it over to the chief engineer of the Portland water Bureau Teresa Elliot.

Teresa Elliot, Portland Water Bureau: I will be extremely brief, good afternoon mayor hales and commissioners all in asking for is to have the authorization to go out to solicit bids for a low bid contractor to install a water line in NW Cornell road at about \$600,000 is what we're estimating it to be.

Hales: Ok any questions for our engineer, anyone want to speak on this item. If not it passes to second reading next week. 1086 is a second reading please.

Item 1086.

Hales: Roll Call.

Fritz: Thank you to Marco Maciel who did a good presentation and a thorough job on this Aye.

Fish: Aye

Hales: Thank you zombie house team aye. And we are recessed until tomorrow.

Fish: Mayor can I just ask a house keeping notice. So tomorrow afternoon we have the pub report followed by consideration of a code change. What is your pleasure are you going to carry forth things till tomorrow afternoon?

Hales: The only thing we carried forth I believe is 1081 and 1082 so we'll just take that report.

Fritz: Yea we don't need 10 minutes.

Fish: so 10 or 15 minutes so we'll tell everyone be here at 2 but we may start a few minutes late.

Fritz: Thanks.

Hales: That will work we're recessed until tomorrow.

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At 5:34 p.m. council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

SEPTEMBER 29, 2016 2:00 PM

Hales: Please call the roll. This is the September 29 meeting of the Portland city council please call the role. [roll call taken]

Hales: Good afternoon. Thanks for your patience and flexibility. We have two items left from yesterday that we'll take up this afternoon. Read them both, please, 1081 and 1082.

Item 1081.

Item 1082.

Hales: Commissioner Fritz.

Fritz: Portland parks and recreation offers lots of services that Portlanders value. One is the urban forest by planting trees city-wide. Title 11 the tree code became effective in January 2015 and established a tree planting and preservation trust fund. Item 1081 is required annual report tree code trust funds. Portland parks and recreation Jenn Cairo will present the report which includes revenue and expenditures of two trust funds. These trust funds are the only resources dedicated by city code to one of Portland's most treasured assets, trees. As Jenn will explain these funds are generated through collection of litigation fees, penalty fees and fees in lieu of planting. These funds do not come from the city's general fund.

Hales: Thank you.

Jenn Cairo: Thank you, commissioner Fritz, Mr. Mayor. I will introduce Dr. Vivek Shandas he's the professor of urban studies and planning at Portland state university also an urban forestry commissioner. He will be doing part of the presentation in regards to the intergovernmental agreement. We're reporting to council on the title 11 urban forestry trust fund as required and we're also requesting your approval of an ordinance to finalize partnership with Portland state university for development of a city-wide tree planting strategy using some of the trust funds. First, we will describe the two funds established by title 11. We'll get balances and expenditures for the funds and describe how those were used. We'll describe our work to develop a city-wide tree planting strategy, and finally we'll request that council accept the report and approve the ordinance for the strategy. We're presenting these items together because they both pertain to the urban forestry trust fund. Title 11 trees established two trust funds for urban forestry. The codes are 11.15. They are the urban forestry funds and tree planting and preservation fund. They have different funding sources and different uses. Both are administered by the city forester and balances carried over beyond the fiscal year. The first I'll talk about is the urban forestry fund. Funds into the urban forest trust funds are restoration fees, civil penalties or remedies due to violation of city code involving city and street trees. City trees to remind you are trees on city-owned property and street trees are specifically city-owned that are in city rights of way. In this case that's distinguished from private trees. Private penalties do not go into the funds. The uses of the funds include replacing, establishing or maintaining city or street trees illegally removed or damaged. Funding urban education, urban forestry education outreach technical assistance and also funding other general forestry related activities. This fund can also receive voluntary contributions.

