



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF OCTOBER, 2017** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jason Loos, Deputy City Attorney; and Elia Saolele and Adam Cuellar, Sergeants at Arms.

Item Nos. 1092 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
1082	Request of Jil Heimensen to address Council regarding Peterson's Convenience Store (Communication)	PLACED ON FILE
1083	Request of Doug Peterson to address Council regarding Peterson's On Morrison (Communication)	PLACED ON FILE
1084	Request of Stanley R. Herman to address Council regarding his question on ORS 830.035 (Communication)	PLACED ON FILE
1085	Request of Wayne Wignes to address Council regarding Portland's open data program (Communication)	PLACED ON FILE
1086	Request of Eli Spevak to address Council regarding historic districts (Communication)	PLACED ON FILE
TIMES CERTAIN		
*1087	TIME CERTAIN: 9:45 AM – Further extend the housing emergency to address continuing homelessness issues, identify Council powers, specify an eighteen-month duration, and waive portions of the zoning code (Ordinance introduced by Mayor Wheeler) 1 hour requested for items 1087 and 1088 (Y-5)	188627

<p>*1088</p>	<p>Extend sunset of mandatory relocation assistance for involuntary displacements of tenants under Affordable Housing Preservation and Portland Renter Protections (Ordinance introduced by Mayor Wheeler; amend Code Section 30.01.085)</p> <p>Motion to remove language in code that allows an exemption on relocation payments for owners who rent only one unit in the city of Portland: Moved by Eudaly and seconded by Fish (Y-1 Eudaly; N-4) Motion failed.</p> <p>Motion to add friendly amendment instead of an exemption for “one Dwelling Unit” from 30.01.085 B, replace it with “a single accessory dwelling unit”: Moved by Fish and seconded by Eudaly. Motion withdrawn.</p> <p>(Y-5)</p>	<p>188628</p>
<p>*1089</p>	<p>TIME CERTAIN: 10:45 AM – Adopt City of Portland, Oregon Equal Employment Opportunity Affirmative Action Plan For Minorities & Women January 1, 2018-December 31, 2022 (Ordinance introduced by Mayor Wheeler) 30 minutes requested</p> <p>(Y-5)</p>	<p>188629</p>
<p style="text-align: center;">CONSENT AGENDA – NO DISCUSSION</p> <p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Office of Neighborhood Involvement</p>		
<p>*1090</p>	<p>Authorize grant agreement of \$10,500 for East Portland Neighbors to administer the Community Activities Fund in order to support community building and civic engagement efforts in East Portland (Ordinance)</p> <p>(Y-5)</p>	<p>188624</p>
<p>*1091</p>	<p>Authorize grant agreement of \$10,000 for East Portland Neighbors to provide liability insurance coverage for meetings and events to engage East-Portlanders in community and civic engagement activities (Ordinance)</p> <p>(Y-5)</p>	<p>188625</p>
<p style="text-align: center;">Commissioner Amanda Fritz</p> <p style="text-align: center;">Portland Parks & Recreation</p>		
<p>*1092</p>	<p>Authorize Bureau of Parks and Recreation to execute a disclaimer and relinquish all of its right, title and interest in the Katherine B. Gordon Residence Trust, including its remainder interest and all other interests in the real property at 8533 SW 35th Ave (Ordinance)</p> <p>(Y-5)</p>	<p>188626</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p> <p style="text-align: center;">Bureau of Transportation</p>		
<p>1093</p>	<p>Authorize an Intergovernmental Agreement with the State of Oregon, Motor Carrier Division, to renew participation in the Continuous Operation Variance Permit program for oversize/overweight vehicles (Ordinance)</p>	<p style="text-align: center;">PASSED TO SECOND READING OCTOBER 11, 2017 AT 9:30 AM</p>

October 4-5, 2017

REGULAR AGENDA - Morning Mayor Ted Wheeler Office of Management and Finance		
1094	Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor in connection with the Columbia Boulevard Wastewater Treatment Plant Secondary Treatment Expansion Program for an estimated amount of \$89,000,000 (Second Reading Agenda 1072) (Y-5)	188630
Portland Housing Bureau		
*1095	Create Rental Services Commission (Ordinance; add Code Chapter 3.133) 1 hour requested for items 1095-1097 Rescheduled to October 4, 2017 at 2:00 p.m. (Y-4; Fish absent)	188633
1096	Appoint 13 members to the Rental Services Commission (Report) Rescheduled to October 4, 2017 at 2:00 p.m. Motion to accept the report: Moved by Saltzman and seconded by Fritz. (Y-4; Fish absent)	ACCEPTED
1097	Appoint five new members and reappoint seven members to the Portland Housing Advisory Commission (Report) Rescheduled to October 4, 2017 at 2:00 p.m. Motion to accept the report: Moved by Saltzman and seconded by Fritz. (Y-4; Fish absent)	ACCEPTED
*1098	Authorize an Intergovernmental Agreement with the City of Gresham for \$749,573 for the HOME Investment Partnership Program (Ordinance) 10 minutes requested (Y-5)	188634

At 1:13 p.m., Council recessed.

October 4-5, 2017

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF OCTOBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Saltzman, 5. Mayor Wheeler left at 3:50 p.m. and Commissioner Fritz presided.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and John Paolazzi and Elia Saolele, Sergeants at Arms.

1099	TIME CERTAIN: 2:00 PM - Amend the Central City Plan District to increase height and floor area ratio limits on the United States Postal Service site (Second Reading 1080; Ordinance introduced by Mayor Wheeler; amend Code Section 33.510 and Ordinance No. 175163) 5 minutes requested (Y-5)	Disposition: 188631
1100	TIME CERTAIN: 2:05 PM - Enhance community service opportunities and strengthen the transparency and accountability of City advisory bodies (Resolution introduced by Commissioners Fish, Eudaly and Fritz) 90 minutes requested See amendment motion page attached.	CONTINUED TO NOVEMBER 1, 2017 AT 9:30 AM AS AMENDED RESCHEDULED TO NOV 8
REGULAR AGENDA – Afternoon		
*1101	Prohibit transfers of Recreational Vehicles with malfunctioning or non-functioning waste water systems (Ordinance introduced by Mayor Wheeler and Commissioner Saltzman; add Code Section 14A.30.070) 30 minutes requested Motion to accept Bureau technical amendments in 10/2/2017 memo: Moved by Saltzman and seconded by Fish. (Y-5) (Y-5)	188632 AS AMENDED
Commissioner Amanda Fritz Portland Parks & Recreation		
*1102	Authorize a five-year price agreement with Relay Resources for janitorial services at multiple Portland Parks & Recreation locations for a contractual total not to exceed \$5,495,216 (Ordinance) 10 minutes requested (Y-4; Wheeler absent)	188635

At 4:47 p.m., Council recessed.

October 4-5, 2017

Item 1100. Amendments

Enhance community service opportunities and strengthen the transparency and accountability of City advisory bodies

10-4-2017 6 motions made and 3 votes taken.

1. **Eudaly 1 motion to add to Exhibit D, Bylaws template, section V. General Operating Procedures, a bullet after the first bullet that states: When the conflict of interest would result in a direct financial benefit to themselves or relatives (as defined in state law), a public official is expected to refrain from voting on the issue, although discussion and participation is still allowed:** Moved by Eudaly and seconded by Fritz. Vote not called.
2. **Fritz 1 motion to add to Resolution: WHEREAS, the City Council seeks to understand not only the conclusions of the body but also the substance of its deliberations and for that reason encourages the submission of minority reports along with the majority recommendation; and**
Add to Exhibit C member training slide: The City Council is interested not only in the official recommendation of advisory bodies, but also in the substance of the body's discussion and debate. Members are encouraged to develop and submit minority reports if the advisory body does not reach a consensus recommendation: Moved by Fritz and seconded by Fish. (Y-4; Wheeler absent)
3. **Fish 1 motion, to delete the last three paragraphs regarding media restrictions from Exhibit D, Bylaws template, IX. Communications:** Moved by Fish and seconded by Saltzman. (Y-4; Wheeler absent)
4. **Fish 2 motion to add to Exhibit D, Bylaws template, section V. General Operating Procedures, a bullet after the last bullet that states: Staff are obligated to keep a record of all conflicts of interest that are announced during each meeting:** Moved by Fish and seconded by Fritz. (Y-4; Wheeler absent)
5. **Fish 3 motion to add to Exhibit D, Bylaws template, section V. General Operating Procedures, a final bullet that states: If it is found that a member did not disclose a conflict of interest, staff must alert the Bureau Director of the instance:** Moved by Fish and seconded by Fritz. Vote not called.
6. **Fritz 2 motion to amend Eudaly amendment: When the conflict of interest would result in a direct financial benefit to themselves or relatives (as defined in state law), a public official is expected to refrain from voting on the issue and may not participate in the discussion prior to a vote., ~~although discussion and participation is still allowed.~~:** Moved by Fritz and seconded by Fish. Vote not called.

October 4-5, 2017

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5TH DAY OF OCTOBER, 2017** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Senior Deputy City Attorney and John Paolazzi, Sergeant at Arms.

The meeting recessed at 3:12 p.m. and reconvened at 3:22 p.m.

		Disposition:
1103	TIME CERTAIN: 2:00 PM – Declare support for DREAMers and urge Congress to continue the Deferred Action for Childhood Arrivals program and to pass the DREAM Act (Resolution introduced by Mayor Wheeler and Commissioners Eudaly, Fish, Fritz and Saltzman) 1 hour requested (Y-4)	37320
1104	TIME CERTAIN: 3:00 PM – Proclaim September 15 to October 15, 2017 to be Hispanic Heritage Month (Proclamation introduced by Mayor Wheeler) 45 minutes requested	PLACED ON FILE

At 3:57 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.

October 4-5, 2017
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.

October 4, 2017 9:20 AM

Eudaly: Here **Fritz:** Here **Fish:** Here **Saltzman:** Here **Wheeler:** Here

Wheeler: The purpose of council meetings is to do the city's business including hearing from the community on issues of concern. In order for us to hear from everyone and give consideration to matters before the council, all of us must endeavor to preserve the order and the decorum of these meetings. To make sure that the process is fair for everyone, I want to just review some of the basic guidelines that I hope makes everybody feel comfortable, heard, and respected, and ensure that the decorum is maintained. There is two opportunities for public participation. First, we have an opportunity for people to sign up for communications, to briefly speak on any subject that they would like to speak on. These are items that are scheduled in advance with the clerk's office, and if somebody would like to participate in that opportunity, one can sign up with the clerk. Second, people may sign up for testimony on the first readings of reports, resolutions, and ordinances. If you do sign up, your testimony must be germane to the issue being discussed. Please state your name for the record, we don't need your specific address. Council rules do require that if you are a lobbyist, you let us know that. In addition, if you are here representing an organization, it's helpful if you let us know that, as well. Individuals typically have three minutes to testify. When you come up to the microphone, just state your name for the record, there is a little box there, and when you have about 30 seconds left, you will see a yellow light; when your time is up, there will be a red light, and you will hear some beeps. We ask you to please stay within your time limits. If there is a disruption I will issue a warning that if there is any further disruption occurring, the individual or individuals creating that disruption are subject to expulsion from the meeting. If you are asked to leave and you don't leave, you are subject to arrest for trespassing. We don't like that to happen. So, let's all just keep it good. If folks would like to show support, a simple thumbs-up is great. If you want to show your dismay with something, thumbs-down is fine. Just remember that you are going to hear lots of opinions, many will vary from your own opinion, and let's all just try to be respectful of everyone's interests. With that Karla call the first communications item.

Item 1082.

Wheeler: Good morning.

Jil Heimensen: I am Jil Heimensen, Mr. Peterson's lobbyist. Thank you for letting us testify today. What I'm going to do is, I am going to read this letter, just to give you guys an update on kind of what we're going through right now with our situation. Okay. On December 1st, Peterson's Convenience Store will celebrate our 34th anniversary at our Morrison location. Since day one, we have been open 365 days a year during all hours that the MAX runs to best serve our over 900 customers from all walks of life who shop at our store each day. That's every single day, right, Mr. Peterson?

Doug Peterson: Right.

Heimensen: Every single day for 34 years. Anyway, our celebration is bittersweet because December could also be our last full month of business at the Morrison location

October 4-5, 2017

because Prosper Portland is requiring us to vacate our space by January 14 for a full year to renovate the Yamhill Smart Park Garage and a ground floor retail area. The future beyond January 14 for us is unclear. We were initially very excited about the opportunity to renovate our Morrison store. For us, making significant investments in the space would have been a risky undertaking since we have been on a month-to-month lease since the 1990s. Until now, our landlord, the city of Portland, thank you, has never offered to make any improvements. The city gave up on fixing the air-conditioner years ago, making this store so hot in the summer that the chocolate bars would melt. Our excitement turned to anxiety when we realized all the stores that are blocked, many who are successful local legacy businesses who have been in the community for over 30 years at the same location were about to suffer the same fate as Portland's Albina neighborhood where Prosper Portland pushed out families and businesses that they considered undesirable. Prosper Portland has met with us several times since 2015, and has said that they have heard Peterson's desire to remain at our Morrison location. Their actions suggest otherwise. The construction plans divide our current space into smaller units, which indicates that we already face an uphill battle to keep our space. In addition, the application process is not going to begin until Prosper Portland is ready, which could easily extend beyond when we were asked to vacate. Even if we could apply before we lost the employees who have been with the company for decades, the requirement set by Prosper Portland puts us at a disadvantage. Prosper Portland resolution 7240 set a lower priority for locally owned franchises of more than three locations – we have four - and will not allow off-premise sales of alcoholic beverages - and we sell specific northwest wines and beer. The requirement to vacate for an entire year or more during the remodel also feels targeted to root out existing businesses like ourselves. Open store remodels are common with just one example down the street, Pioneer Square, Starbucks. Our space is conducive to staying open since the major construction will occur on the corners of the building, and the storefronts are slated to remain intact for some time. It will also be safer for the MAX riders because we sell the HOP pass, and being open late, because we're open all hours of the MAX operates. Many of the 3,500 supportive comments, right here, we received from our customers who have signed our petition, discuss how they feel safer waiting for the MAX. So, in closing we really again, we want to stay, and we were hoping to get help from the City Council because we are not getting it for Prosper Portland.

Wheeler: Thank you. Appreciate it. Good morning, sir.

Doug Peterson: I am Doug Peterson, the owner of Peterson's, and we just can't get any communications going with Prosper Portland. Twice, we have appeared – a bunch of our employees and myself have appeared before at their open public meeting. We never got a response after appearing. We wrote a letter after we got a letter of support from commissioner Eudaly and commissioner Saltzman, wrote a letter to Prosper Portland urging us getting some help. And we never -- we wrote a response to that, talking about, we could actually stay during much of the remodel, because of the location of the business. And we never heard one peep. We have gone down there and tried to make an appointment. They referred a name to us, we've e-mailed them, we have called, and yet no one has responded to set up a meeting or anything, we are absolutely being ignored. And you know, we are popular in the neighborhood, as you can see, and over 900 customers a day come into our stores. We've donated to - the Downtown Neighborhood Association has a project, at National Night Out crime prevention, and every year, we've donated water and soft drinks for that festival. And usually we go through about 800 units, of water and soft drinks. We've hired handicapped people, and we are part of the community, and we are like Voodoo Donuts and Starbucks, and Powell's as far as being known in Portland, and we are popular, and we are just asking if there is anything that we

October 4-5, 2017

can do to get a process going to talk about this, because we really want to stay. And like Jill said, the ends of the building are where the construction are, where they're building out the storefronts or building new stairwell and elevators and tearing out the old ones. In the middle block, as I understand it, they are planning to maintain the building, the storefronts, for some time. We walked through with a bunch of contractors looking at the building, and that's what they stated, that the integrity of the storefronts would stay for a long time during the remodel before they actually do the, that part of the thing, and we're in the middle of the block. So, I think that we could be there and be serving the Tri-Met customers and serving the construction workers and we have the Hop Pass, and that's the direction that Tri-Met is going, and they can buy the Hop Pass, and we can add value to it, I know that you can do that on the iPhone or, I think you can do it over the telephone too, or on the internet, but a whole lot of folks don't have iPhones. [Laughter] I have one, but not everybody does. And especially tourists, people that are unfamiliar, we can help them, you know, navigate getting the Hop Pass, and I think that we can just be good assistants so thank you for your time and hopefully maybe some support.

Fish: Thank you.

Wheeler: Very good, and Doug, I will have Kyle from my office connect you with Prosper Portland to get you your meeting.

Peterson: Okay. Thank you.

Item 1084.

Wheeler: Good morning sir.

Stanley R Herman: Good morning. Well, let's see if we can put an end to this, you have seen me for 11 months now, but it's all not bad. My name's Stan Herman, president of the History Collection nonprofit group. Like I mentioned, I've been here for 11 months now, and need to understand and learn your process a bit more. Let's start with you guys have got a tough job at times, I really appreciate the work you put in, it's amazing. But, in the past, I have talked to about the twenty city employees to get an answer to my question with no help at all. That's why I decided to come to the leaders of the city here to kind of get some communication going. And it hasn't happened for whatever reasons. For the record, almost 11 months now, I've been asking the mayor or the council to give me an opinion to a question. Mr. Mayor, four months ago you said that you would give me a legal - "This is a legal question, I'll have the lawyers give us an answer," but that never happened. I've been asking for your opinion, and not a legal answer, although the answers would be the same. I am asking you now. Every week, I hear your opinions regarding a lot of different issues. Why couldn't I get an opinion from anybody up there regarding my questions over the last 11 months?

Wheeler: So, Mr. Herman, to answer your question, and I'm going to answer it annoyingly exactly the same way I answered it the last time you were here. This is a water-related crime. The jurisdiction is Multnomah County. We have no legal jurisdiction over this matter. Multnomah County does.

Herman: You did not read the ORS that I submitted. It clearly says the Portland city police.

Wheeler: You received communications from our legal counsel stating their opinion.

Herman: They did not give me an opinion. Anyway, uh...

Wheeler: I am looking at the email, is right in front of me.