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The second of the two new trust funds under title 11 is tree planting and preservation fund. Its source is primarily mitigation fees. It receives fees from actions regarding private trees and can also receive contributions. Mitigation fees for trees is payment for partial compensation for the value of the public services lost when the tree was cut down. An example of when mitigation fees might be generated is in a private property development situation in certain zoning areas of the city on certain property sizes. One-third of the trees on that property not exempt from the code can be retained or the property developer may choose to remove them and would pay mitigation fees for those removed. We have all heard quite a bit about that in the recent past. The funds may be used for planting trees on public or private property in the same watershed where it was collected. It can also be used for purchasing conservation easement for perpetual retention of trees and can acquire land permanently where there are existing trees. Title 11 requires expenditure of the tree planting and preservation fund in the watershed from which they were collected. The strategy that we're going to create for the citywide tree planting will reflect this watershed distribution requirement. The map shows where mitigation and penalty payments were collected from the start of title 11 in January of 2015 through the end of the last fiscal year, June 30. Planning for and planting trees is a multi-year undertaking while the fund revenue changes on a weekly if not daily basis. Therefore, to meet this requirement we track the funds collected by watershed and calculated each watershed's percent of the whole. We'll use these proportions to guide planting and expenditures for the next few years then recalculate again. At this point the distribution that we have is 19% in the Columbia watershed. 8% in the fanno and tran creek watershed those are grouped together in the code. 17% in the Johnson creek watershed and 56% in the Willamette watershed. We have fund revenue. Revenue accumulated by the two funds since the beginning of implementation in the urban forestry fund there's a total of 11,650 and in the tree planting and preservation funds \$677,000. You'll notice that the first six months of code implementation there were no penalty fees generated. You might recall that during the initial implementation of the tree code we focused on outreach and communicating permit requirements rather than enforcement so penalties were not pursued. You'll also notice the fund is significantly larger than the urban forestry fund due to the fact that enforcement fees and donations are less frequent than mitigation payments. Tree mitigation payments are by far the largest source of revenue to this fund, the only dedicated fund to use for tree planting and other activity. In the expenditures table there were no expenditures for the same time period from the urban forestry fund and from the tree planting and preservation fund a total of 85,683 dollars were expensed that leaves a balance of 11,650 in the urban forestry fund and 591,317 in the tree planting and preservation fund and you'll notice on the lower part of the slide the asterisk. Just to give a general frame of reference for how much tree the remaining funds in the tree planting preservation fund might get us, it would buy about 1354 street trees, planting and establishing them for the next three years. There are many variables influencing unit cost so this is just to give you a concept. It can change a lot. These expenditures were mostly for materials and supplies like tree stock. Also in some cases labor. What we did was the expenditures from the tree planting and preservation funds they helped to plant and established 2562 trees city-wide. These trees were planted by parks and urban forestry with partners. 93% of those trees planted during this time period were large form evergreen or native species and that's a positive and important measure because these tree types return the greatest services to the community over their lifetimes by far. For this reason, planting these tree types is a specific goal in the current urban forest management plan. Most of the trees were in 52 different developed parks and in 20 natural areas across the city. The lower half of the slide the example and photo there is from our learning

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landscapes program and this is one example of how some of these funds were expended in the past period. The learning landscapes program is an ongoing program in existence for quite a while and establishes school yard arboretum with kids planting the trees, it teaches students about trees, the functions of trees and hopefully building tree appreciation for the next generation of Portlanders. After the trees are planted by the kid's urban forestry trees are cared for the next three years. Thus far five districts in the city have been involved in the learning landscapes program over the duration of its existence. David Douglas, Portland public schools, centennial, Reynolds and park rose. The program is open to all districts and we also work with charter and alternative schools. You see not many trees were planted compared to 2562 there were only 72 but we had 600 participants so this is a great example where we're connecting kids with nature and a lot of the measurement of the success of the program is how many kids actually get engaged. Now we're shifting towards what will be coming with the trust fund. We have begun an undertaking to develop a city-wide tree planting strategy. The strategy will give us a plan for how best to use the resources in the most effective and strategic way for planting trees across the city, basically how to get the most bang for our buck. To date we haven't spent a lot of the trust funds because we wanted a good plan in place for using them first. Our goal in creating the strategy is to distribute tree canopy services equitably all residents in the city, to plant high service trees and prioritize the areas with the most need and plant trees that are sustainable, will survive and flourish for many years to come. We'll be looking at air quality and other public health connections to trees in the urban forest where the urban forest can improve public health and also looking at environmental justice factors. We're interested in applying up to date best management practices and of course expanding the tree canopy across the city, which has been a long-standing goal for the city. We also recognize that phenomenon they provide quantifiable services to city residents and that since our forest is inequitably distributed some are under served. In general, less affluent sections tend to have fewer trees. This is a long-standing pattern in spite of significant tree planting efforts to date. We'll be working on this tree planting strategy in partnership with Portland state university, professor Shanda's vivek has dedicated graduate students working on the project and his lab, Portland sustaining urban places lab, has extensive support and expertise they can provide. You'll hear more about that in a minute. The ordinance for potential approval is to provide \$50,000 from the tree planting and preservation fund to support creation of the city-wide tree planting strategy and the deliverable that the ordinance would provide for is completion of the strategy itself, the plan, that will be ready for initial implementation starting next winter. Fiscal you're '17-18 and ongoing use thereafter.