Herman: But anyway, if you would read the ORS, it clearly says the first peace officer that shows up. But anyway, we'll go on, 'cause I have got some positive - I am not just here to bitch and complain about things, I've got some solutions. And maybe that's what we've been waiting for. So, like I said, I am not asking for your opinion. And I am not trying to bring it up so I can sue the city or anything. None of that is my intentions. I just wanted to point out and have you guys accept the fact that the police was, in '08, responsible for an

October 4-5, 2017

investigation, and I called and reported homeless under the building that burned this building down three months ago, four months ago, and I got a case number, they never showed up and did their job as well. So, now I lost millions of dollars there. Well, I am going to skip down to the real meat of this thing, and like I said, I am not here to complain, I will be 70 in December, and I would like to partner up with the city to give back to the community. A wonderful plan which you have some pictures in front of you, to build three soccer fields on this facility. A storage and launch area for canoes and kayaks for kids, and it would require conditional use, and we plan to put a dock on the front, restore the -- put the LCI 715 veteran restored ship there. This is a group that is a for-profit business, and a government, and a nonprofit business. And we would like to get some involvement with the city on the fast track permit, and feasibility for this. The project is going to be fun, it's gonna create jobs, and I even got a nickname for it so far. I think I might call it Herman/Fish Field. So, it could go both ways. It could represent you or the Fish. So, anyway, I just want to know if there is something with what you see here, again, maybe I didn't make myself clear in the past, I am not here to bitch, I'm here to provide something for the community and the city, and if any one of your commissioners, chief of staff, want to sit down with me, we could plan a wonderful, wonderful space for the Community for soccer and canoes.

Wheeler: Wonderful. I actually have somebody on my staff who would be interested in hearing more about your concepts. I'll connect you.

Herman: I think that would be great. I only have 40 more summers left so I have got to get this done.

Wheeler: Thanks Stan. It's good seeing you. Next item please.

Herman: Thank you.

Item 1085.

Wheeler: Good morning.

Wayne Wignes: Good morning. My name is Wayne Wignes. So, earlier this year, I was listening to some people present on making data more accessible to the public. At the time, the shooting of Quanice Hayes was a hot topic, so a lot of people seemed to take this as data on crime and law enforcement. But to me, open data means more than that. When I begin to solve a problem, in the beginning, I have no idea what patterns are going to emerge. It's only once I start playing with the numbers and the variables that connections become apparent between things that I previously thought were completely unrelated. It's this kind of understanding that is required to gain any kind of user control. Here we're talking about the social issues, group dynamics, not just individual actions. There are many variables to identify, and even more patterns to emerge. My point here is that I don't see too many enlightening patterns emerging by just making data available on crime and law enforcement. In fact, if an issue has evolved to the point that a cop needs to step in, then we're talking about the effect not the real underlying cause. There are numerous researchers and curious minds alike here in Portland who would benefit from making data more accessible on infrastructure, medical, and environmental, industrial, and infrastructural, educational, and to the extent that the government can do so, even consumer data. You have got to figure there is a reason why companies are paying good money to access the data on seemingly redundant things. More data means more patterns, means more understanding, and that understanding can translate to more leverage for consumers and citizens alike. What triggered me signing up for this communication was: Over the summer, I heard of Disney mining data on 13-year-olds to adjust their marketing strategy. They were getting sued, apparently. And my point is, this is kind of a new frontier, and you guys can wait until issues like this pop up on your table forcing you to regulate free market, or you can just try to be proactive and provide the data, level the playing field, you know. I do realize this is a new project, and they are just getting

October 4-5, 2017

started, so it is not me pointing the finger at anybody, just pointing out that there is more to data than people getting shot. Additionally, I wanted to comment that maybe it might not be a bad idea to have a public comment section on your online websites. That might be more productive than, you know, you're the government, you can have people register with their social security numbers and be accountable for what they say. And that might be a more productive way to communicate, rather than through online, you know, news that dramatizes the same issue every week, and got us starting back at square one every week. So, thank you.

Wheeler: Thank you and I agree with you on that. And the same comments over and over again. Thank you sir. I appreciate it. Next item please.

Item 1086.

Wheeler: Good morning, sir. It's good to see you.

Eli Spevak: Good morning. I'm Eli Spevak and I am an amateur historian right now. Thinking about the housing crisis, I go back to World War II sometimes, where Portland had our last big housing crisis, 194,000 people came to Oregon, and 150,000 of them working in 85 shipyards. We had a huge housing crisis, and we responded quickly. In 1941, we created the Housing Authority. 1942, we have the War Housing Code, which is six pages, and seriously it made it more easy, made it much easier to internally divide existing homes, and it loosened building codes. And in rereading it, on page 6, I found something which was curious to me. And I printed this out, if you put it up on there on the map, and there is an exception. There was a lot of support back then to increase housing options so people could live, but they didn't apply in single family zones, Class 1 residential zones. So, it got me curious what parts of the city have effectively figured out how to not be part of that response to a housing crisis? And so, I pulled out the old zoning code map, and you can see on the next page, single family zoning pre-World war II. And did a little color by number. In fact, they marked it by little dots, the single-family areas, and the yellow areas are the areas that were zoned "single family" back then. So those are the areas of Portland that didn't really participate in the first response to our housing crisis. So, fast forward 75 years to today. And if you look at the yellow areas, those tend to be some of the affluent parts of Portland. We now have "historic landmark" designations. For individual properties I strongly support. But for districts, I have some questions. And it seems like there might be a trend if you looked at the areas where I drew in where we have landmark districts, that they tend to overlap pretty well with some of the areas that were protected from being part of the housing solution 75 years ago. It's obviously not the same people. People don't live that long, and obviously there are good reasons for protecting historic homes. But, if it turns out that the new land use tool du jour becomes a historic district, which makes it harder to build any new housing, there is no by-right process of doing it. In fact, you can't even use housing in those areas to meet our Goal 10 supply demand, because you can only do it through discretionary process. Then we have got an equity issue! And I think that I am concerned as new landmark districts get proposed, that the correlation between the landmark district and the affluence of the neighborhood might be much closer than the correlation between the landmark district and the number of historic structures in that area. So, the last page I show is the historic resource inventory, and I can only do a screen shot, but you can see that there's landmark buildings all over the city. All over the -- everywhere. And there is maybe a loose concentration in the areas where they are designate districts, but I think that before we go creating more districts, we should figure out whether there is an equity issue that we are perpetuating here. Thank you.

Wheeler: Thank you. Appreciate it.

Wheeler: Karla, which items have been pulled from the consent agenda?

October 4-5, 2017

Moore-Love: Just the one item, 1092.

Wheeler: Please call the roll on the remainder.

Eudaly: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Wheeler: Aye. Consent agenda is adopted. Please call 1092.

Item 1092.

Wheeler: Commissioner Fritz.

Fritz: Thank you mayor. Just briefly, as it says in the ordinance, this property was donated to Parks by an estate, and they didn't ask us ahead of time if we actually wanted this property. It's not located near any existing park, nor is it suitable for a park ongoing, and the way that the gift was given, if it's not used for park users, it goes back to the landowner, so, basically, we're just saying thank you but no thank you. I believe that Lightning pulled this.

Wheeler: Good morning.

Lightning: Yes, my name is Lightning and I represent Lightning Super Watchdog X. One of the reasons why I pulled this item is on the trust itself. When Katherine Gordon died on October 2, 2004, she set up this trust, number one, to live in the property to the end of her life and then transfer that to the caregiver of her, to allowed to live in the property also. One of the things that she wanted to also have done is that after the individual that is living there in there also, at a certain time, she wanted it transferred to the city of Portland. Now I am having a bit of a difficulty on her wanting to have this done, and the city of Portland is staying "No, we're not going to do it." Now, your statement today was, it's not near a park. Your statement today was, "We can't make it into a park. We can't utilize it for public use as a park." And in the trust, it did state that if you tried to sell it for any monetary gains, that would not be approved. Now my position is that in the trust, if she wanted it transferred to the city, why can't you use just a small park? Why can't you do that based upon what this trust has stated? Just a small piece of property there? Why can't you do that based upon her wishes in her trust to transfer it to the city of Portland? And now you are coming back and saying "Well, we just don't want the property, we wanted to declare it a surplus property," again, that would be, as you reverted back to the trust, which, if I am correct, and I will research a bit more on this, a few months ago, this property came up during a resolution. And if I am correct, this property came up during the resolution to sell the property. Now I will go back on the records here and look at that. But you must have referred back to the trust itself that said that you cannot do it for monetary gains. Now, there is nothing that says that you cannot keep this property, allow the current person in there to live in there, as it is stated in the trust, the wishes of Katherine Gordon, there is nothing that says that you cannot do that. So, I am really surprised that you are turning back and just saying "No, we just don't want this property based upon your trust. We don't approve what's in this trust." And also, when you look in this, she's also donating various money to the Portland Art Museum, various money to other areas that are very beneficial to the city, that again, in this trust, what's written up, her wishes, upon her death, to see the city of Portland end up with this, make it into a park. You have a small park right in the middle of the road down there that's only a couple feet. You can make this into a park, respect her wishes. Respect the trust. And take this property, keep this property. Thank you.

Wheeler: Thank you sir. Next item please.

Fish: It is an emergency.

Wheeler: Oh, I'm sorry. Thank you. I almost forgot the most important and exciting part. Please call the roll, Karla.

Eudaly: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Wheeler: Aye. The ordinance is adopted. Next item please.

October 4-5, 2017

Item 1087.

Wheeler: Colleagues, we're proposing an 18-month extension to the housing emergency that was first declared –

Fish: Are we reading these together, mayor?

Wheeler: No. We are reading it separately. [The housing emergency] that was first declared in 2015. Since first declaring this state of emergency, we have made significant progress to address the housing and homelessness crisis. We've increased shelter, and the number of unsheltered people sleeping on our streets has decreased, there are 2,200 affordable housing units currently in the pipeline through both an increased funding strategy and streamlining the permitting process. We've passed a number of additional tenant protections from inclusionary housing to mandatory 90-day notice to mandatory relocation assistance, and we're finalizing the strategy to construct, acquire, or rehabilitate an additional 1300 units, thanks to the \$258 million Affordable Housing Bond voters approved last year. But there is more we need to do to stabilize the systems that impact housing and homelessness in our community. Rents continue to increase, and families continue to be faced with difficult decisions, like whether to take a 20% rent increase or move 45 minutes farther away. Whether to pay their phone bill or their rent this month, or whether to sleep on the street or stay with an abusive partner. This is an emergency that requires action now. This housing emergency is not just a theoretical concept. It's a practical set of land use and regulatory tools that we can use to address both housing and homelessness in our community. This ordinance asks the Portland Housing Bureau and the joint office to help us to determine criteria which indicates when we can end the housing emergency as well as a plan to get us there. I also want to acknowledge the typo in the impact statement at the end of the original announcement, which had the incorrect date listed for the extension. It is corrected here in the code, and the intention is to extend this policy out six months to April of next year, 2018. Just to clarify. I would now like to ask commissioner Fish. He has some comments that he would like to make up front, and colleagues, if anybody else has any comments they would like to make up front, that would be great, too. Commissioner Fish.

Fish: Thank you mayor. Mayor, today, mayor and colleagues, today and over the next few weeks.

Wheeler: Sorry, the typo correcting my typo has a typo. It's 18 months. Sorry. Commissioner Fish.

Fish: Thank you mayor and colleagues. Today and over the next few weeks, we are poised to take four important actions to address our housing crisis. I support all of them. Extending the Housing State of Emergency by 18 months, extending the renter relocation ordinance, developing a road map for how we spend the housing bond, and setting a bold vision for boosting the supply of permanent supportive housing. Deeply affordable housing with the services that people experiencing mental health crisis and addiction so desperately needed. These are very important steps, and I am grateful for the leadership of the mayor, each of my colleagues, and the activist community. But we still have more to do. I believe that we should make the Renter Relocation Ordinance permanent and should do so this calendar here. And I will push for continued funding for the Joint Office for Homeless Services during our normal budget process. We are not the only city on the west coast experiencing a housing crisis. We have an opportunity to be a leader in supporting innovative, compassionate, and cost-effective solutions to that crisis. Thank you.

Wheeler: Thanks commissioner. Anybody else? Commissioner Eudaly?

Eudaly: Thank you. I don't have any prepared remarks, I just want to acknowledge the housing advocates in the room who are the ones that first called our housing state of emergency, and I want to appreciate the council for hearing that cry. It's hard to believe

October 4-5, 2017

that it's only been two years, that was really a turning point in my life as a housing advocate. When Justin Buri, from the Community Alliance of Tenants reached out to me, and other housing rabble rousers and kind of invited us into the fold and our joint effort made the first noticeable difference in this crisis. So, thank you mayor, and I look forward to, well, I don't look forward to the crisis extending, but I look forward to the emergency measures we're taking, staying in place.

Wheeler: Very good. With that, we will introduce Mark Jolin from A Home for Everyone in the Joint Office of Homelessness Services, and Kurt Creager, the director of the Portland Housing Bureau. Come on up. Thanks, gentlemen for being here.

Kurt Creager, Director, Portland Housing Bureau: Good morning mayor. Kurt Creager director of Portland's Housing Bureau. It's my pleasure today to speak in favor of this extension. I would like to speak to two aspects. One is the 180-day review by which the Housing Bureau and Joint Office of Homeless Services will derive what we think are appropriate metrics to end the housing emergency. This was discussed during our budget process for the 2018 budget, I think the council budget office and OMF were both involved in that effort, we want to make sure it's an open, transparent conversation, and we'll be especially looking at not just metadata like vacancy rates by income quartile, but also particular subpopulations: Ethnic minorities, sexual minorities, and needs by gender, because there is a huge difference across the spectrum. Now that we're doing the point in time annually, we'll have better data and more frequent data inputs for that purpose. The other thing that I would like to underscore is the value of some of the more subtle aspects of the state of emergency. The process improvements that have been created by working together amongst and across the bureaus, the Bureau Development Services, the Housing Bureau, the Bureau of Transportation, Environmental Services, Water, especially, to help accelerate the velocity of the permit approval for affordable housing projects has been very, very important. Under commissioner Saltzman, we increased the pipeline by -- we essentially doubled the pipeline. And we're going to double it again. And it doesn't do a lot of good to appropriate the money without seeing the actual end product as quickly as possible, so, I'm pleased that our sister bureaus have been cooperative, and I do think that the state of emergency has sharpened everyone's focus, because everyone has proprietary priorities of their own. And in this particular instance, the state of emergency has really helped, so I think that things like design review, I know, are kind of inside baseball, but the fact that we now have faster ways by which to gain permit approval is profoundly important for the people that will ultimately live in these properties. Thank you.

Mark Jolin: Alright. Good morning. Council members. I am Mark Jolin, I'm the director of the Joint Office of Homeless Services, I appreciate the opportunity to come and speak a little bit about what we've been able to accomplish thus far under the state of emergency, and why we need to continue this. When you first declared the state of emergency two years ago, you gave us important tools, financial resources, and critical focus to move forward a set of strategies to address the housing and houseless crisis in our community. Since that time, the city and the county have worked together in an unprecedented way, and in partnership with community-based organizations, advocates, business leaders, philanthropists, and the faith community to expand the resources available to people facing homelessness. With the declaration of the state of emergency, you joined the county to increase total investment in homeless services by 40%, \$20 million a year. In addition to the large increases in housing development investments. With the investments in homeless services and the tools provided by the state of emergency, we have expanded the services rapidly. In the past two years, we've been able to open, and help open, six year-round emergency shelters with over 650 beds of capacity. That includes a new 90-bed women's shelter, a new 120-bed shelter for couples and women, a 30-bed veteran

October 4-5, 2017

shelter, a new 200-bed shelter for adults that prioritizes women, couples, the elderly and disabled, a new 14-bed village for women in the Kenton neighborhood, and a year-round 120-bed shelter for families, that also serves several hundred additional people a night with overflow capacity. We have also added 50 beds in motel rooms for women and children fleeing the domestic violence. And in addition, with the help of the partners from the business community each winter, we've been able to open several hundred beds of additional temporary shelter. As a result, since the declaration of the state of emergency, we've been able to help what was, sorry, let me say that again, since the declaration of the state of emergency, we're now able to help over 8,000 people a year access shelter. Prior to the declaration of the state of emergency, that number was around 4,000. Beyond shelter, we've been able to expand successful programs and introduce new programs to prevent people from entering the shelter system. An expanded diversion program for the family system and for the domestic violence system helped several hundred families avoid having to come into shelter last year, a new partnership with the workforce system last year helped dozens of families who were participating in workforce programs to avoid losing their housing, so that they could successfully complete their training and find living wage jobs that actually pay the rent. There is a new program that focuses on helping African-American men coming out of the criminal justice system called Flip the Script. It connects them with the housing treatment and employment services they need to avoid being discharged into homelessness. And there is a new housing stabilization team at the County Department of Human Services, that helps their age asking disabled clients to avoid losing their housing. As a result of these expanded and new program investments, last year, we increased the number of people who received prevention assistance by 33% to 6,000 individuals. And we have made similar progress on our ability to place people off the streets and out of our shelters. We have more than doubled the number of housing placement workers doing outreach to camps and shelter in the last two years. We have a specialized mental health outreach team, we have culturally specific outreach to the Native American, African-American, and Latino communities. We have teams specializing in serving women with histories of domestic violence, and we have a team that's out there recruiting private market landlords. And we're offering increased access to employment services and benefit services. As a result of all these efforts, the publicly supported nonprofits in our community last year helped more than 4,900 people move off the streets out of shelter and into permanent housing. That's a 65% increase over where we were three years ago the year before the declaration of the state of emergency. All of this is good progress, and yet, the housing and homeless crisis continues for low income people, disabled people, our seniors, and especially for communities of color. The most recent point in time count made it clear. While we can appreciate our unsheltered number was down by 11%, an outcome that defied the trend of double-digit increases up and down the west coast, there were conservatively over 1600 people entirely unsheltered on one night in February in our community. And importantly, the overall homeless population continued to grow, nearly 10% over the past two years. And we saw a particularly dramatic increase, about 24% in the severely disabled long-term homeless population. And over 70% of that chronically homeless population was still unsheltered. Within this increase, there are other disturbing trends, especially the continued significant overrepresentation of communities of color in the homeless population. Nowhere was this more evident than within the Native American community which makes up 2.5% of Multnomah county's population, and about 10% of the HUD homeless population. What this data tells us is that while we have made progress on improving shelter access overall, that work is not done. We still have too many highly vulnerable people unsheltered, and had we need to fully stabilize the shelter capacity that we've created. And critically, we continue to be in a situation where each day,

October 4-5, 2017

more people are becoming homeless and ending up on our streets and in our shelters than are able to escape the homelessness. For all the progress that we have made on prevention and placement, we need to use the continued declared state of emergency to sustainably improve the ability of our shelters, especially our low barrier shelters, to help people move out of them and back into permanent housing, to reduce the number of people who are leaving the hospitals, the mental health system, the criminal justice system and the foster care system and winding up on our streets. To strengthen the integration of our homeless interventions with mental health, addiction treatment, education, and employment services, to expand the targeted interventions for communities of color that are overrepresented in the homeless community, to expand our targeted housing and support service interventions for chronically homeless people, including, importantly, the expansion of supportive housing. And, finally, to take the financial and regulatory steps to ensure that very low-income households can remain in the housing that they have, and to increase the access to deeply affordable housing unions for families and individuals who are homeless today or become homeless tomorrow. The joint office will, as directed in the ordinance, work with the Portland Housing Bureau over the next six months to articulate the criteria for determining when we no longer find ourselves in a state of emergency with respect to housing and homelessness, but right now the crisis clearly continues. And extending the declared state of emergency recognizes that we must continue to prioritize the critical work of sustainably expanding and improving our local response to the housing and homelessness crisis.

Wheeler: Thank you. Appreciate that. And we also have an invited panel, so if you gentlemen want to cool your heels for a bit, we have Sharon Meieran, she's Multnomah County Commissioner District 1, Michael Buonocore, the executive director of Home Forward, and Will Harris, who is the deputy director of JOIN, come on up and welcome, thanks for being here! We sure appreciate it. Commissioner do you want to go ahead and start?

Sharon Meieran: Yes, thank you. Thank you for having me here today, mayor and commissioners. For the record I am Sharon Meieran, I am the Multnomah County Commissioner for District 1. And I want to just briefly discuss the work that the county and the city are doing together to expand shelter, streamline homeless services, and get thousands of people into permanent housing. I want to acknowledge up front that I think that the most important voices we will hear today are people with lived experience of homelessness or housing instability. Those voices, those experiences, they demand that we respond with care, urgency, and meaningful investment. To that end, over the past two years – I am not sure, I keep fading in and out.

Fritz: Perhaps you are too close.

Meieran: Too close. Oh! Thank you. To that end, over the past two years, Multnomah County has worked closely with the city of Portland and several community organizations along with advocates, business leaders, and others, to expand shelter beds, prevent homelessness, and secure permanent housing for individuals and families throughout our community. And although it is clear that people are suffering, and we have so much work to do, as Mark Jolin just so eloquently stated, last year, we saw record housing placements in shelter access, thousands of people throughout the region got back into housing, found a safer night of sleep, or were kept from becoming homeless in the first place. But at the same time, we're seeing progress as Mark Jolin also described, we are also seeing how much work remains to be done. The gap between wages and housing costs continues to widen in Multnomah County, and this pressure is especially acute for our lowest income residents. What sticks out to me in particular is that our progress on shelter, on the housing and prevention, hasn't been experienced equally by all of our Multnomah County

October 4-5, 2017

neighbors. The 2017 point in time count of homelessness in Multnomah County tells us that people with disabilities and people who are chronically homeless are making up a larger share of our unsheltered homeless populations than they ever have before. These are often people who struggle with health and addictions issues that complicate efforts to get them into and keep them stable in shelter and housing. As I think that all of you know, I am an ER doctor, and these are the people that I see regularly, all too frequently in the emergency department. They are people in mental health crisis. People cycling in and out of our criminal justice system. People with chronic physical health conditions, including substance abuse disorder, and people with complex medical needs. They are people who need housing to be able to get healthy, but who often have very, very few housing options available to meet their needs. We cannot leave them behind. These are some of our most vulnerable residents, and their suffering compels an immediate need to respond with compassion and to provide adequate, safe, and habitable shelters, and to rapidly increase the supply of permanent, affordable, supportive housing. It's clear to me that our housing crisis continues to be a true emergency. The action you are considering today will help us to respond swiftly and humanely to this crisis, and thank you again for your time.

Wheeler: Thanks, commissioner, we appreciate your great work and your important perspective on this. Michael do you want to go next?

Michael Buonocore: Absolutely. Mayor Wheeler, commissioners, thank you for having me here this morning. My name is Michael Buonocore, I'm the executive director of Home Forward, we're the housing authority that serves the city of Portland and Multnomah County. Commissioner Eudaly, thank you for honoring the memory of Justin Buri here today. His memory continues to inspire me, and it's right that we remember him now. In addition to being the executive director of Home Forward, importantly, I am also a mentor. You may know this because I talk about it as annoyingly frequently as possible to encourage other people to become mentors. Check out itsbigtime.org to learn more. So, my little brother and I started a ritual last year. He's a junior in high school now, where, on Wednesday mornings I will pick him up and we'll go and get coffee and catch up, and then I bring him to school where he has a late start on Wednesdays. So yesterday evening I texted him and I said "Hey, unfortunately I have to drop you off at school and skip coffee in the morning. I have to hurry to get to City Hall." And he said "Okay, that's fine." And I said, "See you in the morning. Seriously sorry, I would much rather hang out with you." Sorry. [All laughing] And he said "Yeah, it's no problem. What are you doing at City Hall?" And I said "Testifying that they should extend the housing emergency. The mayor asked me to be there to support it. It's definitely still an emergency. Basically, it means the city officially recognizes that there are too many people without a safe place to live, and they need to keep doing as much as possible." And he said "That's cool. What are they going to try to do about it?" And I said, I had to think about this if for a minute, and I said "Spend more money than they usually would for shelters and housing for people and have fewer dumb rules that make it harder to help people. LOL." [All laughing] And then I thought, "Well, I just educated the kid and wrote my testimony all in one text." Calling it a day. But in all seriousness, in addition to the demonstrable need that we all see, there is no question that the need still exists to consider this a crisis and an emergency. I think what is less obvious is that our federal resources are less available than they have been when this crisis started. When we were regularly pulling families off of our housing choice voucher waiting list, about half of them were leaving homelessness this past January. We stopped pulling names from our housing choice voucher waiting list, it's frozen for the foreseeable future because our federal funding is not keeping up with the cost of rents. In our housing portfolio, which includes deeply subsidized public housing as well as affordable apartments for folks with slightly higher incomes, our vacancy rates are over 98%, sometimes creep

October 4-5, 2017

over 99%, so there is not a lot of movement in the stock of about 6500 apartments that are also really an important resource in helping people get safely and permanently housed. So, I wanted to just offer that perspective, I think in spite of what is a really terrible time in our community, I think, thanks for the city and Housing Bureau, we are seeing more ground-breakings happening, and we know that more affordable apartments will come online, I remain optimistic that we will come to our senses nationally and appropriate more money for voucher funding, and there is more good work happening around renter protections and prevention work to keep people who are in housing stable where they are, so I am proud to stand with some really brilliant and passionate people in this community to do everything possible, and I thank you for your commitment.

Wheeler: Thanks, Michael. Will you are up next, thank you.

Will Harris: My name is Will Harris, I'm the deputy director at JOIN. You've heard from a lot of folks already this morning about the importance of the housing emergency, and the declaration, its extension, I hope you will take my testimony coming from people that you've tasked with doing the work on the front line. And our recognition that you rightly identified the housing emergency when you originally declared this back in October, two years ago. That emergency still exists. It's not done. And we see the urgency of the emergency every day in the interactions we undertake with people experiencing homelessness, on the streets of our neighborhoods. We feel the scope of the emergency in the temple of our own work, where we are housing, these days, twice the number of people that we did in 2013. We understand in higher move-in costs where we're facing double, triple the deposits just to affect the transition into private market housing, and we felt it among those already stably housed who are having their tendencies threatened by the increase this is rent. You know these things, you've heard the, you've heard the statistics on it, but we feel it even personally with JOIN staff members who have received no-cause evictions. So, plainly put, the housing emergency still exists. From our perspective, the original declaration played an important role in focusing efforts and resources and improving outcomes and enhancing the service provisions, Mark Jolin spoke eloquently about that. One tangible representation of this service innovation, and enhancement JOIN's In-Reach program. This is a multi-agency effort, bringing together a diverse number of services, to affect housing placement, out of the safety off-the-street locations and emergency shelters. So, we're leveraging services by housing people, creating new opportunity for others to access those emergency services. What we know is that, over the last 20 years of JOIN street outreach, being out on the street, creating a relationship, with the folks that are struggling to survive, these people that we see, on the streets of our city, desperately are looking for the tools needed to end their homelessness. We see the extension of the declaration providing three areas that can enhance those tools that we've already built upon. The first tool we need is more housing. We are scouring the county, looking for opportunities for the people that we're working with, to place them, to secure the housing placement. It's expensive. Because in this market, there just are not units that exist. So, our hope is, in this declaration, that you will continue to streamline the processes, that we can accelerate the pace of housing development. We need thousands of units annually to meet the needs of the people that are on the street. We need supported housing units that have the services attached to them, but we also need simply more units of all types that are focused on 0 to 30% MFI for singles and individuals, one bedrooms and three bedrooms. Additionally, this point has also been made, but in this market, we need more robust tenant protections. JOIN does have a program that conducts outreach to landlords, recruits them and retains them by making a business case to them that it's important to work with us. That case is extremely difficult to make in this market. So, we see tendencies threatened by what the landlord sees as

October 4-5, 2017

opportunity in the market. We need robust tenant protections to balance that, and we need, additionally, education about those protections with tenants, and with landlords. Landlords who would do the right thing if they were actually aware of all the protections that the tenants faced. And finally, when we do all this, when we think about innovation, when we think about the new service enhancements, we need to continue to build on what we have done so successfully. And creating access to mental health services, and addiction treatment opportunities, in the housing outreach and the housing placement assistance that we provide and employment support. These are the things that we need to continue to do. This has to be an "and" proposition, not either/or, so I thank you for your time this morning. You heard wonderful testimony. We urge you to extend the declaration, we think it's important and we think it's a community statement and we think it's effective. JOIN looks forward to the work in front of us.

Wheeler: Thanks Will. And commissioner Meieran and Michael, thank you both as well.

Thanks for your testimony. How many people do we have signed up for public testimony?

Moore-Love: 43.

Wheeler: Ok. Let me do this.

Fish: My guess is that people signed up for both.

Moore-Love: I only had one signup sheet for both items.

Wheeler: So, let's do this. Let's go ahead and also read 1088 please.

Item 1088.

Wheeler: So, let me just give a brief statement on 1088, and that way, if people want to testify, they can testify either on the emergency extension or on the relo. Colleagues, recognizing that the costs of involuntary displacement burdens residents, increasing the risk of homelessness and poverty, earlier this year, the city council passed a temporary Mandatory Relocation Assistance program. While we've been aggressively advocating in the capital for additional tools like just-cause eviction standard and rent control that could help us address our housing emergency faster, we know there are tools we currently do have that can help us to make significant progress. Mandatory Relocation Assistance is one of the most important tools that we have at our disposal. We are now working to finalize the details of a permanent policy. However, the current policy is set to expire on October 6. Given our commitment to meaningful public engagement for housing policy, this extension provides us time to finalize a permanent relocation assistance policy. The code change ordinance in front of us today extends the current policy for six months. However, I want to be clear that we're bringing back a permanent relocation assistance policy on December 6, and it's my intention to have a permanent policy in place by the end of this calendar year. I would also like to especially thank commissioner Chloe Eudaly for her willingness to lead on this issue so early in the year, and frankly so early in her political tenure. I've sincerely appreciated your partnership, and as the housing commissioner I am going to continue to value your insights on housing policy. So, thank you. I don't know if anybody wanted to say anything else on that relo. Commissioner Eudaly?

Eudaly: Hello everybody. So, it seems like yesterday, we were here to debate the merits of the Mandatory Relocation as a, as an anti-displacement technique. Here we are today at the end of the temporary date we put on that policy, more convinced than ever that it is the right thing to do for people. We have accomplished a lot this year, but honestly, when I reflect on the last nine months, relocation stands head and shoulders above anything else that I've been able to accomplish this year, and really makes some of the stresses and sacrifices of this job worthwhile. Since the passing of this policy in February, we have received nonstop calls and emails from renters and landlords alike, our office feels confident that this policy absolutely has made a difference in the lives of hundreds and possibly thousands of renters. While today's ordinance extends merely extends this policy

October 4-5, 2017

another six months, I am committed to making it permanent and making it even more effective. I will continue to fight to end this displacement, and to stabilize renters through multiple strategies, but today, this is the best we have, and we owe it to renters to make it the best it can be. Thank you to everyone who came today in the middle of a work day, or school day, or childcare-less day. I know it's really tough to come here in the middle of the day. Actually, it's not the middle. I wish that it was the middle, it's still morning. Good morning everybody. I think that it's the clear statement of need when renters take off time from work to make their voices heard, and I want you to know I hear you, and I thank you for being here.

Wheeler: Very good. And folks, given the large, large number of people that have signed up for public testimony and acknowledging that people have to get back to work and other issues, let's limit testimony to two minutes apiece. My suspicion is, with that many people, you will find some people are also making the same comments you are about these two policies. It's okay just to say, "I agree with," fill in the blank. Are you can say, "I disagree with," fill in the blank, and that will help us to speed things up. So, I would like to extend the courtesy for folks with disabilities, people with very young children, who might like to speak. I also understand that representative Hernandez is here, Kayse Jama is here from Unite Oregon, and former state rep Shemia Fagan are here. If you would like to testify, we would like to have you come up quickly as well.

Eudaly: Mayor, if I may before we hear, I have an amendment to offer for item 1088. It is to remove language in the code that allows an exemption on relocation payments for owners who rent only one unit in the city of Portland.

Fish: I will second it for purposes of discussion.

Wheeler: Commissioner Fish seconds the amendment for purpose of Discussion.

Fish: And mayor, I have a proposed friendly amendment to the amendment. I think I was the original author of this exemption, and in my, in my statement in support of it, I explained that the council had put accessory dwelling units into a special category, we had made special efforts to create incentives for people to build them and maintain them. And we had exempted them from a lot of our rules. So, I thought consistent with that, we should put them in an exemption. I have met with some of the advocates and the other folks who care about this issue, and I am persuaded that the single, that the one dwelling unit exception has had unintended consequences. And I think, in effect, it's a loophole that needs to be closed, but I still believe that accessory dwelling units deserve a protection because the council has said so consistently that we want to encourage them, and I think it's an identifiable and separate class of occupancy that we can address. So, my friendly amendment, which I'm gonna hand out, simply, in lieu of striking one dwelling unit from 30.01.085b, replaces it with an only, quote, "a single accessory dwelling unit," end quote, So, we would limit the exemption strictly to a single accessory dwelling unit, and I would offer that as a friendly amendment to the Eudaly amendment.

Wheeler: Commissioner?

Eudaly: Commissioner, thank you, and thank you for Acknowledging that perhaps we didn't know or consider enough of the impact of that original exemption. I agree with maintaining the owner-occupied rule, and I believe ADUs would be included in that, so, I just want to be clear, though, ADUs would be exempted, but also owner-occupied shared housing would remain an exemption. Is that...?

Wheeler: So, to speed this along, she's rejecting your offer.

Eudaly: Well, I'm not rejecting, I am trying to clarify it, because currently, the only exception to relo is when a rental unit is shared with the owner, it's owner-occupied,

Fritz: No, it's not.

October 4-5, 2017

Eudaly: Yes, it is. It absolutely is. And, an ADU is called an Accessory Dwelling Unit because it is attached as an accessory to that home.

Fish: The owner-occupancy requirement is not affected by my friendly amendment.

Eudaly: Ok.

Fritz: May I ask a clarifying question as a sponsor? Is this an issue that's being discussed in the committee looking at the permanent rules?

Eudaly: It very well may be, but that committee was set up as a technical advisory committee, and this is a policy decision.

Fish: Well, let me be clear, I would like this issue to be on the table for people to address in testimony. It is the council's will how we dispose of the amendment. So, I would like to invite, if people want to address this, I would like to hear and then the counselor decides whether we're going to take it up today or some later date.

Fritz: And if I might, just, further comment, this illustrates the reasons that we were putting this off to the committee, because there's multiple variations of the amendment already, and it is a more complicated issue, as evidenced by, apparently, I don't understand the ordinance that was passed. So, I think -

Wheeler: Why don't we do this in the interest of moving this along, because we have a lot of people who would like to testify, and commissioner Fritz, I just want to publicly state: That is my preference. I believe that we should honor the process we put into place, we established a relo committee for the purpose of evaluating these kinds of proposals, they are coming back in December with the permanent strategy, and it would be my recommendation that this go to that committee for further evaluation and recommendation to the city council in December. However, let's have both of these issues on the table here today. Let's hear from the public.

Eudaly: So, I don't think that your amendment was seconded. I would like to second the Fish amendment.

Wheeler: So, commissioner moves and commissioner Eudaly seconds, so we have two amendments on the table, and we'll now open it up to public testimony. Two minutes each please.

Moore-Love: I have Holly Hansen who requested to go early, and if anybody else – I'm sorry mayor, did you have some other people you said you wanted to go first?

Wheeler: If any of the Individuals that I called up are here and they want to go early...

Fish: So, they are here, mayor. Representative Diego Hernandez is here.

Wheeler: Oh, and I see Shemia here. Very good.

Fish: And I think you said Kayse Jama. He's here.

Wheeler: Kayse's here, good. Come on up.

Fish: Shemia Fagan is here.

Wheeler: Anybody with disabilities, children who would like to go early, please just let the clerk know and we'll accommodate you.

Wheeler: Good morning sir.

Diego Hernandez: Mayor Wheeler, city commissioners, for the record, my name is Diego Hernandez, I'm a state representative, for House District 47 in east Portland. Representing neighborhoods like Gateway, Hazelwood, Rosewood, and other east Portland neighborhoods. In my district, families are finding it harder and harder to pay for rent as prices increase, and as more folks get displaced. Rents continue to increase and families continue to be forced with difficult decisions. "Should I take on this 20% rent increase, or move farther away? Should I pay rent or my phone bill this month? Should I report the black mold and risk being evicted?" This is an emergency, and we need to continue to do everything that we can to improve the experiences of renters and families who are experiencing housing instability. In February of this year, you all mandated that landlords in

October 4-5, 2017

the city of Portland pay relocation assistance to tenants experiencing rent increases of 10%. We are asking you to lower it to 5%. [Cheers and applause] Thank you for your efforts here at the local level. While we tried to do something with HB2004, and we failed, we are optimistic that we can continue to do something at the state level. It's reassuring to hear that while the extension is through April, council will vote on a permanent policy later this year, but the time is now, and we are here to ask for permanent changes today. We need to close the loophole like you all were talking about. I would urge you to lift the exemption now, so that all tenants have the assurance and relocation assistance. Also with the commitment of developing a hardship appeals program, at the six-month review for these landlords experiencing edge cases, we ask that the city base any future or current exemptions on data. And speaking of data, also tracking how many landlords are paying the relocation assistance. We ask that the city immediately invest in outreach and education to get the word out. Thank you.

Wheeler: Thanks, representative. We appreciate you being here.

Kayse Jama: Good morning mayor wheeler and commissioners, for the record I am Kayse Jama, the director of Unite Oregon. Thank you very much for having us today here. I am here to speak and urge you to make the rent relocation assistance ordinance permanent, and also to consider expanding the protection offered by this policy. I think we know that we have a housing crisis in our hand, and our community, particularly the low-income community, community of color, immigrant communities, are especially impacted. I also emphasize that the city Of Portland must make a renter location assistance ordinance permanent now, with six-month review. Why permanent? Because we know that the problem is not going away. It's getting worse. And we don't want to have to come every few months to push this policy forward. We also urge you that the city must lower the rent increase limit from 10% to 5%. [Applause] Why? Because people are not only receiving increases in their cost of rent, they are receiving increases in transportation cost, food costs, medical cost, it cost more just to be alive. These increases are not keeping pace with Portlanders' paychecks. Something has to give. Please do something. The city of Portland also must remove small landlord exemptions. In order to extend all tenants this equal protection, let me be clear. Renters who don't speak English are having a hard time to navigate the system. Imagine if you don't speak English, it's a very, very complex system, and I think we have to close the loophole. With that said, thank you very much, and I am looking forward to working with you.