Dr. Vivek Shandas: Hello. Thank you, commissioners. Mayor haless. A little bit about us. I think more than anything else this project epitomizes Portland's motto, let knowledge serve the city. Our lab has been trying to do this exact thing for almost a decade now. We are really well positioned for doing this work in part because we have been working extensively across numerous bureaus. We have ongoing climate collaborations with bureau of planning sustainability, ongoing connection with the water bureau, other collaborations with bureau of environmental services and with forestry. This extensive amount of engagement has given us a much better insight into the way the city operation, the way decisions are being made and where we want to position ourselves in terms of using the data and the students and other resources that we have for being able to develop this tree planting strategy. We are to date invested over \$100,000 in work looking at Portland's canopy and starting to really characterize in a very systematic way where we have canopy, where we don't. And which communities are benefiting and being challenged by this canopy. The specific project itself, what we -- the strategy we expect to take to develop the strategy is

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one that looks at really the best practices across the country. We want to make sure we leave no rock unturned and looking at how other cities are expanding their canopy and looking at how they are addressing a lot of the equity concerns that pretty much is a systematic pattern across cities in the U.S. This leads into a plan evaluation process that is a pretty tried and true approach in planning literature allowing us to look at specific strategies as well as goal that these strategies are trying to address. The evaluation looks not only at other cities at what we expect to do as an inward look as well and looking at the numerous plans that interact with the urban forest. Right now as far as we can tell the numerous plans currently effective in the city are very disparate in terms of how they effectively address the urban canopy. We want to create a systematic approach that alliance numerous plans that the city has committed to including the comprehensive plan, urban forestry management plan, climate action plan, preparedness plan and so on. We're looking to get a lot of input from stakeholders, folks in the bureaus themselves as well as community stakeholders. Another resource we expect to bring to this is what's called a lidar spacial analysis data set which the city has already committed some money to with metro and several other jurisdictions in the area to fly a plane in 2014 to collect a tremendous amount of very high resolution data of the city. Our lab essentially processes data over the last year and as never before a digital surface model of the city that shows essentially where there are spaces for planting both in public and private spaces and to use these data to be very careful about how we go about identifying locations in terms of a planting strategy. To do this we have found that a lot of tree planting in the city and most cities frankly occur very opportunistically. While there's a lot of advantages to that we find that there may be a systematic bias introduced in terms of where the trees end up and as Jenn was mentioning just moments ago, there is a clear distinction across sociodemographic and presence of tree canopy. How we go about creating a systematic approach versus opportunistic will allow us to be far more strategic and have a defensible idea as to why we are putting them there. Working with community groups, bringing in a number of considerations that are effective in the bio physical, social as well as policies and constitutional dimensions will be instrumental in creating such an integrated plan for linking people with the landscape they inhabit. With that I'll turn it back to Jenn to conclude the presentation.

Cairo: Thank you Vivek. Trees are essential city infrastructure for services they provide to all of us. Contributions include things like cleaning our air, reducing high summer temperatures which we now call urban heat island effect, managing storm water on site, making more livable, walk friendly connected and beautiful communities and that list goes on. The dollar value was estimated at \$5 billion per year in Portland in the early 2000s. It still gives us the useful frame of reference for the importance of our trees. So this is a photo of one of our neighborhoods that is relatively easily recognized from above. In earlier, less treed days, stump town days. Today it looks very different. Today trees are also a remarkable part of Portland's identity which distinguishes our city from others nationwide. Today we know that city's forest is inequitably distributed. Residents in tree deficient neighborhoods receive fewer services from our city. Often these are home to residents that really need those services. Changing this pattern takes special effort. We have an exciting, new opportunity to grow our forests in strategic, sustainable ways and maximize the service trees provide to us. It's a real opportunity to deliver those services to future residents no matter where they live in the city. We request that council accept the trust fund's report and approve the ordinance to establish the IGA with Portland State University and Dr. Shandas for \$50,000 for the tree planting strategy.

Hales: Thank you both. Questions? Great presentation. Great partnership. Thank you very much. Anyone else like to speak on either of these items? If not then.

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Fish: I so move.

Fritz: Second.

Hales: Let's adopt the report, please.

Fritz: Thank you for that presentation. Thank you Dr. Shandas for not only partnering with this but sitting on the urban forestry commission. I appreciate your input. It's exciting to be able to quantify what we're seeing and explain why we need trees in a very data driven way. Thank you. Aye.

Fish: Thank you. Aye.

Saltzman: Thank you. Aye.