Wheeler: Thank you, sir. We appreciate your being here. Good morning!

Shamia Fagan: Good morning. Mayor wheeler, members of the council, for the record, my name is Shamia Fagan, former state representative for House District 51, which included a large portion of East Portland, east of 122nd. In 1997, my brother was driving us on I-84 to east Portland to see my mom for the first time in many years. We were being raised by a single parent in eastern Oregon, and my dad and my mom was struggling with addiction, and had been on and off the streets living in east Portland. But she finally had a home, and had invited us to see her. So, I remember my brother pulled up to this big, beautiful Victorian-style house with a huge wrap-around porch. We were thinking, "Woa, Mom, nice house." And she gave us a hug and walked us around to the front steps. But instead of walking up the steps, she dropped down to her hands and knees and she crawled under the porch. And then invited us into her home. And my brother and I dropped down to our hands and knees, and we crawled under the porch behind her. And she had a sleeping bag unzipped to cover the dirt floor, and we spent the day with her there. And like many people experiencing housing insecurity and homelessness, my mom didn't drive around with a U-Haul. She showed us the one box that she kept which was full of pictures of us and letters from us. I know, through your courageous leadership you took in February, that

October 4-5, 2017

you know what I know. Which is that everybody is struggling to make a home or keep a home, that is somebody's somebody. That's somebody's mom, somebody's nanna, that's somebody's friend, that's somebody's brother or uncle or son, so we're here today to ask you to make these changes permanent, because these folks need you to not let the rug be pulled out from under them and be concerned that this might expire, this might sunset. We need these changes to be permanent, and we ask you to make those changes today. Do you want to add anything? [Applause] Thank you.

Wheeler: Out like a light. Thank you. We appreciate it. It's good seeing you. Next three, please.

Moore-Love: We have some people with disabilities, we have Holly Hansen, and I believe we have two more from the other room who came over.

Wheeler: Very good. Good morning.

Holly Hansen: Oh, hi. My name is Holly Hansen and I live six blocks from here, and I represent the next wave of 5,000 newly homeless people. I live in a subsidized Portland tax credit Section 42 apartment, and I pay \$609 a month rent. It's a regular building. But the units by the trash closet, or the elevators, that are kind of more undesirable, get the tax credit discount. And I am permanently disabled with a neurological condition. Many of my neighbors are disabled and elderly, many are young people just starting their careers. We all have been paying our \$609 a month. We've been background checked and credit checked, and last month, my leasing agent told me at my rent renewal, that the landlord has to re-approve the subsidy that I am getting for my apartment every 15 years. And then she started in with a hard sell that I should pay \$1200 a month when the subsidy expires because it's better than being on the street. And that was her quote. My subsidy can be ended in 11 Years, I have \$260 a month every month, an average in unreimbursed medical expenses, so \$1200 a month rent is not sustainable. When I moved in, I was told that it was a 100-year subsidy starting when the building was built, which was around 1994. So, I planned on having it for 80 years. I spent 5,000 moving here to be with my only daughter in the town of my grandmother's relatives. The apartment was worth \$750 per month five years ago, now the landlord can get \$1200. There are 40 units like mine, in my building, and we all need, will need new apartments suddenly. I have a list from Oregon Housing and Community Services, and by my count, there are 112 apartment buildings in Portland, and if each one of those has 40 units, I got my calculator out, and that could be 5,000 new homeless people like me who did nothing wrong. I am a volunteer, you know, I am leading a stable life. And so, I am here today trying to stave that off. No one I know has a room for me to rent. I can't do more than a half-hour of transit ride due to my disability. I need to live close to my daughter so that she can work and care for me as I age. And I am just looking for more incentives. I don't want my landlord to find out that I was here today and get him mad at me. But I am hoping that they need more incentives. Clearly, they want to dump this program, and I don't have the numbers of how many people this will displace, because I don't know if they have more than 40 units, but I am guessing that maybe it's 4,000 people that are going to be the next wave. And then I also am trying to help a friend of mine who is Susan Samel, she's the caregiver for Jane, Sandal, and her husband is Charlie, they are in Portland, they get \$1100 social security for the two of them a month, and they are like 85 and 86. Their rent was \$998 a month. They have lived in their apartment 17 years, but now their rent went up to \$1370 a month, which is, you know, is \$372 more than their social security. Charlie is 86 and has had two strokes and is deaf, Jane is 85, partially blind, partially paralyzed, they need to be close to their doctors, that's an issue for me. And their apartment is all the way out at Stark and 190th street. And they still have gang activity there. And she mentioned that it's owned by Templeton. And I have

October 4-5, 2017

the list. I made copies of everything that I have said today. I have the list of the tax credit apartments from the Oregon housing.

Wheeler: Great. Thank you.

Hansen: And if I could be directed who to give the documentation to.

Wheeler: If you could give it to Karla right there, we would appreciate it, and she will make sure that we get copies of all of it, and that it's entered into the record.

Hansen: Oh, good! And I am just here doing what I can, and if there is anyone in the room today that can help direct me, my disability is all consuming, I really need time to get back to my health and all of that, but I can't afford to lose my rent and be on the streets, so I am taking time out to fight for my rent.

Wheeler: Wonderful. We appreciate you being here. Thank you.

Hansen: Thank you. Thank you.

Wheeler: Very good. Welcome. Thank you for being here.

Cora Mason: Thank you very much for allowing me to speak. My name is Cora Mason. And my family and I have lived at 5819 apartments since June 2 of 2015. We moved into a two-bedroom apartment on March 5, 2016. Our rent there, in that 2-bedroom, started out at \$1350 plus electricity each month, and was increased to \$1375. On September 14, 2017, I received notification via stuck outside my, our apartment door, of a rent increase that is at the end of my November 30, 2017 lease, that's when it ends. The paperwork includes that my rent will increase from \$1375, plus electricity, to \$1512 per month, which is a 9.97, wait, 9.997% increase. [booking and hissing] Ok? And then, in addition to that there will be \$20 monthly for garbage. And an unknown fluctuating amount for water and sewer each month. They don't know how much it is yet. So, I was never charged before for water, garbage, or sewer. I have no idea of the possible total of these items and I do know that I can't afford these increases. Yet I have no money saved up to relocate my two grandsons and my daughter. My daughter's six-year-old son is autistic, and he attends Jason Lee school where he's in a group with other autistic children. He is doing extremely well. And to move him outside of the group due to moving somewhere out of the community, it would be a tragedy and a travesty. Each one of us living in this family group has a disability and/or challenges of some kind. Earlier this year, I had an operation to remove a cancer, and I also had hip replacement surgery. It is also discovered that I have atrial fibrillation, for which I have been prescribed Eloquis, which has a \$400 a month co-pay! I became disabled back in 2003 following open-heart surgery. My heart stopped working and I was given last rites. Fortunately, after being able to summons an on-call cardiologist who was able to turn the situation around, I am still here. However, it is not without the damaging side effects of the incident. My daughter has a number of medical challenges as well as my oldest grandson. We have nowhere to turn for money to relocate, yet we cannot afford these unfair monthly increases, and we certainly do not want to be homeless.

Wheeler: Thank you.

Mason: I can't imagine carting my family around all over.

Wheeler: No way. Thank you, and we're glad your health has improved. Thank you.

Fritz: Can I just comment on that? I really appreciate you pointing out that there is a way to get around the 10% by adding on fees that you never had to pay before. So, I would suggest that's something that when we get to the permanent rules, we should make something, we should include something about that.

Mason: Thank you. [Applause]

Wheeler: Good morning!

Johnny Shaver: I am Johnny Shaver. I work in housing and homelessness in Montavilla and also in Vancouver, with Share. I was here in February to testify about how no-cause

October 4-5, 2017

evictions were harming my neighborhood, but I am here today to tell you how they are harming me. One week after testifying in February, I received a no cause eviction. I have no way to prove that it was retaliatory. But I can tell you that it displaced three generations of my family, as I take care of my mother and eight-year-old child, and my stepfather at that time. I was not able to get renter's relocation because my landlord situation was very, probably not unique, but interesting. My house was technically owned by a woman in her mid-90s, her son managed the estate, and while she only owned the one rental property, he has about half a dozen. He was responsible for the sale of the house. He brought a real estate agent into my home but would not identify him as a real estate agent to me. It was very awkward to have folks walking through my house and have no idea who they were. This has been a huge hit for my family. Without the connections that I have made in my community I would not have housing right now. Because I do work in the housing and homelessness, and the irony is not lost on me, that I cannot afford housing otherwise, without the connections I've made in my community. So, I am here today to ask that the relocation ordinance be extended, and that the loophole be closed. It is -- my landlord made \$375,000 on a house that they have owned for, since 1950. It was all profit for him. And it was all hardship for me. Thank you.

Wheeler: Thank you for your testimony. We appreciate it. Next three please.

Moore-Love: We have one more. Someone with a child.

Wheeler: Oh, sorry. Very good.

Moore-Love: And then we'll go with Allen Kessler and Shawn Jillians, can come on up now, and they will be followed by Nicolle Phillips, Craig Rogers, and Wayne W.

Wheeler: Good morning.

Megan Dorton: Hello and good morning. My name is Megan Dorton, and I am here today to talk to you about my experience as a landlord, and to express my support of our renter protections and the expansion and continuance of the relocation ordinance, and to ask that the council close the small landlord loophole. So, as I said, I am a landlord, I have a property in Northwest Portland also in the, in Northeast Portland in Montavilla, and when I found out that I was pregnant with this one, my family and I decided that we were going to move from our home in Montavilla down to the next neighborhood, in Foster/Powell. We were looking for some home that was bigger and was closer to a low-traffic pathway to school for our soon-to-be kindergartener. And we looked and we found a place, and it was great, it was perfect, down the street from the library. It was wonderful. And so, we moved because we wanted to. We gave ourselves a lot of time and we had the money to do it, and it was hell, a nightmare. Moving was very, very difficult. Even under these great circumstances. And I mentioned that because, for my two tenants also had to move before they rented with me, and their situations were not quite as great. They were forced to move, both of my households, without cause. And they were left facing not only losing their home but their neighborhoods. Their kindergarteners couldn't go to the school of their choice, their kindergarteners would have to move and change schools. And for them, it was utter chaos, and months, for one tenant and years for the other, they are still, these households are still facing the legacy of financial difficulties from having to move with, without sufficient notice and without, without sufficient means to do so. Now in both these cases, they moved prior to the relocation ordinance being in effect but it would not have mattered anyway, because they were small landlords. So, I am asking you to please consider the effect of the small landlord loophole on the tenants themselves. They are not -- though their landlords might be smaller, but the effects are just as great and powerful on their lives as for other tenants. Thank you.

Wheeler: Thank you. Good morning.

October 4-5, 2017

Shaun Jillions: Good morning mayor. Members of the council. For the record, Shaun Jillions, registered lobbyist, representing the Oregon Association of Realtors.

Wheeler: Folks, excuse me. I want to remind people of what I said up front that not everybody is going to have the same opinion. Please just do this [thumbs up] or do this [thumbs down]. Let's be respectful of everybody here regardless of their opinion. Thank you.

Jillions: Thank you Mr. Mayor. Obviously, speaking on the relocation segment of this, it was interesting in listening to sort of the emergency that we're facing in the housing community, that something that's really been years in the making. We have been seeing a serious lack of supply for over a decade in the Portland Metro region as far as keeping up with just our existing folks coming in, and then, when you add on the immigration, because Portland has become so popular, you fall further and further behind, and our state economist has pointed out that we're tens of thousands of units a year behind, and increasing. And I point that out simply to say that when you all make decisions, there are sometimes unintended consequences. And when you hear stories about people who are deciding to take institutional money to other places not building here, because they're concerned about the regulatory environment, or you hear stories about small landlords, and in particular, the one exception, you hear a lot of small landlords who have the single-family residence, they're selling 'em now. And that was one of the concerns we raised in February, is that people would just get to the point of saying, "You know what? It's not worth owning that anymore," and that property is no longer available for a single-family rental, we've seen a considerable uptick in the number of those units that are now on the market, and you're also seeing a decline in actual single-family rentals that are available for those folks who might have a family, want more space, don't necessarily want to live in an apartment. So, as you move forward and look at permanent decisions, I would hope that your technical advisory committee looks at policy as well, not just, "We already have the end in mind," which is sort of how the original ordinance was crafted, and then input with sought afterwards. That you would look at sort of what the consequences are of the decisions that you make if you're actually going to have the opposite impact that you all are looking for, which ultimately is what we're all looking for, which is significant increase in supply which will ultimately drive down some of the cost.

Fish: Mayor, can I just ask a question?

Wheeler: Commissioner Fish.

Fish: I would love to see whatever data you have on this. So, if you could supply it to us, and I'll just give you one example. For 20 years I lived in Hollywood. And my next door neighbor bought her bungalow, perfectly nice two-bedroom home in '70s for about \$40,000. She was a legal secretary, she raised her family, had a tenant, she was a great neighbor... She ended up selling her bungalow at the beginning of the market uptick to a developer for about \$400,000. Under our rules, we allowed the developer to take it down but keep the foundation, put a monster house on and sell it for \$800,000. So, one of the questions that I want to drill down on, and look at your data, is: Is it city council's regulations which you think are driving these decisions, or the fact that we're in an unprecedented market where people can make the kinds of profits on the sale of homes that were unimaginable ten years ago? But I look forward to seeing your data.

Jillions: Yeah, and Mr. Mayor, commissioner Fish, I think it's not just decisions made at the city council level that are driving the cost of dirt up to such a level where someone could purchase effectively a lot for \$400,000 to build that new home on. That's effectively what they are doing when they're tearing down that bungalow. Our statewide land use system, by constraining development, is going to drive up the cost, and you have areas in the city of Portland now where raw dirt, without any services, is going for 1.2 million an

October 4-5, 2017

acre. So, when you're looking at that cost, there is no way you're ever gonna have an affordable unit on there, because by the time you pay your SDCs, and you put the sticks and bricks on there, the house has to be in the \$500,000 range.

Wheeler: Thank you. Good morning.

Alan Kessler: Good morning, commissioners, mayor, I had some testimony but I think I'll make it quick to get to some points about the amendments. I'm an attorney. I have worked pro bono matters for relocation, I've helped tenants get paid under relocation. I want to support commissioner Eudaly's amendment. It's really hard to figure out especially with the new rules, nested ownership, and the structure of ownership. This is my job. I'm really good at it. I'm particularly good at research. I have an impossible time figuring out what the ownership interests are. So, the way the current rules are, they throw some tenants completely under the bus if they have a dishonest landlord. As for the amendments, I support both amendments, either amendment. I would like to be point out, though, that the current language – so this is it 3001085B, says that “The requirements do not apply, dot-dot-dot, to tenants that occupy the same dwelling unit as the landlord.” In the next sentence, it also says that “The requirements do not apply, dot-dot-dot, to a landlord, dot-dot-dot, that only owns one dwelling unit.” So, those are separate sentences, and I would imagine that commissioner Eudaly's amendment was to strike the second sentence, leave the first sentence in place, which would preserve the exemption for people who live in the dwelling unit. Now, “dwelling unit” is interesting in that same section. This is still 3001085B. Later in the paragraph, it says, “For purposes of the exception, “dwelling unit” is defined by PCC33910.” Under 33910, “dwelling unit” references residential structure types. It just says, “See residential structure types.” And there, accessory dwelling units is listed, so are triplexes, duplexes, et cetera. There's one more point of code, and it sounds like I'm about to run out of time, but 3320704oB2 explicitly allows an owner to treat the ADU as part of the residence. So, they can live in either side. That doesn't really match the language of the code, and I think that that should be resolved, but I would say that, you could simply define the ADU as the same dwelling unit and leave commissioner Eudaly's amendment in place exactly.

Fish: Can you submit that in e-mail, to us?

Kessler: Absolutely.

Fritz: Could you repeat your name, please?

Kessler: My name's Alan Kessler.

Fritz: Thank you. I really appreciate this. Obviously, there are a lot of things to consider.

Wheeler: Thank you! All three of you. We appreciate it. Next three, please.

Moore-Love: Are Nicole Philips, Craig Rogers, and Wayne W. And they will be followed by Marianne Drake, Mona Korvash, and Joe Walsh.

Wheeler: Good morning.

Wayne W: Good morning. It's convenient to point the finger at the developers and the politicians and whatnot, out of respect for that, I should probably apologize to half the representatives are politicians in this room. But sometimes people can be their own worst enemy. Metaphorically speaking, if you wanted to bury everybody in this room, you wouldn't need to do much more than what they are asking you to do. Trying to give everybody their own individual private unit whether they can afford it or not, not only is the source of much economic inequality but it's been tried a number of times before with questionable results. More concerning to me is that owning your own individual unit has become the American standard, and if you can't meet that standard, there's no other options out there. Relying on government funds to keep a roof over our head, that is a sad testament to those before us, some of which who died for the sake of individual liberty and yes I believe liberty is tied to who pays your bills. Alternatively, smaller, isolated, and

October 4-5, 2017

claustrophobic units – increasingly smaller units, they're good options to have, but they are not for everybody. So, once again, what I always come here for, large scale bunk housing, pot house styles, these forms of infrastructure being made on the monthly rental market with no strings attached, these are options we should at least explore before throwing all of our eggs in a government funded basket or locking ourselves in closets. Privacy is good, but a rental market monopolized by physical privacy is not so good. The shelter model and charitable institutions in general are flawed concepts, as they implicitly assume individual liberty is an expendable thing, and the majority of people pay the price for a few bad apples in those places. I mean, you've got to wonder why they cut off access throughout the day, and people -- all these things, a lot of people don't know what shelters are like, but they are not humane alternatives. Thank you.

Wheeler: Thank you, sir. Good morning.

Nicole Phillips: Good morning. My name is Nicole Phillips. I'm speaking, of course, in support of the permanentizing the relocation ordinance. So, in volunteering with a local social service organization, I ran into a family that was there for services because they had spent the last of their money on a used car. They had done this because of course they need to pick up extra shifts and things, because they'd had a massive rent increase. The car was also Plan B in case they couldn't continue to pay the rent. They'd have a place to sleep, at least. Because of, like the massive amount of power given to property owners here, there are people paying more than half of their income to rent. Terrified that they are going to receive that next rent increase. That's just going to be too much. Or they're scared of a no-cause eviction, knowing they don't have the thousands of dollars. And I mean thousands of dollars that it's going to take to move. The emergency relocation ordinance was a good first step in reducing that power balance. However, if we're serious about protecting tenants and fostering a city that is accessible to everyone, there are several things that we need to do. The first, of course is making this ordinance permanent. I have heard the discussions, and I'm very happy to hear that you are in support of making that permanent, and I'm sure that, obviously, part of that was realizing that it worked. There are fewer of these massive increases, fewer people are getting those no-cause evictions. Require property owners, obviously, to inform tenants about relo. That seems like a no brainer, but obviously knowledge is power, and if you don't want to pay it out, you're not going to tell people about it. Remove the small landlord exemption. A property owners' investment property is a tenant's home. I don't mind – I guess we've discussed about a means-based exemption. But obviously quite honestly if you're concerned about your investment, maybe don't gouge your tenants for the rent. Or no-cause evict them because they have become inconvenient. I also want to lower the trigger like everyone else from 10% to 5. Number one, hearing things like 9.998%, that's just evil. It really is. I don't know how anyone could do something so unconscionable. The other thing is, I spoke with a landlord at the Hawthorne Street Fair. Nice enough guy, he wanted an explanation as to why he should consider people when he's talking about his investment property. [All laughing] And one of the things that he said was that at 9.9%, he could regularly raise the rent and still be where he wanted to be regardless of what happened to the people he was renting to. So, thank you for your time. We're looking forward to creating more ways to make this a city where we can all live, work and play.

Wheeler: Thank you. Good morning.

Craig Rogers: Good morning. My name's Craig Rogers and I support these proposals before you today. I live in east Portland. I live across from the East Portland Community Center, Floyd Light Middle School, and East Portland Police Precinct. You'd think I wouldn't have any problem, but there's a heavily treed area right across from them, so I'll be speaking from my personal experience of that area. So, the face of homelessness,

October 4-5, 2017

what I see there, it's a woman with a black eye and bloody nose. And I will be drawn to out in front of my house, and there's a woman that has the courage to leave her abusive partner, and she's sitting on the neighbor's hillside, and he's threatening to dump her cart with all her belongings in it. That's the face of homelessness. I want you to remember, because we need to solve these things. We need to create stability, and I have heard that word mentioned, and you're right on point with that, and I appreciate that. We need to understand that, to a large degree, homelessness and heroin go hand in hand. And we need to seriously address that. We need people who are passionate and pay attention to detail. We need your help. Thank you.

Wheeler: Thank you. Appreciate it. Thanks all three of you. Next three, please.

Moore-Love: Are Marion Drake, Mona Korvash, and Joe Walsh, and they'll be followed by Lightning, Betty Holiday, and Margo Black.

Wheeler: Mr. Walsh, would you like to start?

Joe Walsh: Good morning, my name is Joe Walsh, I represent Individuals for Justice. I find myself agreeing with the city council, find myself also acknowledging the superb work that commissioner Eudaly did on this, and council for allowing it to happen. Because even though the idea is great, you still need three votes. So, congratulations on your diplomacy. Congratulations on what you're doing. And the amendments. We see our position on most of these items as a counter to what you're doing. We look at the negative side. Rarely do we get an opportunity to look at the positive side, and this seems to be really positive. You want to extend it 18 months, which is really good. We would also point out that we take some exception about the first year of the extension. And we realize you had an election, you had new people coming in, it was very confusing, so it ate up a lot of time, but on this one, we want you to do more. We don't want to lose people on the street this year. And if we do, and the coroner comes out like last year and says they shouldn't have died, that if we did something more they would have lived, we will come here and we will yell at you. And I don't get up at 6:00 in the morning on Wednesday to get thrown out of here, believe it or not. I have other interesting things to do than get thrown out of City Hall. So again, congratulations. I would take an exception to the two-minute rule. People write their speeches. They take time off from work. You have to understand that. When I write speeches, and I don't do it very often, it's three minutes. I time it. So, when you knock it down to two, it throws everything up in the air. And that's unfair. You know, I can get past it because I've done this so many times I can do it off the top of my head most times, but people that come to you for the first time, they -- look, they write them out. They time them. So, you should honor that. And I notice that you're not doing the two-minute rule stringently, you're giving people extra time and I congratulate you on that. That's a very human connection. All right? But I have gone on too long saying nice things about you and you're ruining my reputation. [All laughing]

Wheeler: I was going to say -- I want to acknowledge that. And there's a balancing act here. I do want to be respectful of people's testimony. But it is very hard for us to predict in advance exactly how many people are going to want to come and testify, and 43 is a large number, so we combined the two ordinances to help speed it up so people wouldn't have to come up twice, they could leave, but the reality is, we also have a jam-packed city council agenda for the entirety of the day. So, as important as this subject is, there's lots of equally important issues that are also coming before the council, and we want to make sure that we get to those. So, that's the tension. But thank you, sir.

Walsh: When many people show up, you should be excited. It's democracy!

Wheeler: We are. Yeah, it's great. It is. It is a tradeoff. It's a real one. And as the presiding officer it's my responsibility. Thank you.

Walsh: Do better on the tradeoff.

October 4-5, 2017

Wheeler: Thank you, sir.

Marian Drake: Good morning mayor Wheeler and council. My name is Marian Drake. I support the statements of representative Hernandez and Mr. Kayse Jama: Rent increases lowered to 5% and to make the relo permanent. I live in Section 42 tax credit housing which has increased the retail rent 13% in 18 months. I also recommend that the city make a resolution or recommendation or whatever you call it, to set an example for the state to have rent control and end no-cause eviction. Thank you. [Applause]

Wheeler: Thank you. Good morning.

Mona Khorvash: Good morning. My name is Mona Khorvash. I live in an apartment in southwest Portland. I have lived there about four and a half years. When I moved in, my rent was \$695 and then the rent increases started a little over a year ago. Usually it's always been \$100 at a time. So, my rent is now \$995. I'm disabled and on social security. My social security check is \$1200 a month. So, with just other basic bills, it's like way more than I get in social security. If it wasn't for other help that I have been lucky enough to get, like emergency utility assistance, and the food bank, I don't know what I would be doing right now. And even still, I have gone hungry and had my electricity turned off a couple of times. Usually the neighbors right around my place, there's different landlords, but when one of our rent gets raised the others are quick to follow. And my neighbors recently had their rent raised just under the 10%, so I'm really worried because I don't know what I'll do if it gets raised any more. The last raise that happened, happened just after the rule was made, but I wasn't able to find out how to utilize the rule or the exact what it exactly said. So, also, education would be really helpful, because by the time I was able to find Portland Tenants United and figure it out, it was past the 15-day limit that was the rule at that time and I was ineligible. So, also, I agree with closing the small landlord loop hole and with making it permanent. Thank you.

Wheeler: Thank you. Appreciate your testimony. Next three, please.

Moore-Love: Are Lightning, Betty Holiday, and Margot Black, and they'll be followed by Julia de Gras, Christina Dirks, and Dave King.

Wheeler: Margo, do you want to start us off, please?

Margot Black: Oh, sure. Yeah. I can. I was going to put something up on this computer.

Wheeler: Oh okay. In that case, let's go to Lightning first then. Thank you.

Lightning: Yes, my name is lightning. I represent Lightning Superwatchdog X. On the emergency designation, I do agree with that. But it's my understanding the governor stated not to use the state of emergency so it would be called the city of emergency designation. I hope you check into that and hear back from the governor. Issue number 2 is that I'm absolutely against inclusionary zoning at this time. It needs to be looked at again. I think we're beginning to see developers place money in other locations, step away, step back. We need to correct that situation immediately. We're losing tremendous amount of jobs, and again, my position, and a lot of people may disagree with me, we need more housing units built. If you have ten people and you have five housing units, they are going to pick and choose who gets it. People are going to lose out. We need to balance out the overall inventory. That will begin to see rents begin to stabilize and lower. We're seeing that up in Seattle. We're seeing that in some other locations. Watch real close on when you begin to keep building more inventory. The issue on this relocation policy, I would like it to expire. I would like it to be refined more. I think we're beginning that loophole statement to see the utility costs shifted over and added on and given to the tenants, which, in turn, is a rent increase which will be no penalties, and all that's going to happen, these tenants are going to end up not being able to make their rent, they are going to have to move. That's not the direction we want. We're having too much battle between the landlords and the tenants. It has to stop. Stop this immediately. It's not good. It's not going to work. Issue number 3 is

October 4-5, 2017

that from my position, we want to make sure that if you're going to step in, I want to see a pay raise moratorium put on your salaries and also, I want to see you work on cutting your water fees, your sewer fees, your garbage fees and understand that also drops down the rent and you control that. I want more skin in the game. Costs you more money and guess what, you're going to build more units. Thank you very much, Mr. Saltzman, that Affordable Housing bond, the best thing that ever happened to this city. Thank you for your time.

Wheeler: Thank you. Good morning.

Betty Holiday: Good morning. My name is Betty Holiday. I have a very personal story to tell. I am a renter here in the city of Portland. I felt compelled to take time off from work today to testify. I work with the department of human services and I'm a graduate of Willamette Law School. In the past two and a half years, I will have moved three times, two of them due to no-cause evictions. I left a Beaverton home when my landlords wanted to sell it to pay for their children's education. Understandable. After living in a very small furnished cottage for 1.5 years, I found a larger house. The own her rented to the prior tenants a little over two years while he worked in New York. His plans were to keep working out of town. I paid all the concomitant costs associated with the move again. Ten months later after doing some traveling, my landlord told me he was coming back to his house to live. My year's lease ends on October 31. My take on the single unit landlords is that they, like all other landlords, should be considered to be in a business. I heard Oregon house representative Mark Meek tell one landlord in a town hall that she needed to be a responsible landlord. I would say that message rings true for all landlords. My landlord didn't understand the fragility of tenant stability. I am now paying the price for that, literally, and figuratively. The city of Portland needs to set the expectation that even a single unit landlord is running a business. As such, he or she must be prepared to pay any cost of that business, including relocation costs for any tenants they no-cause evict. Period. There may be a myriad of ways to get there, but we need to get there sooner rather than later. Thank you.

Wheeler: Thank you. Good morning.

Margot Black: Good morning. Is it possible to put my picture up there? I don't know.

Wheeler: I think -- there you go.

Black: Great. I'm just really proud of it. [Laughter] good morning, commissioners, I'm Margot Black, I'm an organizer with Portland Homes United, which is registered to lobby with the city of Portland. I'm supposed to say that, right?

Eudaly: Mm-hmm.

Black: So, before I begin, I want to thank that Betty was able to take work off to be here to testify, but I want to call your attention for all those not able to be here today. PTU did a lot of outreach to the many tenants who have been impacted by this historic policy, those who have been able to stay in their housing, those who have been displaced with dignity, and also those who have been left out with the exemption. Many of these folks wanted to but could not be here today because they are working. They are nurses, they are teachers, they are childcare providers, they are bus drivers. They wait tables, they work at Safeway, they have sick kids. Being able to be here on a workday morning is a position of privilege, and I hope that the council realizes what voices are systematically left out in these hearings, and how that underrepresentation is institutionalized by staffing commissions and advisory committees, without those voices as well. One person who could not be here is Amanda Potter. After 11 years in her Mount Tabor Courtyard apartment, her landlord declined to renew her lease, being up front about wanting to remodel and re-rent for hundreds more. She moved to that apartment with her toddler after her former apartment of ten years was converted to condos. So, she has moved both with and without relocation, and would have loved to tell be here to tell you what a difference it made, and

October 4-5, 2017

also to tell you that even with relocation, she had to move 200 blocks away, and her daughter had to start middle school in a new city. And now, as a Troutdale resident, she does not have that protection available. And Multnomah County has indicated to Portland Tenants United that it does not want to proceed with the relo policy until Portland has made theirs permanent. Portland's housing crisis doesn't end at our borders. \$500 rent increases and no-cause evictions are becoming epidemic in Gresham. Cities and counties across the state need to see Portland demonstrate leadership on this policy by making it permanent today. I'm also here as a member of the relocation technical advisory committee to urge you to pass the amendment to protect all renters today. I want to remind you what relocation is for. It's not a fee or a fine, it is a real cost – I'm sorry, I'm just going to keep going. It's not a fee or fine, it's a real cost that someone has to pay. If the landlord who chooses to force their tenants out doesn't pay it, then the tenant does, like Betty. It goes to application costs, double rent, security deposits, packing, moving, time off work, and childcare for all of the above time off work. Moving is expensive and traumatic regardless of how many units your landlord owns. There are no protections, extra protections for small tenants. There are no discounts for tenants with small landlords. I'm not here to paint landlords as rich and greedy. I have no doubt that relocation might be a financial burden for some small landlords, but it is no less of a burden for their tenants. I know that they may be using their rental for retirement and to put their kids through college, but renters have kids in college too, and may, someday, want to retire. Our city, state, and country have failed us by tearing up the social safety net. But using renters to make up the difference isn't the answer. Please remember these small landlords have something their tenants don't. Two homes. They are better off by every single metric than their tenants who own zero, and it makes no sense for the city to prioritize the financial security of those landlords over those with no financial security. Paying relocation will not force these landlords out of their home into their cars like the tenants who are denied it. I know you want to defer these confession to the Relocation Committee, but with all due respect, that's like deferring gun control and health care to congress. There will not be consensus from a committee comprised of property managers and service providers. I am the only citizen activist on the committee and only one I believe of two renters. But as a member of the committee, I would prefer to approach this question from the perspective of "When should there be exemptions? Why? And what does that process look like?" Rather than go back to the table with the bias of this hastily thought out exemption to fight about it. Ultimately, we do not need to try to balance the wish lists of landlords and renters, but we need to think about the value and purpose of this policy. City council needs to decide what the value of this policy is, and legislate based on that today. The policy isn't meant to punish landlords. It's meant to prevent and mitigate the impacts of displacement. The exemption categorically and unjustifiably leaves out a huge population of renters without asking who those are, or why they are better equipped to shoulder the burden of this unplanned and unpredictable cost.

Wheeler: Margot, I'm sorry to interrupt, you're going on five minutes. Are you coming to a conclusion?

Black: Yeah. I will. Why don't I say this: That I did ask that question. We know that the vast majority of unprotected tenants are in single family residences, according to some data I got from Metro yesterday. This is 25% of Portland's renter households. And the people who live in single-family residences are people with kids and pets, people with disabilities who need the accessibility of homes, seniors and renters doubling up... As Betty stated, this is a business expense, it is reasonable for landlords who are business owners, and it must apply to all businesses just like payroll taxes. Make this policy permanent today so renters can live without the anxiety of wondering, and education begin

October 4-5, 2017

in earnest. And have the courage to legislate on the loophole today rather than hide behind the committee. Protect all renters and close the loophole.

Wheeler: Thank you. [Applause]

Moore-Love: Okay, the next three are Julia DeGraw, Christina Dirks, and Dave King, and they'll be followed by Ethan Harrison, Adelfa Sanchez, and Mary Sipe.

Wheeler: How many more people are signed up?

Moore-Love: After Dave King, I have got 24 more.

Wheeler: Okay. Folks, I'm not trying to be a jerk, but I am the time keeper. Let's try - I'm hearing a lot of the same points. Try to keep it as close to two minutes as possible just so we can get through this and get to all of the business that we have on the agenda. Thank you. If you'd like to start, please.

Julia Degraw: Alright, my name is Julia Degraw. I live in the Montavilla neighborhood, and I am a candidate for Portland City Council. First off, I would like to start by saying that everyone, regardless of their income, race or ability, should not have to worry about whether or not they have a place to sleep at night, a safe home. It's time we started treating housing as the human right that it clearly is. We cannot live without food, water and shelter. It's as simple as that. So, I'm here to advocate not just for an extension of the housing emergency which is clearly necessary, and for making the relocation ordinance permanent, but to encourage the city to go further to ensure that housing becomes more affordable and accessible to Portlanders desperately trying to both live and work in the city we all love. But this simple goal is challenging or impossible for increasing number of Portlanders to achieve at this time. One policy the city could pursue is a vacancy tax which could tax landlords to allow hundreds of units in the city to lie vacant in hopes of charging ever higher rents. A vacancy tax would encourage landlords to charge affordable rents and provide housing for more people. Now and in the long term, we need more housing which is afford able to all Portlanders. Revenues from a vacancy tax would allow the city to spend money preserving existing affordable housing and take stock out of the dog-eat-dog private market, and place it into community-based ownership which would lead to permanent affordability. Until a vacancy tax becomes reality, and I believe it is not far off, there is something simple and moral the city council can do to help thousands of tenants city-wide right now. You can make the relocation ordinance permanent and make sure it applies to all landlords, not just the large ones. A 10% rent increase is unjust, period. And so is a 9.9 or 9.8% rent increase. The family thrown into homelessness does not suffer more or less based on whether or not landlord owns one or many units. This is why I urge you not only to extend the housing emergency, which clearly needs to happen, but make that you make the relocation ordinance permanent and make sure it applies to all landlords. Thank you.

Wheeler: Good morning.

Christina Dirks: Good morning. Thank you, mayor and commissioner. My name is Christina Dirks, I'm a staff attorney with Legal Aid Services of Oregon. I want to thank you all for your commitment to protecting renters from involuntary displacement. As a staff attorney at Legal Aid, we serve some of the lowest income folks in our community. My practice is solely in housing work, I represent low-income tenants in landlord/tenant matters and for housing matters. I'm sure I don't need to tell you the statistics, but in Multnomah County, 136,000 people are at 100% of federal poverty guidelines and to qualify for services, someone has to make \$1200 a month or below. So, we're dealing with very, very low-income individuals. Through my work at Legal Aid, I have observed the important and critical impact that the relocation ordinance has had. I staff our biweekly housing hotline where I talk to renters in crisis regularly. I would say, before relocation ordinance passed, we would get a call about a no-cause notice, probably one in every

October 4-5, 2017

three calls. Since the passage of the relocation ordinance, we get very, very few calls about no-cause notices. We also get, similarly, very few calls about rent increases over 10% in the city of Portland. Unfortunately, we get too many calls about 9.99% increases and such. I have tons of case examples to give you about the impact of relocation, but in the interest of time, I think I will just say to you that this ordinance should be made permanent, and that it provides critical financial, educational, and emotional support for folks facing involuntary displacement. And I also wanted to express my support for the proposed amendment to lift the single landlord exemption. I'm sure you're going to hear from numerous landlords that will speak about their inability to afford relocation assistance. The fact is that tenants living in homes owned by small landlords are even less likely to be able to afford the cost of relocation. The policy rationale for this ordinance is to shift the significant cost of relocation from a landlord to a tenant who is being involuntarily displaced due to no fault of their own. So, council should consider a policy decision from the perspective not of which can landlords can afford to pay it, but rather from the perspective of whether a tenant should be excluded from receiving relocation. I have advised numerous tenants – I apologize, I will finish quickly – I have advised numerous tenants of their ineligibility to obtain relocation assistance solely on this loophole, and I can tell you it's heartbreaking to witness tenants feel like - have the rug pulled out from under them, not only the first time when they got the no-cause notice or the rent increase that they can't afford, but the second time, when they are told they can't obtain relocation, and they had no knowledge, when they are renting a place, whether their landlord owns one place or not, let alone can they usually do the research to find out whether their landlord owns one or more units. And the other point I just want to make quickly is that many of our most valuable tenants in the community are renting from small landlords who only own one unit. These vulnerable tenants include individuals on fixed incomes who are renting rooms in houses with other tenants. They include folks that have barriers on their rental background that makes it impossible for them to qualify under screening criteria for some of the larger complexes in town, so they are living in mom and pop landlords' houses. I think there's also an important race equity consideration at play here that we need to talk about, which is that many of our tenants of color and our immigrant tenants are renting homes from small landlords due to family size, doubling up and living with extended family.