Hales: Whether it's partnerships with friends of trees, Portland state or individuals, I remember tacking up some of the first historical tree plaques with Jane Glazier. It's become a community effort not just community asset although it's obviously very important asset, I love that about what's happened to the urban forest. Of course it's much better that had's addition looks like that now than back then but we have more people that are engaged and really care about this so I really appreciate that evolution. This is part of that. Thank you for working well together. Aye. The ordinance will pass to second reading next week and be adopted then.

Fritz: If I also might mention draw people's attention to an op-ed the Jim Labby with the Audubon Society wrote in Street Roots last time very interesting analysis of the issue about affordable housing and trees which you will share.

Hales: Thank you both. Let's move to this afternoon's time certain item, two paired items, 1089 and 1090.

Item 1089.

Item 1090.

Hales: Commissioner Fish.

Fish: Mayor, colleagues, today I have the honor of introducing the Portland Utility Board which will be presenting its first annual report to the council. In May of last year, this council established the Public Utility Board based on recommendation of a Blue Ribbon Commission. Mayor Hales and I established. We asked the Blue Ribbon Commission chaired by former U.S. Attorney Dwight Holton to help us rethink public oversight of our two utilities. Today we will hear from Public Utility Board members about their experience during this inaugural year. Over the past year I have witnessed the Public Utility Board do a lot of learning, immersing themselves in the operations and budgets of two large and complex infrastructure bureaus. They established bylaws and today are proposing several structural tweaks to help them operate more efficiently and effectively. In a short time, they have brought a fresh perspective to our decision making on policy and budget issues. I'm grateful for the thoughtful, independent feedback we received from them so far and for their service. Here to tell us more are Kendra Smith and Allan Warman. Welcome.

Allan Warman: Thank you. Good afternoon, council members, Mr. Mayor. I'm Allan Warman, co-chair, and this is my fellow co-chair Kendra Smith to my right. We are here today to submit the first annual report but we also want to add some context. Our investment by the board enables us to act as effective advocate for the citizens of Portland. This investment by the board includes a very broad understanding of utility management, bureau operations, and the city budget process. Public Utility Board's first year was a very intensive examination of these areas. Public Utility Board members work with the bureau staff to build a foundation of understanding of these operations and the financing of both these bureaus. As the bureaus are large and complex, this learning will continue throughout our second year. But the investment of all parties has resulted in a very strong foundation to this board. It would be very good going forward as well. We have built a structure of engagement through the budget process beginning with early briefings of the bureau's

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financial plans, rate forecasts, operations, and the capital investment plan proposals. Including the participation in council sessions and the mayor budget meetings. All investments take resources, and the success of this foundation building couldn't have happened without really dedicated resources and so many people. Bureau staff with the direction and support of top leadership included Mike and Mike, Jonas, Cecilia, Jeff, Susan and everybody on their staff and also a special note to say that our analyst, Melissa Merrill, added support throughout the year. Also commissioners Fish and his staff including Jim and Liam were very helpful. Also past board members, Michael Harrison and Gwen Johnson, who in addition to our current members also dedicated their time to the successful pub first year. We look forward to adding value to the conversation of investing in the capital infrastructure and operations of both bureaus with an I toward balancing system needs, risk, resource constraint, and helping the bureaus make tough choices. Our budget letter submitted to you in February we expressed an interest in being an engaged partner in the strategic planning processes of both bureaus. The pub encouraged the bureaus to include critical stakeholders in those processes, the pub is very encouraged to see BES including us in its strategic planning process. Next week Dawn Uchiyama, who is the assistant director of BES, will be giving pub an update of the initial work done to date and we look forward to working with the bureaus over the fall to provide feedback. The water bureau will be engaging in a similar process in the coming years and pub really looks forward to being engaged in their strategic planning process as well. Also in the pub budget letter, the pub raised concerns about funding processes for council's commitments to Mt. Tabor and proposed biogas project at BES. Pub was very happy to see the funding last year that covered a portion of the table work from the general fund, and we expect that the ongoing costs will be funded in the same manner. The bureau took pub and the citizens utility board's concern about the biogas project and have continued to refine their analysis and work plan. The pub continues to follow the biogas project and our staff has attended several meetings with bureau staff and cub as the planning process continues forward. The water bureau is in the midst of a corrosion control study and potential changes to the regulatory requirements for water testing treatment and communication. The water bureau has briefed the pub about the ongoing conversations with regulators and encourages them to continue the open dialogue and engage pub to the decisions being made as to current operations. In regards to affordability, the pub continues to encourage the bureaus to address the affordability in a holistic and integrated manner. The pub recognizes the guidance of commissioner Fish that he provided to the bureaus during the budget process last year and the work that his office continues to do with the bureaus to identify ways throughout the budget process to reduce rate increases and lower -- that have been lower than the initial expectations. Pub hopes to see this process continue for the coming year and will work with the commissioners and bureaus to further identify ways to balance resources, risk, service levels so we can make difficult choices. We want to basically make our utilities effective and most affordable for all the Portland residents.