Wheeler: Thank you. Good morning.

Dave King: Good morning. My name is Dave King. My sweet wife and I have been landlords since the mid '70s. We have three houses right near our house in St. John's. and the income from those houses is our retirement. Our renters like us. We keep the rent low and when something needs to be fixed I'm right there. People feel they have a good deal, so they don't want to move, which is good for us because turnovers are a lot of work and expensive. We don't need to raise the rent much, so 10% or 5% is totally doable for us. That's fine. By the way, we support the ordinance and the amendment and would like to make it permanent. There have been a couple times we have had to evict people. The first time was a person who seemed to be using meth. He was building a shop in the basement and got busy and removed a post that supported the central wall which supported the ridge of the house. He stopped paying rent because he said little worms were crawling out of the walls and embedding themselves in his arms. When no one was looking, they'd stick their heads up and look around. And that's why he stopped paying the rent. When we told him he would have to pay the rent or move, little bugs or not, he got a lawyer, so we had to get a lawyer. And it took a couple months. There were two hearings. His girlfriend went to the first one, but he never showed for the second, and after that, they moved before the sheriff came. It was no fun but it only took a couple months and a few hundred dollars and that's totally doable. There was another time when people just stopped paying the rent. So,

October 4-5, 2017

yeah, I said that we're supportive of what's before the council right now. We think it's terrible what's happening to renters in Portland. They need a lot more relief than this. The rental market is way out of control, we think it's up to the city to step in and regulate the banks and the landlords that are pricing people out of the city. The whole town is gentrifying, and you need to stop it. Mortgage rates and rents need to be controlled.

Wheeler: Thank you, sir. Thanks all three of you. Next three, please.

Moore-Love: Are Ethan Harrison, Adelfa Sanchez, and Mary Sipe, and they'll be followed by Mike Edera, Michael Hawkins, and Tony Tapay.

Ethan Harrison: Hi! My name is Ethan Harrison. My pronouns are they and them. I would just like to note, while I'm an organizer with Portland Tenants United, it's still unfortunate that the balcony is closed under the auspices of security. And that's really a shame. We should be able to have more people there. I also was able to enter through the turnstiles today that Mayor Hales so thankfully removed, but I just want to note, personally, that's really unfortunate, having been at the city council meetings that you used as the guise to put those in. We should really have 'em taken away. A few notes for myself, and then I have testimony to read from Alicia Marie who is a worker and resident tenant in northeast Portland. As we've heard today, 10% is way too much. And Landlords can get around. It really should be 5%. As well, unfortunately, commissioner Fritz is not here, but the technical advisory committee that is being cited as the reason to not pass this today is, as Margot noted, literally is full of people who, as per the two meetings that I attended, throw around numbers in the millions. They are not representative of the community at all. And we really need to do more with regard to equity on those technical advisory committees. So, pass it today, right? Like, you know, come back with amendments in December. But pass it today. You can do it. So, as I mentioned, I'll read some testimony that was submitted by Alisha Marie, she is a worker as well, and wasn't able to be here today. She offered this at the technical advisory committee that informed this ordinance. She says, "In January 2017, I received an email from my landlord giving me 90 days notice to find a new place to live. I wasn't a stranger to the situation, as I received a no-cause eviction just six months prior. Having to move twice in less than one year has been very taxing on me, both emotionally and financially. She writes, I wasn't able to afford the rental application fees and several thousand dollars in deposits, so I accrued a lot of credit card debt during that time. In both no-cause evictions, my rental units were owned by people who didn't consider themselves landlords. They purchased a second home to give them income as an investment for when the housing market picked up. Both of my landlords expressed sympathy for the situation that their tenants were now facing. However, each landlord also made almost triple, they made almost triple the price that they initially paid for their home. So, why did they get a pass from city hall to no-cause-evict me without any financial repercussions? When I learned of the Tenant Relocation Ordinance, I thought there might be some relief. I would have made my move more accessible and lessen the unexpected burden I was facing. Unfortunately, the current protections don't apply to small landlords like mine or many of my friends who have faced evictions as well." She goes on to say that she would like for the single exemption to be removed. I look up and the mayor has taken leave. And I stand in solidarity with her and with the previously cited amount of Portland renters who would be positively affected, and commissioner Fritz, good to see you, I was noting that we shouldn't hide behind the Technical Advisory Committee because it is ill representative of our community, having attended two meetings, there were only, as Margot noted, two renters on the committee, and the rest are people who are millionaires and/or their representatives. Thank you for your time.

Mary Sipe: Okay, I'm trying to put this all concisely together. I definitely support the ordinance to extend the housing emergency. But I do have some concerns in that when I

October 4-5, 2017

look around and I see how many people are still on the streets in tents, I feel like we're sticking our finger in a hole in the dike this big around, and it just -- it's not -- it's like water in a balloon. We fix it here and it pops out over there. And so, what that makes me think about is, why is this? Why is it no matter what we do it's not enough? There's still people out there. And there's a couple of things that concern me. And I have talked about this before. I live in Section 42 housing and I have shared with you how one of my concerns is that there are people living in Section 42 housing, the building where I live, who actually no longer meet the financial limits. One individual in particular, who actually owns a condominium, and she rents out that condominium, and it's not considered income. She actually bragged to me how she, when her tenants moved out, she made some improvements now she's getting more rent for it. I think we need to look very hard at the people that are currently living in these buildings, and if they don't qualify financially they need to go. It used to take about six to nine months on the waiting list to get into the building that I live in. It now takes three to four years. There are 350 people on the waiting list in the building where I live. We're not going to have another 350 units over night. It's going to be another two years before we have those. Quickly, I want to reiterate what the very first person, Holly Hanson, talked about, and that is the danger of people like myself who are on fixed incomes whose only source of income is Social Security. And when they decide that this building no longer is going to be Section 42, what happens to those people? I think we need to put all of these buildings into a pool and one waiting list. And if you're getting kicked out of a building like Holly is because they are no longer going to make that commitment that they made, then you go to the top of the waiting list. For all of the buildings that are there. And just one quick thing, I know I'm running out of time --

Fritz: You have run out of time.

Sipe: Oh I am. I'm sorry. Okay. Well, I'll wrap it up. Thank you.

Fritz: Thank you.

Adelfa Sanchez (through interpreter): Good morning, members of the council and all of those here accompanying us. My name is Adelfa Sanchez. I have a husband and three children. I'm here to support the ordinance for relocation assistance that protects Portland tenants. We were supported by this law. And I ask those of you who have the power that you continue to support us with this ordinance. Because it's a great help for all people. For all people who suffer living in a property, whether it's a house or apartment as renters. It is very difficult to find yourself without a home. My family and I have experienced this two times, being without a home. When I was living in the Normandy apartments in the Cully neighborhood in northeast Portland, they gave us the notice that we were going to have to pay double our rent. It was a horrible nightmare for me. I would like that instead of removing this law that protects renters, that on the contrary, that you would give us even more support and pass even stronger laws. And that they be permanent laws. Thank you very much for your support. All of the families need this ordinance. Thank you, members of the council, and I wish you a good day.

Fritz: Thank you all.

Mira Conklin, Adelfa Sanchez's Interpreter: Adelfa and I are members of the Cully Housing Action Team in Northeast Portland, we are neighbors working to create stable housing and resist displacement and at our monthly meeting last night, we signed this card that we would like to give to you that says "The Cully Housing Action Team says 'Portland renters need relo. Please extend the Emergency Rental Relocation Ordinance.'"

Fritz: Thank you. Could you put your name in the record as well?

Conklin: My name is Mira Conklin.

Fritz: Thank you. And if you could give it to Karla, thank you. Next three, please.

Moore-Love: Are Mike Edera, Michael Hawkins, and Tony Tapay. And they'll be followed

October 4-5, 2017

by Matilda Bickers, Leore Schwitzer, and Daniel Whittaker.

Mike Edera: Okay, my name is Mike Edera, and I live in southeast Portland.

Moore-Love: Could you turn that mic on? Somebody turned it off. Yeah, just press the gray button.

Edera: Got it. Okay. My name is Mike Edera and I live in southeast Portland. I also rent one house out, and that makes me a small landlord. I have always rented it out for below market rate and the relocation ordinance doesn't inconvenience me. Hasn't inconvenienced me. Other people have spoken to the basic day-to-day problems of being a landlord, but I'm not worried about the relocation ordinance. I'm also a father of an adult son who has a severe mental illness, and one of the big contributing factors to his relapse this year has been impossibility of finding independent housing. His condition has actually cost this city and the county a lot of money in this year. So, much of that would have been unnecessary if he had been able to find a place to live by himself. It really contributed to his condition. Here's the truth about small landlords, so-called small landlords. We live in the community, we're affected by the housing emergency. Peripherally, we have family members who are undergoing the stress of the housing crisis. We don't have corporate fortunes to buffer us. I have spoken to a lot of landlords who make the same argument. Basically, the way I look at the speculation that's been happening in this town is that it's just like -- like an industry dumping pollution in the river. It's a peripheral expense that they hope other people will pay for. That's why I think this ordinance should be permanent. We should reduce the threshold to 5%, and we should eliminate the single landlord clause. Thanks.

Wheeler: Thank you. Good morning.

Emily Snipper: My name is Emily Snipper. I'm reading testimony from Michael Hawkins who could not be here today. "My name is Michael Hawkins, and since 2011, I lived in a triplex in Sellwood. I lived in a unit upstairs and another tenant lived in the basement unit with his three sons. The landlord lived in the other upstairs unit and also owned a few other houses elsewhere. This past summer, both me and the other tenant who rented the basement apartment were given a 90-day no-cause eviction notice. We were later told by the landlord that she desired to sell her place or have it torn down in order to build a six to ten-unit condominium on her lot. When the other tenant and I asked about the relocation fee, she initially acted as if she were unaware of the law, then later in the same conversation, stated that she had already talked with her real estate attorneys about the law, and said she was exempt since we were all roommates. When we pointed out that all three units met the legal definition of a dwelling space, separate entrances, kitchens, bedrooms and bathrooms, she insisted that her lawyers had told her otherwise, and told me I was lucky to have lived there as long as I did. So, I began my long search for another home. By this time, I only had 30 days left, since she had given me the notice when I was out of town visiting my kids and family in another state for six weeks. At this point, I pursued legal action. However, my attorney told me that although I had a good case, it would be six months or longer before we saw any results, even if we won. Meanwhile, I ran out of time and money to move, and ended up living in a tent in a friend's backyard for five weeks with my son before we found a new place which was smaller and cost me twice as much in rent. It has now been 60 days, and she has still refused to pay either the relo fee or return our \$600 deposit, but instead, sent me an invoice for \$2800 claiming damages to her floor, windows, missing smoke detectors. All of which was undocumented, fabrications of things we never knew were missing in the first place. All my savings were drained because of this move. Why do I have to take legal action and pay the up-front cost? I'm given legal options but the results of any possible justice are slow to take place. Who can wait half a year for the small court system to work? It leaves me mentally, financially and

October 4-5, 2017

emotionally exhausted. All the while, she now rents those units on Air B-N-B for double or triple the profit. Thank you.”

Wheeler: Thank you. Good morning.

Tony Tapay: Good morning, my name is Tony Tapay, and I'm a landlord for the last ten years. I own a four-unit rental building, and a rental home, so I do not qualify as a small landlord. I fully support the extension and expansion of relo. It is my view that these measures do not impose unreasonable burden to attentive and competent landlords. If a landlord plans and budgets like I do, increases below 5% are sufficient to maintain and improve properties. I view measures such as this ordinance the same way that I view a minimum wage. As a business owner, there are no exceptions for paying minimum wage. If I'm having a bad month, I do not get to lower the wage of employees. At this point I don't have employees yet. I'm that small. But to me, a lot of this falls under the privatizing profits and socializing losses. That is how a lot of landlords are able to make the money they do. So, Thank you.

Wheeler: Thank you. Thanks all three of you. Next three, please.

Moore-Love: Are Matilda Bickers, Leore Schwitzer, and Daniel Whittaker, and they'll be followed by Sarah Chandler, Kelly Francois, and Eli Spevak.

Wheeler: Good morning.

Matilda Bickers: Hi. I'm so nervous.

Wheeler: Don't be nervous.

Bickers: [Laughter] Well, first of all, I want to say thank you because your relocation ordinance -- am I too loud? I can't tell.

Wheeler: No, it's okay.

Fish: Just right.

Bickers: Okay. It saved me! Last Monday, I got a notice from my landlady that she was raising my rent \$250 from \$1300 to \$1550. I sat in my yard crying, talking to my dad, and... Then, I found out that I'm still recovered by the relocation ordinance! So, there followed some negotiations between me and my landlady and she lowered my rent increase incrementally until she finally realized that she had to lower it below 10%, and so now, it's a \$60 increase. But I know that if we don't pass this again in December, I'm looking at another increase. But I would like to back up. For a second. So, people keep talking about small landlords like they are trustworthy members of our community and, like they're really good people. My landlady qualifies as a small landlord. Probably she owns a couple of different places in Portland. She's a slum lord. She's found ways to charge me money that you couldn't imagine as long as you're reasonably ethical. When I first moved in, she cut my trash service off until I paid her an extra \$200 to turn it back on. It's \$58 dollars every two months. There are ways for landlords to make money if they're unethical. They find loopholes. They don't need to be protected. We need to be protected. I don't have a fire detector in my unit. There's all this stuff wrong. My water heater broke in August, and I knew, as soon as I looked up how much a water heater costs, that I would be seeing a rent increase so she can recoup what she was spending on it. I debated telling her, and on the advice of Margot Black and some other people, I did tell her. My basement flooded for five days before she did anything about it. And in part that's because I pay water. So, it didn't cost her anything to leave me with a flooded basement for days and days. You have no idea what it's like for tenants. That's all I have to say, I'm sorry.

Fritz: Could you just give us your name again, please?

Bickers: I'm Matilda.

Fritz: Thank you.

Wheeler: Thank you. Good morning.

Daniel Whittaker: Thanks for letting me speak. I'm going to really severely amend what I

October 4-5, 2017

wanted to say, because so many people have echoed this. I want to begin just really quickly by saying thanks to all of you guys for the work that you've done to help renters here. When I moved here two years ago from San Francisco, yes, San Francisco, I was flabbergasted at the few laws that were here to protect people. I could not believe that there was literally nothing to protect renters here. And I realize we're all playing catchup because rents went up so dramatically so quickly. And I'm heartened to see all of these changes made so fast to help so many people that are desperate for help. I specifically want to thank commissioner Eudaly for just getting the ball rolling on so much of this stuff so fast after you got into office. Chloe, you're a hero to so many people in this city without all of this work that you all are doing. I mean, people's lives are being so badly affected out there. I don't know if you guys realize how bad it is. It's really bad. Okay, so, I also want to agree that this one-unit loophole really needs to be just axed completely. Basically, there is no way to prove that somebody owns one unit. That they actually do. You just heard testimony today from a lawyer whose – that's his job! I mean, he's got so much at his disposal to check that. He even said it was impossible for him to figure out if somebody had one unit. So, you just can't confirm that. The other thing is that you wanted to put this in place to protect the small landlords because they are supposedly cost-burdened. There is also no way to check if they're cost burdened. None whatsoever. I'll easily admit there's probably a very small number of landlords who are cost burdened, but I'm going to wager it's a very small percentage, given the amount of increased rents landlords are enjoying right now, and the massive increase in their property values. So, I also want to say really quickly that it needs to be taken out completely, and there should not be an exemption to people who just have ADUs. Let's face it: You have enough money to build an ADU, you have plenty of money for relocation fees. So, I'm gonna go on record as saying that. Thank you. Very much. [Applause and cheers]

Wheeler: Thank you. Next three, please.

Moore-Love: Are Sarah Chandler, Kelly Francois, and Eli Spevak, and they'll be followed by Jay Rumeski, Edith Gillis, and Mark Cramer.

Wheeler: Eli, do you want to start, please?

Eli Spevak: Okay. I'm Eli Spevak, I'm back wearing my landlord hat and developer/small contractor. I support the extension of the housing emergency. I think a lot of times about the opportunity Portland has to learn from mistakes in other cities. One of those opportunities is to increase our renter protections. As the person before spoke, they are nonexistent in our city, and to increase our supply of housing. And I think that there probably is a relationship between the two of them. I think that there are some things you can do to increase renter protections that provide some friction to the housing production market. The things covered in this ordinance are not among them. I think that as a landlord it is totally feasible to pay relocation benefits. I can't imagine going backwards on 90 day, back to 30-day. People need to have a chance to have a soft landing when redevelopment happens or someone is moved out, and those are key elements of that. I think that the six-month extension worries me a little bit. I see the political benefit of having a hard deadline to create policy decisions, but I worry a little bit that that might work to actually get us across the finish line to make these refinements, instead of letting them drag out. It creates this cliff event where someone who is a tenant or landlord might take some rash, pre-emptive action, leading up to the end of the six-month time period, that they might not otherwise take because they are afraid of what the rules might come into play. So, I would recommend extending that to 12 or 18 months, and still hit the six-month policy time to come up with new rules. And I also want to echo what Margot Black said about other cities. I mean, Portland is the first city in Oregon to really wrestle with this significantly, and we're in a housing market that's much beyond the city limits. And, to the extent that we can come

October 4-5, 2017

up with a well-crafted set of rules, I sure hope that gets copied and pasted by other jurisdictions around us. Thank you.

Wheeler: Thank you. Good morning.

Kelly Francois: Hi. I'm Kelly Francois. And I'm a small landlord. The quote "small landlord." And I support removing the exemption for small landlords, and I support doing it today. Not going back to committee, but go ahead and do it. We have heard a lot of stories. I have more stories about tenants not being treated fairly, and as a landlord, if I decide my tenants need to move out for whatever reason, that's my decision. The cost burden should be on me. [Applause] Thank you for your time and listening. I have a lot written, but it's all been said very eloquently. And also, black lives matter.