Kendra Smith: Thanks, Allan. I'm going to cover communications, public engagement, and the proposed adjustments to the code. Regarding council communications, as you know one reason the pub's creation was occurred was the public perception that decisions were being made that maybe weren't in the best interests of utility customers. Openness and transparency to convincing the public that Portland takes its promise to do things differently is critical as the commissioner's your task would be the unenviable job of prioritizing many competing needs in the city with constrained resources. When issues arise that affect the utility the pub welcomes the opportunity to work with council to ensure proper public process and vetting for the utility related projects and issues. In order for the pub to be successful in providing the service we rely on you to engage in those decisions

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early and allow enough time to secure meaningful input from the public. As far as what we have attempted to do on public engagement, our staff has worked to set a base of communication and managing through management of a public website and information sharing. Going forward we have directed pub staff to increase awareness of the pub as a resource for Portland residents. This includes broadening our outreach, fulfilling member vacancies and increasing outreach to community groups for meeting notices. We're looking for a crowd. We know that only comes with a controversy. In terms of vacancies related to filling vacancies we also ask for your help in identifying and recommending candidates for board membership. The blue ribbon commission recommended and you agreed for the pub to be successful it needs to have members with diverse backgrounds, skills and experience and we really need your help to move forward to get a broad pool of candidates to serve the pub. I'll explain that a little bit further when we talk about the number of pub members we're looking at to make an adjustment to. So as far as adjustments to the code as part of our annual review process we identify two areas in the code that we're asking you to amend. The first clarifies the terms of ex officio members and the second is the expansion of our membership. While the pub was created as a year round entity the ordinance that established the pub states ex officio members' terms ends when the city council approves the proposed budget. It's unclear when those members actually begin their term. We found through the first year that the wisdom of having ex officio members on the board and their role is valued year round. These members are an incredible resource offering staff level insight into the bureau's activities. Of course as you know the budget process really is year round. So the ordinance for your consideration this afternoon would clarify the language that ex officios terms would be for one year with a limit of three terms. Then regarding expansion of pub membership, we're asking you to consider an increase in the number of voting members from nine to 11. The reason for this is that serving on the pub requires a substantial amount of time commitment. This can lead to challenges in attendance and influence the level of turnover in the pub. In the first year we had two members resign due to time commitments and conflicts, how many meetings and the demand with different subgroups meeting, et cetera. In addition to the time commitment the bureaus are large, complex entities. It takes substantial investment for board members to establish their knowledge foundations to provide oversight and engage with the bureaus in the city in an effective manner. So in recognition of these challenges, the pub requests an amendment to the city code to increase the size of the pub from nine to 11 members, which is consistent with the blue ribbon commission's recommendation. This will expand the pool of established members to account for that potential turnover.

Warman: In closing, the first year was an investment year that has resulted in a very strong foundation of knowledge on which we can rely upon and build upon this coming year. The pub has a clear plan on furthering engaging with the bureaus during this upcoming budget cycle and provide council with more detailed advice and recommendations that we could build upon from last year. We definitely welcome your input and look forward to working with you, and we respectfully and happily submit this first annual report of the Portland utility board and we're also happy to answer any questions you may have. Thank you.

Hales: Thank you both. Questions for these two volunteers?

Fritz: Thank you. It's a huge commitment. I may have been on vacation when this came back I'm wondering about the issue of staggering of terms. When we set this up you were going to decide who was going to get one, two and three-year terms so what's happening with that.

Smith: We are staggered. We are staggering primarily because of the issue with the depth of knowledge that you spend these years trying to establish. It's really important to have

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staggered terms. I don't know exactly who is on what schedule, but we can certainly get that to you.

Fritz: Yes.

Warman: It has occurred. Melissa knows exactly who is serving what terms.

Fritz: How did we come down on term limits?

Fish: You mentioned you would like to see more crowds at your meetings and that we could help you with that.

Hales: Be careful with you wish for.