Wheeler: Thank you. Good afternoon.

Sarah Chandler: Hi. My name is Sarah Chandler. I'm the chairperson of Right 2 Dream Too and I also work with other organizations like Urban League, the Village Coalition, JOIN, and YWCA. I am here to speak about the state of emergency and ask for it to be extended for the 18 months. I work with hundreds of houseless people every day. The need is obviously there. It's a work in progress. I just hope that it can be extended and that we can continue to get people in while this is definitely an emergency that needs to be dealt with. I want to thank you guys for your support for helping Right 2 Dream Too move, and all the work that you've done with us, Fritz. I really appreciate it. Also, I was asked by other board members to speak about possibly bringing up again the zoning laws, that if we change some of them, then other shelters or rest areas could also be built to help with the situation. I think that's all I have to say.

Wheeler: Very Well Thank you.

Fritz: Sarah, I just want to thank you for your participation in the Good Neighbor Agreement, for the move to Right 2 Dream Too and yes, I agree that we need some zoning code changes. And that would be one of the things that would be a deliverable, for no longer needing the emergency clause. So, thank you.

Spevak: I forgot, I wanted to say I strongly support Eudaly's amendment to get rid of the single-family exemption along with Fish's proposal to basically treat an Accessory Dwelling Unit like a group house. So, I wanted to – I forgot to put that on my notes. Thanks.

Wheeler: Thank you. Next three, please.

Wheeler: Good afternoon.

Moore-Love: Are Jay Rumeski, Edith Gillis, and Mark Kramer, and they'll be followed by Eddie Pruschetta, Diane Kifauver, and Jane Leo.

Wheeler: Good afternoon.

Jay Rumeski: Good afternoon. Jay Rumeski, I'm a landlord...

Moore-Love: I'm sorry, could you turn that mic on? The mic got turned off. Thank you.

Rumeski: Jay Rumeski, small landlord here in Portland, Oregon. Challenged somewhat by the ordinance and some of the language in it. Mostly because I have looked at what's happening in Seattle and San Francisco, and the way that their ordinances are written, at least for small landlords like me, it leaves the opportunity for me to move back into my house without having to pay a fine. That's how I look at it. I'm completely behind the relocation fee for circumstances that fit it, but I don't think I should have to pay when I want to basically relocate back into my own property. They don't have that in Seattle. Much more difficult there in terms of a rental market. They don't have it in San Francisco. They make us look like the Bush League in terms of the rental market. And I think it should be considered when you consider rewriting the ordinance. The other thing is the sale of a property. State of Oregon statutes basically states that that can generate a no-cause eviction. It's my property. I don't understand why I don't have the opportunity as a property owner to hold on to it or dispose of it. The reality is, I have disposed of it. So, I guess I'm

October 4-5, 2017

no longer -- I'm in the process of no longer being a landlord. And I have taken rental units out of the market because of it, so it exacerbates the problem you're trying to solve. So, you really ought to be careful with the ordinance in terms of the language and who gets to be impacted by it because we're impacted by it too.

Wheeler: Thank you. Appreciate it. Good afternoon.

Edith Gillis: Hello. My name is Edith Gillis. And just to address the last testimony, I know of several folks who, the landlords have said they had to move back into their house, claimed emergency or whatever, all of a sudden, within a few weeks or a month were headed for rent again, at higher – and that bouncing back and forth could go on for several different reasons, and I want to alert you to the problems of that. At the minimum, I want this continued, this ordinance extended 18 months, but I really think it should be permanent. The one exemption that I do want is not what you either have spoken about. But the only exemption would be, when the tenants live in the same house as the owner occupant who is occupying it and sleeping there, for a minimum of 11 months of the year for causes of safety concerns and criminality. Only under those conditions would there be someone not having to pay the relocation. And then, that, of course could still be negotiated or still up for litigation over criminality issues. Now, I want us to also make sure that we have no demolition of safe, affordable housing. We need sustainable housing stock, and not replaced with these trashy, big, monstrosities that have mold and wood rot, but that instead, maintain a percentage of units for the percentages of people at the rates of their income. So, if we have 50% of the people living in the area having no more than \$700 a month from SSI, then 50% of the units that are built should be for no more than \$250 a month rent. And it can be more than the kind of housing that we have. We need to have a city public bank, and we need to expand our monies for housing attorneys and support.

Wheeler: Thank you, both of you for your testimony.

Rumeski: I just wanted to add, when I did call the city to talk about my situation, the help that I got from one of the city employees basically stated that I had the rights that I just described, but they failed to realize they we're talking about Seattle and San Francisco. So, they mistakenly misinterpreted the ordinance based on their own research.

Wheeler: Thank you.

Moore-Love: Next three are Eddie Pischedda, Diane Keefauver, and Jane Leo, and then the last three I show signed up are Katrina Holland, Kerry Lions, and Soren Impay.

Wheeler: Good afternoon. Would you like to start?

Diane Keefauver: Certainly. My name is Diane Keefauver. For the past 13 months, I have rented property from Peak Property Management at 8435 Southeast Insley Road in southeast Portland. On May 31st, I was given a \$75 increase with my portion of the rent because I get money from Home Forward, my portion of the rent was raised 30%. I'm retired. I was the domestic violence attorney for the state of Montana. Most of my work was pro bono. So, I don't have any money, no income at all but my social security, which I have earned working since I was 15 years old. So, I receive \$756 every month from Social Security. This rent increase, like I say, it would be 30% of my income. I subtract that \$298, it leaves me with \$456 to live on. For food, car insurance, gas, food, medicine, and I just had to get new dentures. Where is that money coming from? Try living on \$456 a month. It's real impossible, but they wanted to raise me again \$75 a month that I don't have. So, I gave them a 30-day notice and started looking for another place. That was on July 31st. On August 2nd, I gave them a notice they were in violation of this ordinance and they would have to pay me relocation assistance. They said "No, we don't do that," is what the property manager said. "We don't do that." Four days later, they gave me a notice to vacate saying I had not paid the rent. I did pay the rent. I paid it on the 31st. They were just

October 4-5, 2017

doing a dirty trick on me. They were harassing me because I filed the notice for relocation assistance. When I pointed out to them that their 72 hours for nonpayment of rent, that notice, they were charging me the rent that was not due until October. This month. I couldn't find anyone to talk to. I was going through hell thinking they would throw me out of my apartment at any moment or if I left the apartment, I teach English as a Second Language classes at the VOZ Worker Center, if I left my apartment I would come home and be locked out, or all my belongings would be thrown in the street. So, this was a very stressful period to me.

Wheeler: Thank you.

Keefauver: One other thing, I finally talked to the manager three days later, and she said, "Oh, that was a computer error." So, this is the atrocities that a landlord can do to us, that leaves us completely defenseless. I have had to cash out all retirement savings that I had in order to move to this new place I'm at now. And that leaves me nothing. Nothing to fall back on if I get sick.

Wheeler: Thank you for your testimony. Jane, did you want to go next?

Jane Leo: I'm Jane Leo, I'm a governmental affairs director for the Portland Metropolitan Association of Realtors. And my testimony, I honestly was not going to testify, but after hearing some of the comments and the questions, I felt compelled. I do have with me in response to statements that have been made, that landlords are not hurt by this, or that this is isn't detrimental to the single-family rental market, I have more than a dozen individuals who own single family rental property, who have written in as to why they are putting their housing on the market. And they have asked me personally, in most cases, not to disclose their name for fear of retribution. And out of fear that some of the tenant sites are actually advocating violence against the landlords. So, there's fear of personal protection. To a question that was asked, I want to point out that not all accessory dwelling units are physically connected to the house nor in the house. There are plenty of neighborhoods where the ADU is over the garage and the garage is a detached garage. So, I call that to your attention. Also, this city, for years, has put into place efforts to try to create more accessory dwelling units to increase our rental supply or alternative housing to now say that that property owner/homeowner who has a tenant in over the garage is no longer exempt, is burdensome and it will be difficult to continue to promote the building of ADUs in this city. So, you do have an adverse reaction on that. To that point, the city has got to address its housing supply, both from the market rate housing as well as that which is subsidized. The city has to address that in order to deal with issues such as what we have been dealing with for quite some time. When the city sets limits on what the increase can be, the city needs to look at itself. How much did the water and sewer rates go up? How much did the property taxes because of bonds go up? I've done some quick math just looking at my own situation, and my property taxes went up close to 16% because between Multnomah County, the city of Portland, and then, if you add on to that what happened with the sewer/water rates, you see increases to a property owner that are not related to whether or not that property is in rental. So, whatever your cap is the city has got to take a look at itself. And I do want to point out that I have been tracking how many single-family housing units have been put on the market for sale since the mandatory relocation fee on February 2nd. As of September 30th, there are more than 440 single family properties we know were or are tenant occupied for sale on the market. So, they are leaving the market because of the uncertainty and the burdens that the city of Portland's ordinances have put on single family owners of single family rental. To the point that continues to be made behind me, nobody bailed out these property owners in 2008 when the market tanked. [shouting]

Wheeler: Excuse me. Excuse me. Please everybody just let's listen. You can agree or

October 4-5, 2017

disagree. Seriously. Are you completed?

Leo: Yes, I am.

Wheeler: Thank you. Yes, sir, thank you for being here.

Ed Pischedda: Thank you for entertaining me. I wrote this to come in right at three minutes. We'll see. Ed Pischedda, 715 Northeast 20th Avenue, apartment 4, Portland, 97232. Members of the council, some family rent control can effectively remedy Portland's ongoing housing crisis. In the absence of such control, Portland's tenant relocation assistance provisions are the only effective alternative for now. I can speak with some authority on the effectiveness of these provisions. With relocation assistance looming for the council back in mid January, that month, I and my fellow month-to-month tenants in our garden complex received a letter, which, I have provided copies to your office, from our recently anointed property management company. This letter demanded that we commit to signing an as yet unseen and unavailable fixed term lease. The letter also said that if we don't sign and return such commitment in less than ten days, we were to consider the letter at hand to be our 90-day tenancy termination notices. Some of these tenants like myself had lived in our units for more than a dozen years. Having recently returned to Portland, I was not employed, and either a large rent increase or a termination of tenancy would have been life altering under existing law, and I would not now be able to live and work in Portland and contribute to the community. Was it a coincidence that being on the kind of lease we were ultimately offered in February was a fixed term lease that landlords thought would allow them to escape the relocation assistance provisions of Portland's housing emergency ordinance? I think not. I offer, as evidence, the fact that after receiving my landlord's lease offer and telling them shortly thereafter that I couldn't afford to pay the proposed greater than 10% increased rent provisions in it and would have to move, they verbally withdrew the supposed 90-day notice and shortly thereafter the fixed term lease offer. I can only believe that my property owners unwillingness to be obligated to pay relocation assistance, together with my awareness of Oregon landlord tenant law, and Margot Black's very effective work with the Portland Tenants' Union were key to their withdrawals. While I remain in the same apartment I was in in February, with tenant relocation assistance provisions poised to expire periodically, my housing situation remains unstable. My ability to ever buy a home in Portland remains uncertain due to, at my age, my concern over my ability to obtain a sufficiently remunerative career. I think my situation, tenancy, is probably the new reality for many inner-city Portlanders. While I'm not saying property owners shouldn't be able to sell or convert their properties as a whole as they see fit when the time comes, they should be flush with cash if such time comes, which means they can afford to pay tenant relocation assistance out of their property value windfall. The Portland community in general will benefit greatly over the long term from stable housing for its tenant-focused neighborhoods. With stable, affordable housing, tenant families can spend less time desperately worrying about housing costs, finances, and having to move, and more time planning how to get into a higher-paying career and otherwise enhancing the community. The most effective tool available now, to eventually achieve this, is to make the tenant relocation assistance provisions permanent, mild thought they be. While tenant relocation assistance will not permanently ensconce tenants in neighborhoods, it does ensure that if the time comes when a property owner decides to convert his property to a higher yielding use, the affected tenants will have a better shot at avoiding homelessness. Thank you for your time.

Wheeler: Thank you. Does that complete our testimony?

Moore-Love: The last three people are Katrina Holland, Kerry Lions, and Soren Impay.

Wheeler: Very good. Come on up. It's a solo act, perhaps! Very good Katrina. You get the last word.

October 4-5, 2017

Katrina Holland: It's just me. [Laughter] I guess so. Yeah, such a privilege. Thanks so much for having us here today. I definitely commend commissioner Eudaly and commissioner Fish for bringing forth this amendment to the relocation ordinance. Community Alliance of Tenants is of the opinion that it definitely should restrict – or, excuse me, lift the exemption for smaller landlords as Christina Dirks was saying earlier, it is, in fact, very true that most of our vulnerable tenants do tend to rent from smaller landlords who own one property as a result of not being able to access mainstream properties due to potentially troubled records, criminal history, potentially eviction history, et cetera. And so, there is an equity issue to be concerned about. And I do think that it is something that needs to be passed right away, as opposed to throwing it to the TAG. Because that commission, although we have made pretty significant progress, it's a very dysfunctional space, and I don't believe that the group will be able to come to consensus in a manner that is effective to bring forward an amendment to city council. So, we would like to see that passed today. We definitely support lowering the threshold from 10% to 5%. And I think one of the things that we talked about at the beginning of this Portland relocation that hasn't been stated here today is, we need to include some provision for landlords to inform their tenants at the time of notice that they are eligible for relocation assistance and how much they are eligible for relocation assistance because it has been brought to our attention that many tenants have received no-cause evictions or have received rent increases above the threshold and the landlord is banking on the fact that they do not know. As of yesterday, I literally heard of five tenants who received no-cause evictions and were told "No," basically, or weren't aware that they were eligible for relocation assistance. And Portland Tenants United and Community Alliance of Tenants, of course, has limited capacity. We cannot serve the entire city, so I think that should be added.

Wheeler: Very good. Thank you all for your testimony. [Applause] Thanks, everybody. And thank you all for being respectful.

Fish: Mayor? I propose we go ahead with a vote on 1087, and then I have a couple of questions on 1088 before the vote.

Wheeler: Any further discussion on 1087? And this is to extending the housing emergency. Please call the roll.

Eudaly: Just want to thank everyone again who took time out of their days to come give testimony today. I thank my colleagues for supporting this extension. We're clearly still in a housing emergency with no end in sight. Aye.

Fritz: Well, thanks to former mayor Hales and to commissioner Saltzman for first bringing this in October '15 and commissioner Fish and myself for extending it in 2016. I'm very interested in fixing the rules. Michael Buonocore said, at the very beginning of this, we need fewer dumb rules and commissioner Saltzman corrected the dumb rule about temporary activities being allowed, permanent improvements like putting water service in can be done in a temporary activity site which was one of the reasons that we have not been able to provide more shelter to people. So, I believe we need to look for other things like that. The main things we use the housing emergency for are emergency shelters during the winter. We're also using it for Right 2 Dream Too's current home, and so, we need to look at how do we make the zoning code allow these by right in certain instances. So, I'm looking forward to working with the mayor on finding exactly what those dumb rules are and how to fix them. Aye.

Fish: As commissioner Fritz pointed out, this will be the third time that she and I have cast and Dan have cast a vote on the state of emergency. It has, as Mark Jolin and others testified a few hours ago, it has paved what the way for a lot of innovative and important policy -- yes, ma'am?

October 4-5, 2017

****:[inaudible]

Fritz: I'm sorry, you have to come to the microphone if that's to be allowed.

Holly Hansen: I was afraid to leave today, because I thought I heard that if my rent gets raised, I only have 15 days to protest it and if I don't know that rule I'm SOL, and that was horrifying. Is that really a rule? When you don't even if you don't know the deadline?

Eudaly: It's now 45 days but this isn't the time and place to go over that.

Hansen: I'm sorry.

Fish: Mayor, we have the deputy director of the Housing Bureau here. Perhaps he could speak with...

Wheeler: I think commissioner Eudaly got that correct. Unless there's something else the housing director would like to say, continue, commissioner Fish.

Fish: So, mayor, this is the second time we have had a chance to vote on a housing emergency. And I want to reflect on the fact that as Mark Jolin and others pointed out, it has paved the way for a lot of good work, and it has focused us on our number one challenge as a community, but we have a lot more work to do. So, mayor, I thank you for proposing an 18-month extension. And I think over the next 18 months, we will continue to make this our number one priority. I hope at some point we don't have to extend the housing state of emergency. I hope we have laws and rules in place that protect people and we have figured out a way to significantly boost the production of affordable housing, but for now, I think this is the right thing to do. And I'm proud to support this extension. Aye.

Saltzman: Well, thank you, mayor, for proposing this 18-month extension. It's still as necessary as it was when first adopted it in 2015. And I also wanted to recognize mayor Hales for his work in bringing this housing emergency into place. I think it has definitely helped pave the way in terms of eliminating some rules, dumb rules, I guess we call 'em, that may have stood in the ways of more shelters being added to our system and also, I think it has all stimulated this whole council as well as the county commission and others, to look at ways we can boost production of affordable housing. Those goals remain as important as ever. I'm pleased to vote for its extension. Aye.

Wheeler: Aye. The ordinance is adopted. Thank you, everyone. Next item, we'll take the vote on 1088. That's the mandatory relocation assistance. Commissioner Fish, you had a comment?

Fish: I just want to clarify couple of things, because we have been here nonstop since 9:30. It is your intent to bring an ordinance to council no later than December 6?

Wheeler: Correct.

Fish: We have had some testimony about the technical advisory group that you have proposed would weigh in on this. There's a concern that I and others had about their ability to reach consensus. Are we clear, mayor, that we are seeking majority and minority reports, in other words, we're seeking guidance from the committee, and if they can't reach consensus, we're looking for a range of views that come to us to help inform our work?

Wheeler: That's correct. Several people mentioned that they didn't see a consensus was possible. That may, in fact, be the case. But as I stated up front, I'm not prepared to vote on amendments on the fly. I would like to hear different perspectives, different ideas, get people's perspectives on additional ideas, and somebody proffered what I thought was an intriguing additional idea. I'm interested in what commissioner Eudaly's amendment raises, I'm interested in your friendly amendment to that, and so, from my own perspective, I'd like to respect the process we currently have in place, which has the permanent ordinance coming back before the council in December.