Fish: Do you have any ideas what controversies we could stir up that would be most advantageous? Seriously, that's one of the -- may be one of my favorite lines of all time over eight years. Two things have changed. One is I think I can speak for my colleagues saying this is the best report we have had from an independent oversight body of our utilities during that period of time. Second the fact that the room isn't packed with people and we're not enmeshed in controversy says something about the path that we're on. It doesn't mean we don't make decisions sometimes that maybe are slightly close to the line or over the line, and I have of course respectful disagreement with something currently pending, but there has been a sea change. I appreciate particularly that you acknowledge that in the last budget the mayor used general fund money to cover the costs of mt. Tabor historic improvement. There are a lot of competing claims on that money. The mayor has gone a number of different ways. I'm extremely pleased in his proposed budget he put the money from the general fund toward that purpose and I would hope that future councils continue to follow that lead.

Warman: Thank you.

Hales: Thank you both. Thanks very much. Anyone else here to speak on these items?

Fish: We have the league of women voters and citizen's utility board here.

Moore-Love: That's all I have signed up.

Fish: Janice Thompson and Debbi Aiona are here to give testimony. And Mr. Robinson. Our visiting friend.

Janice Thompson: Janice Thompson, citizen's utility board of Oregon. Also proud to say an attendee at I think every single pub meeting and all but two subcommittee meetings, even there I had a colleague cover for one. So very pleased to be in a working with the pub. Several times I have initiated joint meetings with the pub staff person. There was a mention of the biogas issue that I focus on with city council in the last budget round, and that is definitely an issue that has a timing. I was focused on first, but I think now it's a good partnership between cub and pub. The pub's charge is to provide oversight of the city council's management of these two public utility bureaus. They are complex and so the group faced a steep learning curve that is now significantly less steep due to the group's hard work. There's going to be ongoing learning needs, and as has been noted, there are going to be some new pub members so I think something to think about for them to think about for the next year and beyond is providing an orientation and coaching as new members come in. Cub supports the two ordinance amendments. As a member of the blue ribbon commission I actually supported recommending an 11-member group just given that it seemed like a really big job and nor hands on deck could come in handy there were valid concerns, though, on the part of the brc about getting applicants, which is why the blue rib don commission was this nine or 11 and I certainly understood last summer why the nine option offered by the brc was recommended. But particularly given the 11 had always been in the mix and for all the reasons cited in the annual report cub certainly supports expanding the group size. Also supportive is clarity about the terms of the ex officio members being made year round participants. The blue ribbon commission had heard criticism of the fall under only timeline of bacs not really working for bureaus given

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the extent of capital improvement planning, so this contributed to a major finding reflected in the ordinance that the pub be the back, and to include a staff person from the bureau to kind of meet the goal of the -- is that okay?

Hales: That's okay. Keep going, please.

Thompson: Unfortunately, there's not a huge crowd behind me. [laughter] so I think there's lots of reasons to clarify that the ex officio members should indeed be year round and they have been extremely helpful and very respectful of their nonvoting status. Two comments on the annual report itself on page 1 for the opening paragraph it seems like it would have been good if that paragraph had conveyed that the role of the pub is oversight of the city council's management of the bureaus. Obviously there's lots of input being provided directly to the bureaus, but again, I think the brc's focus on making these improvements was linked to decisions made in the past. I understand that. But historically the problem has controversy has definitely not been bureau decisions it's been council decisions. I think there could be just improvements clarifying that the pub is, yes, providing oversight to the bureaus but is also clearly charged with oversight to the city council. That just seems to be missing in that opening statement. Also want to note and support on page 6 the discussion about the communications with city council. I think the terminal 1 situation certainly clarified a role for the pub includes providing oversight of the council and definitely support the comments they make on that regard towards the bottom of page 6, requests for improved engagement from city council. At the same time, I have recommended that the pub also request its staff to monitor council agendas and provide regular reports to the pub on city council matters. A lot of routine things go through occur in these chambers. I think it could be a good educational opportunity for the pub to hear from its staff person about what's happening here particularly when points are made by the public and what not. The other thing I need to mention is the terminal 1 situation and the recommendations that were made by both pub and cub that -- both pub and cub that I would be remiss in not mentioning city council has heeded. Cub's recommendations for the 2015 and fiscal year 16-17 utility budgets. With that I would be happy to answer any questions.

Hales: Thank you.

Fish: For point of clarification one of the comments you made on the terminal 1 discussion was had to do with whether the bureau of environmental services was receiving fair market rent on the transaction. While the terms of a lease agreement have not been finalized, it's my understanding that the rent payments on whatever portion of the facility is used by the housing bureau will in fact be based on fair market rent. While your testimony in the amendment didn't pass your testimony did not cause the amendment it was offered to pass in point of fact in subsequent discussions among principles, the housing bureau has committed to paying fair market rent, details to be worked out. Your weighing in on that was very helpful.

Thompson: That's good to know. I gather that because it's been covered in the press, but I think another factor in that was a lawsuit. It's too bad that the potential legal action potentially has to be a nudge to help align -- the legal actions could have been avoided. Let's put it that way, if there are hen earlier action taken to heed oversight recommendations. An added twist.

Hales: Thank you. Other questions? Thank you so much. Debbi, welcome.

Debbie Aiona: I'm Debbie Aiona, representing the league of women voters of Portland. The league opposed the 2014 ballot measure that would have removed management of the water bureau and bes from city council. We did, however, support steps to strengthen oversight of council's management of the bureaus. As regular observers of pub meetings, for example, we have recommended that the pub website clearly indicate its city council

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oversight role. Oh, my god, I can't read that. Forget that. Oh, in terms of the pub's annual report, the league supports pub's recommendation for a larger board and for clarifying the role of ex officio members. The three ex officio members from bes on the water bureau are valuable contributors to pub discussions. They respect the difference between voting and ex officio membership, ask clarifying questions and add context to the discussions. Year round participation is important because issues affecting budgets particularly capital improvement planning require ongoing discussion throughout the year. The blue ribbon commission recommended a nine or 11-member pub starting with nine was the worthy experiment but giving the workload the need to accommodate absences and the importance of adding a greater diversity of experience and backgrounds to the pub we support the call for a larger board. Success also depends on city council's continued and meaningful engagement with the pub and attention to its recommendations including pub and cub in council budget work sessions is a beneficial procedural element that should be continued. Because we strongly believe in the need for better oversight, the league is concerned that city council's commitment to engagement with the pub was not demonstrated in regard to terminal one. Separate from the pros and cons of the proposal is a grave concern that the recommendations of both oversight groups receive short shrift during council discussion of setting the terms of the lease between bes and the housing bureau. Press reports indicate that the negotiations are continuing and obtaining a fair market value rent is now a goal as commissioner Fish stated. It's problematic that reaching this goal appears to be more motivated by legal action than the groups associated with the improved utility oversights system you created. City council's disregard for input from pub and cub in the terminal 1 case sends a troubling signal that the work to create a stronger oversight system for city council decisions regarding utility ratepayer dollars was lip service. In closing, we support council's adoption of pub's annual report and urge you to be more diligent in providing timely information to pub and cub on potential city council actions and in heeding their future advice even when threat of legal action is not involved. Thank you.

Hales: Thank you. Good afternoon. Welcome.

Richard Robinson: Honorable mayor, Richard Robinson. Because of your oversight responsibility, I feel it incumbent upon me, I have been actively involved for years in anti-litter campaigns, but a utility pole is not a kiosk. The visual cacophony in certain neighborhoods is overwhelming. One can see where because of a lack of proper attention to simple housekeeping the neighborhood has gone downhill because of the litter on the lamp posts. Utility poles. Briefly, your utility board should be made aware of a growing problem. On Broadway at grand, Morrison at 12th, these are only two intersections that come consciousness. It is a problem that can be solved, but it has to be solved expeditiously because some of the neighborhoods are really going downhill. Thank you.

Fish: Debbi, thank you for your written testimony. I just want to state for the record that I support both of the proposed changes. I was trying to remember the conversation we had at the formation. My recollection was that on the question of the ex officio members, there was some sensitivity about not surrounding the pub with too many people and therefore inadvertently dilute their autonomy. So we as a sort of initial step we said we would create these ex officio positions, have in effect a direct relationship with staff that had a lot of information. We would tailor it to the budget season. I think a couple of things have changed. One we heard from the co-chairs that the budget season now actually lasts all year. We have effectively taken the bureau budget committees and made them year round bodies serving with this continuity of expertise. Two is that whatever concern we have about the undue influence of members they say they want them there. Those for me are the deciding factors, why it makes sense. I'm actually very pleased they are viewed as

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resources for the pub to do their jobs better. That's why I support this change and the other change. Thank you.

Hales: Thank you very much. Would anyone else like to speak? If not let's have a motion, please, on the report.

Saltzman: Move to accept the report.

Fritz: Second.

Hales: Roll call, please.

Saltzman: Thank you for this excellent report. I appreciate it very much. Aye.

Fritz: Thanks again, commissioner Fish, for bringing those utilities into very normalcy, a state of normalcy. Which is very nice. Aye.

Fish: I want to thank our co-chairs, everybody on the pub gives freely of their time. The co-chairs have made an extra commitment to this process and they provided us with thoughtful, stable leadership, so thank you. To Melissa Merrill, who has been noted, colleagues, I think it was a very important decision that we made when we tried to learn from the weaknesses in the prior oversight process in creating this new process the commitment to providing ongoing staff. The professional staff support that we ensured and are funding is one of the reasons I think that the pub has on a fairly accelerated track gotten up and running and has been having a significant impact on the quality of our work. I want to thank Melissa. I also just want to acknowledge that this was a work in progress. I want to go back to the blue ribbon commission and thank those citizen volunteers for helping us craft this new system. We knew year one would be one with a very steep learning curve. If you look at the report, it's amazing how this group jumped into the work and the kind of briefings they requested and the progress they made. This year I think we'll see this new relationship come to fuller flower. What I anticipate particularly at budget time that instead of coming in and providing high level review of our budget, we'll have an opportunity to go deeper and particularly into areas like the five-year cip, which many other advisory groups have found it difficult not to crack. They complain, it's already cooked, what's our role? In year two you'll see tougher questions posed on the capital side and the operating side. My commitment as long as I have the honor of leading both bureaus is you'll have my full cooperation in your work. I want to thank the leadership and staff of bureau of environmental services and the water bureaus. They made a commitment and followed through on that commitment. Thank you for an outstanding report. We look forward to building on this relationship. Aye.

Hales: I had a chance as mayor to work in partnership with each of my colleagues on one or another shared initiatives. This one has had several facets to it. That is initiative of trying to restore the credibility of our city utility functions with the public. Had several facets. Some were political like having to beat back a hostile takeover ballot measure. Others have been administrative like having professional staff assigned to the utility function and some are oversight in the form of the pub. I think the fact that we have reached there new normal of proper administration following the rules and having the general public know that that's what's happening is a really significant accomplishment. Commissioner Fish, I appreciate the good work you've done and we have all done to get to this point. More to come. Obviously having really effective citizen oversight of this function is not something we just needed for a little while. It's something we always need. So we're going to continue to depend on volunteers like you two and your colleagues on the pub willing to put your time into this process just as we do with budget advisors and planning commissioners and other folks from the community that really invest themselves in the function of the city. So thank you. Well done all around. Aye. Then let's vote on the emergency ordinance to change the number of board members. And make the other changes in the code.

Saltzman: Aye.

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Fritz: I was particularly glad to hear co-chair smith talk about the importance of public engagement and read the reports in the section about some of the reasons for member turnover, proposal to change meeting times to 4:00 to 6:30 to help build an institution but to widen the number of people who may be able to make it and your commitment to avoid misstatements in particular. I appreciate that. There's no one right answer I don't think on the timing issue although when I was on planning commission we had one meeting a month at 12:30, the other at 7:00 so people could come to one or the other. That might be something to consider. I do appreciate expanding the membership. I'll think about who I might be able to recommend to you and on that line commissioner Judy ship back when he was a racc representative giving a presentation to young women about how to get involved and she was recommending that people get involved in boards and commissions as a way to learn how to do things. She said she applied to be on the plumbing board because although she knew nothing about plumbing she was a user of the system. I think we all use our systems. That opens it up to bright, sharp people who would be willing to do the work who may not necessarily be subject expert so that's what I'm going to be thinking about. Thank you. Aye.

Fish: I think these are two very sensible changes. I endorse them enthusiastically. I also want to acknowledge, though, the work that the citizen's utility board is doing and Janice Thompson in particular. In effect, when we launched this experiment, we got effectively two for the price of one. We have the pub and the cub working arm in arm from slightly different perspectives and with different levels of different history to help us get it right and Janice in the last six months was very creative in looking at the architecture of this and recommending changes. I think there may be additional changes that we'll be considering in the future. But we really appreciate that partnership and having Janice at the table helping us as well. I want to thank you. Since the league of women voters is the only other party that testified today, thank you, Debbi, for taking the time and always being here. The issue about the website seems to me to be a good one and I think we can follow through on that and make sure we get that right. I want to close with some happy news.

Colleagues, this week the water bureau quietly relaunched auto pay. That means that you can go on the website and sign up for auto pay and you'll see new bells and whistles and we're also about to -- Kathy reminds me that we have some other surprises in store this fall that I think our customers will really appreciate. A huge technological challenge that had to be overcome to get to this point but the numbers are very strong and for those of you who like the convenience of auto pay, it is now currently up and running. So we're very pleased. Thank you. Aye.

Hales: Thank you. Look forward to using auto pay. Aye. And we're adjourned until next week.

Fritz: Congratulations. That is huge.

At 3:04 p.m. council adjourned.