Fish: And mayor, just to be clear, 'cause again, we've heard from a lot of people about whether consensus is possible – as a decision maker, what I value is feedback. And it

October 4-5, 2017

could be a diversity of opinions, it could be contradictory, but if there's no consensus on the issue, I would still like to have the recommendation and advice of the people we've charged with doing that. And finally, in the course of this hearing and prior to this hearing, a bunch of issues have been raised which I hope the committee will take up. Of course, through the amendments that have at least been preliminarily proposed, there's the question of a small landlord exemption, and how to reconcile what commissioner Eudaly has proposed, and what I proposed around ADUs, and as a very competent lawyer previously told us, there's different sections of the code, and different language that needs to be reconciled. So, I think that needs a clear recommendation. There has been, I think, a very productive conversation about, "How do we make sure that tenants get notice of their rights?" And "What is the effective way of doing that?" I would welcome recommendations to that regard. Um, Margot Black and others alluded, in passing, to some mechanism for hardship exemption, recognizing that there are unique circumstances where someone should have recourse. I'm just, again, I think setting up that process, and having clear boundaries is important. We've had a number of people talk about the utility costs, I know this is no solace, but your water bill would be more expensive in most suburban cities as your water bill, but the question of what can and cannot be passed on to tenants, and how that is done, clearly, as the person in charge of the utilities, I'm gonna go back to the city attorney's office and get some more advice on that, 'cause I'd like to know, but I think this question needs further ventilation. So, there are, I think, a bunch of very important questions that have been raised. I look forward to getting recommendations and to evaluating them, and I've been clear about where I intend to land in December. But based on you, mayor, your desire to give the committee a chance to win, I am prepared to delay eight weeks before we make the final decision, because we are, after all, extending the protections, and they remain in place through that period. So, thank you.

Wheeler: Thanks, commissioner. Commissioner Eudaly.

Eudaly: I have several items I want to hit on. First of all, director Jolin's testimony and that of others has highlighted the continued urgency of this housing crisis, and despite a massive increase in investment and housing and homeless services, despite preserving and providing more housing than, and shelter than ever, our homeless population continues to grow, in no small part due to our failure to stem the inflow of cost burdened and displaced renters into our homeless population. The city is addressing the issue on the supply side, it's not enough, and it is my extremely clear and strong belief that we have left too many renting households vulnerable to cost burdening and displacement by the one-unit exemption. So, while I sense that there is not a lot of love for passing this amendment at this time, I am leaving it on the table. I want to address a few other issues the advocates brought up today. First of all, the 5% threshold, I would love to be able to reduce the threshold to 5%, it's what I wanted initially, 10% was the compromise after a lot of discussion with my colleagues and with the city attorney's office. We have prevailed twice now in court, and the ordinance, we're now in an appeal process. There is a serious, and I think well founded concern that if we significantly change that threshold, we open up the ordinance to a new legal challenge, and there is no guarantee that we would prevail in that new legal challenge. So, it's my, it's my opinion right now that that's too much of a risk. However, I am going to be continuing fighting for a overturn of the ban on rent control and the preemption on just cause eviction at the state level, and once we get those regulatory tools back, we'll be, obviously, in a position where we can change that threshold. I absolutely support making this ordinance permanent, and I think that it's fairly clear that will happen. It's not going to happen today. It's not that -- that is not going to make a meaningful difference, the ordinance is in place. The utility fix is of great concern, I have heard from many renters who previously did not have to pay water or garbage, that they

October 4-5, 2017

are now being required to do so, and I consider that an increase in their rent, that should be included in the 10%. If their utilities are being raised beyond the actual increase, that's a landlord raising the rent. So, we'll be addressing that. I want to let you guys know that I also received a 9.7% rent increase this year, my rent has gone up 75% in the last six years now. I live in a shabby small rental home that has had no improvements other than repairs to essential services for a decade. And that was substandard and unsafe when I moved in. So, I continue, although I am in a better position now, to be one of the many faces of our rental crisis. I am very interested in a vacancy tax, I am concerned with how we actually prove units are vacant, that's something to dive into. I would support providing a hardship exemption for landlords. We really need that office of renter services in place in order to handle, I guess, appeals for exemption. I would also like tenants to be able to appeal to that same body to fight rent increases on units that are substandard. No landlord should be able to raise rents on tenants who are living in substandard housing. I am close to the end, mayor. I agree with Katrina Holland from CAT that we need to develop a regional strategy for housing and for tenant protections and those conversations have begun, and we just can't relent with the pressure on elected representatives at every level: City, county, metro, state. And finally, I can't let the unfortunate comments of one of the last people to give testimony go without saying how disappointing and irresponsible it is to characterize our housing advocates as threatening violence. And I'm going to take a couple more minutes to tell a little story. So, last year I had the unique experience of interviewing a number of tenants who have been profoundly impacted by our rental crisis with the cartoon journalist Joe Sacco, and we talked to a mutual friend of ours who had been repeatedly involuntarily displaced from her housing while dealing with disabling medical conditions, and diminished ability to work and afford housing. And she was embarrassed to tell her story to us because Joe travels the world, typically to war-torn countries, to interview victims and refugees. And she told us that, and afterwards, Joe said to me that, you know, being a homeowner for several years, he had no idea how bad things had gotten in our rental market, and that he considered what was being done to renters a form of violence. So, I just want to put that out there.

Wheeler: Very good. Please call the roll on Eudaly amendment to item 1088.

Eudaly: Aye. **Fritz:** No.

Fish: I hope to be able to support this amendment or some hybrid that involves accessory dwelling units, and I think that there are some legal issues that some language that needs to be reconciled, and I appreciate the spirit of it because I have been persuaded to reconsider this single unit exemption, but the mayor asked us to have all of these matters return on December 6 in order to go through an orderly process and I think that's a fair request, no.

Saltzman: No.

Wheeler: No for the reasons I mentioned previously. The amendment fails.

Wheeler: To the main motion, any further discussion?

Fritz: Do we vote on commissioner Fish's amendment?

Fish: No, I'm withdrawing.

Fritz: Okay.

Wheeler: To the main motion. Please call the roll.

Eudaly: It's important that we continue to understand the devastating nature of our housing crisis and the impacts an unregulated market is having on households in every corner of our city. I remain deeply committed to this issue, and my office staff dedicate much of their time researching and developing policies that will mitigate the displacement, making housing more accessible and stable and increasing our supply of truly affordable units. I am hopeful about the future of renters here because I am confident that although

October 4-5, 2017

we could not come to an agreement today, each of my fellow commissioners understands the nature of this emergency, and are also dedicated to helping us solve the problems. I want to remind everyone that this is only a continuation of policies we already have in place. We have more coming, that requires each of you to continue to share your stories with us, so that we remain focused on what really matters. Keeping Portland housed. Please pay close attention to council agenda items over the next couple of months because we are all working to make changes that will further stabilize our rental market and improve the lives of thousands of Portland renters. Thank you very much to the mayor's office staff, the joint office, the Portland Housing Bureau, and my staff, especially Jamie Duhamel for all your work and dedication to the most vulnerable in our city, I vote aye.

Fritz: Thank you to everybody who is here today and everybody who was here before they had to go. I hope when we consider the permanent rules we'll have an evening meeting so that it will be more easy for some people to come, although it's in the middle of December, it's kind of dark, and that means the seniors may not be able to come as well, so those are factors to consider. Thank you to those here today and also those who sent in testimony. Thank you commissioner Eudaly for your leadership on this, and your continued determination to write the wrongs in the rental-landlord relationships around the city and thank you mayor Hales, or Wheeler. Sorry.

Wheeler: It's all the same.

Fish: He calls me commissioner Fritz! I mean it's just fair play.

Fritz: There's that. And it's not the same, mayor Wheeler, because you have the Housing Bureau and you have done so much, as was recognized in the first ordinance, you've done so much to improve the lot of people who are living outside, to provide housing, to provide shelter, to provide assistance, it was your staff finally were able to find a site that Right 2 Dream Too were able to move to, your staff who helped them to get their water and other services to that property, so thank you for that, and I know that you, like me, continue to be dedicated to make sure that they have a permanent home for the foreseeable future. I mean, that's the sad part about this, is that it's going to be necessary for the foreseeable future. So, I appreciate the extra time, though, to make sure that we are addressing things in a thoughtful and comprehensive matter, I agree that we need to create an exemption process based on need, I am a little -- I am very concerned about unintended consequences. I was a land lady for a while, while my parents-in-law finished up their service in the Salvation Army, and if they had been only away, planning to move into our first home for a year, I would have had to have included the \$4,500 in the rent for that year, and that would have increased the rent by \$375 a month. That is definitely not what we are intending to do. We are intending to provide affordable housing to a lot of people, so that's something to consider. I am concerned with the number of emails and letters that I have received about people leaving the rental business because they feel like we're becoming overregulated and just too complex. I am also concerned about people who now will, instead of doing the oversight themselves, in a friendly and personal relationship, will hire management companies, which then tax on another 10% to the rent and again, that's not what we want to do, so it certainly does need to be thoughtful. I do agree it sounds like there is only two tenants the technical advisory committee. I would suggest we make sure that it's more balanced as we do this last push, and I also agree with commissioner Fish that minority reports are compelling as well as majority, and we don't expect nor get consensus from many of our advisory bodies, and I think that we certainly need to add in the fees as part of the rent increase, and I am hoping that this extra time will allow us to do that. I certainly know that we need more clarity in the code. And that commissioner Eudaly and I have a different reading of what it says now, so I appreciate Allen Kessler who

October 4-5, 2017

pointed - brought out so many different places in the current code where we need some clarification. Overall, we desperately need the new office for education and adjudication of these things, the office, or whatever it's being called, Landlord/Tenant Affairs, or... We need somebody within the city, which, currently, we really don't have, to be able to explain to people what the rules are. And we need to have a process so that people don't have to go to court to get explanations of those rules, and I hope that happens very quickly, and then finally, on the regional strategy that is finally starting to happen at Metro, I was involved in them in my first term, which was nine years ago, and I served on the Metro policy advisory committee, and there was no discussion at that time about affordable housing. Now, it's front and center, and it's not only front and center for Portland and Gresham, it's front and center for Hillsboro and Washington County and other jurisdictions in Washington, Clackamas County, as well as Multnomah County. So that is progress, and commissioner Eudaly and I serve as the delegates to the Metro Policy Advisory Committee, and I am hoping that they will really take up this issue of, "Oh, by the way, why is Portland the only place to have a construction excise tax (thanks to commissioner Saltzman,) which then is used for affordable housing? Why don't the other jurisdictions do that? And what other kind of revenue are we going to maybe think of that could pay for this affordable housing assistance which is so desperately needed by people who have been living here for years?" Aye.

Fish: I want to thank commissioner Eudaly for being the architect of this important piece of legislation. And in all our work on the council, at some point, people will look back on a signature, or signature issues that someone has worked on. For Dan, of course, it has been the Children's Levy among many other things. I think that this will be among, if not the most, important accomplishments of your service, but more than that, I've been our leader on this whole cluster of issues and I thank you for your work and partnership. Mayor, this is the second of four of a suite of four issues that you have championed, and are bringing to council with broad support, that I think are going to make a huge difference, and I thank you for your leadership and the work that you and your staff are doing. I agree with those who believe this should be made permanent, and it is my intent in December to so vote. I also think that it is not sufficiently broad currently in the scope, and there is a compelling argument that this should not only be citywide but county-wide, and as with all of our housing issues, we must bring the full region into these discussions. It is just out of balance, and we have to have some very candid conversations. I want to thank Amira Streeter and Jamie Dunphy on my team, I want to thank the senior staff people of each of my colleagues who are a pleasure to work with, and I want to thank everyone who took time out today to come and inform us and share their views, this is democracy in action, and I think that this is an important action, but I think in December, we will strengthen this action. Aye.

Saltzman: Well, I appreciate all of the testimony that we had this morning and this afternoon as well, and just also wanted to give us a special shout out to commissioner Eudaly for her leadership on this issue, and accomplishing so much in relatively lightning speed as a freshmen commissioner. Your first two months on the job. Getting this relocation ordinance passed.

Eudaly: It is technically my first month on the job. But it's no consolation, nine months later, that I haven't...

Saltzman: Okay. My memory gets hazy, so I thought I'd fuff it and say two months. Ok. And your first month on the job. Congratulations. Pleased to support this and look forward to supporting it in December as well. Aye.

Wheeler: I strongly support this ordinance. I agree with commissioner Fish that the ordinance should be permanent, and that's why it's coming back in December. As I said

October 4-5, 2017

earlier, I am very interested in the amendments that were put forth today. But I can't support them without understanding exactly what it is that we are proposing to do. This is not an idea -- excuse me, this is not an idea, this is passing a law. And I think that it's ok to wait eight weeks to better understand what we're talking about and what the options are. We even had a disagreement up here and up here about, excuse me, Margot, I let you talk for five minutes, I get two minutes. All right? Is that okay? Is that fair?

*****: For a millionaire.

Wheeler: For a millionaire. Great. Okay, I have a voice, thank you. At any rate, I support the ordinance, and I think it's important that we continue to push on this. I don't believe that we have the full vision on the table yet. The relo ordinance that we passed, as commissioner Eudaly just mentioned, was done in response to an emergency situation in our community, and considerable testimony from people in this community who are truly struggling. It deserves an all-hands-on-deck approach, not just by the city of Portland. I agree with those who said that we need a regional solution to this issue. And I appreciated the state representative who, two hours ago testified that the legislature still has work that it needs to do in order to address this emergency, and I am committed to doing those things that we can do here in the city of Portland to address those issues. So, I vote aye on the ordinance, I want to thank my staff, I want to thank Andrea I want to thank Cupid, I want to thank Michelle for your tireless work on this. But there is a lot more work to do. This isn't the end. We have only scratched the surface. So, thank you all for being here, aye, the ordinance is adopted. Next item please.

Fish: What time is the lunch break, mayor?

Wheeler: Why don't we do this one next? We have had people waiting for two hours for it.

Moore-Love: Three, actually.

Wheeler: Three. Thank you. Let's do 1089, and we're gonna have to move the rest to this afternoon.

Moore-Love: Okay.

Item 1089.

Wheeler: The city is required to have an Affirmative Action plan as a federal contractor, and has had a plan in place for women and minorities for over 35 years. The plan also includes veterans and individuals with disabilities as added populations for reporting. Colleagues, what we have before you is a five-year plan from 2018-2022. The Bureau of Human Resources provides at least yearly reports to council on the city's progress. The plan is a management tool to assess and ensure workforce diversity and equal employment opportunities for all. This tool, coupled with the bureau's racial equity road maps are important to the city's goals of inclusiveness. Turning this discussion, the specifics to Anna and Donny. Thank you both for being here.

Anna Kanwit, Director, Bureau of Human Resources: Great. Thank you mayor Wheeler and commissioners. Anna Kanwit, director of the Bureau of Human Resources. With me is Donny –

Fish: Hard to hear you.

Kanwit: Oh, I'm sorry.

Fish: Folks, could we bring the conversation down a little bit?

Kanwit: With me is Donny Adair, who has had a long history with the city of Portland, including most recently as one of our human resources business partners, but Donny has been involved with civil rights issues since 1974 and has a lot of expertise in helping to develop the affirmative action plan, so I personally really appreciate his assistance in doing this on behalf of the city. Before I turn it over to Donny, I did want to make one note that unlike the other categories including people of color, women and veterans, for individuals with disabilities, the city is way behind of the established goal, federal goal of 7%. We

October 4-5, 2017

reached that in only nine job categories out of 108. And so again, I want to thank you for authorizing a position within the Bureau of Human Resources that will spearhead the, the strategic plan that you adopted for increasing employment of individuals with disabilities and creating mechanisms for making the environment much more welcome and safe. One of the things that you will also see in the plan is, some areas, I mean, many areas, we're certainly not saying that we are perfect, there is lots of work to be done, but I think that in terms of sworn police, adopting the contract that increase the wages and some other things along with some very intentional world class recruitment that the police bureau is doing, and is also showing results in terms of more diversity and hiring of women. Last, as mayor Wheeler noted, this is but one tool, it's an important one, there are many others, the bureau's racial equity plans are just another tool for us to use. But it is key in these efforts that the Bureau of Human Resources is closely aligned with the office of equity and human rights because between our two offices, we can do a lot of work, both in terms of outreach but also in terms of city efforts to be sure that this is a welcome and inclusive environment, that we truly are employer of choice. Surprisingly, that model is not very common. I was told by the City of Tacoma, King County, City of Seattle, they don't have that same synergy between the two bureaus, and I think it is immensely important in moving this forward. So, very pleased with that, and with that, I am going to turn it over to Donny Adair. Thank you, Donny.

Donny Adair: Good morning. I'm Donny Adair, owner of Donny Adair Consulting, 8958 North Wall in Portland, and former city employee as Anna mentioned, state employee, and I've spent a decade with Emanuel hospital as well. It's been a pleasure to assist the city to put together, really, a revision of the current plan, for 2013 to 2017, which has recently been extended to the end of the calendar year, just so we could do a thorough job of reviewing, revising and coming up with this plan, which will go to 2022, so about 4.5 years, or we're calling it a five-year plan. But the thing that makes this plan unique is that affirmative action should not be in the Affirmative Action Office. It needs to be out in the bureau. So, we started back in 2007, getting bureaus involved in developing their own strategies and actions to eliminate the underutilization that we have. And that has worked for the city, they've made steady improvements in the number of minorities, the number of women and non-traditional jobs, and most recently, veterans and, with this new initiative, individuals with disabilities, I look for improvement there as well. Let me thank the council for their reaffirmation policy statements that all of you submitted. We appreciate your commitment, and without starting things at the decision-making level at the very top, nothing ever really gets done, nothing is ever successful. We work with all 23 offices and bureaus. Each one of the executives are directors in those bureaus have also issued affirmative statements, supporting equal opportunity and affirmative action, and each bureau has looked very carefully at the data provided by Human Resources, and acknowledged where they do have underutilization and put in place an effective plan that will rise to this challenge, so, if you look at it overall, there are only about eight of the 108 job groups that we have in this plan where we are under-utilized for minorities, and only seven for women. When you look at it from a bureau standpoint, many bureaus, or several of the bureaus, have challenges remaining, which we would not think are unique. They are probably challenges that exist throughout our society. For instance, women in technology. Getting more women involved. Recruiting, retaining, promoting women and technology. Anna has talked about the issue with sworn officers and what the police bureau is doing, and also the fire bureau, which I came out of that organization, originally, very proud of what they've continued to do. Especially in an organization Where everybody has to be promoted up from the bottom. It's very hard to get people, particularly women, in mid management and upper management level. We have seen some success, and we lost the

October 4-5, 2017

woman fire chief, but that will happen again, because of the efforts of the fire bureau in plans like this. When we look at some of the other bureaus such as Transportation and Parks, Parks is a bureau that has parity with 26 of the 32 job groups that they have, which is admirable, but yet, they still have some challenges, primarily in maintenance and trades for women, and minorities, particularly Hispanics, and botanic-type jobs. There's been an increase in the availability there, so transportation also has similar challenges with maintenance trades and so forth, but they are actively working with groups like women in trades, working with different ethnic groups in the community to make our recruiting successful. So, the good news is that overall, Portland continues to make progress. But we also have to recognize the challenges, and I want to echo two things: Individuals with disabilities, Portland has kind of given lip service to that. And it is great now that you have staffing to spearhead that. We really have got to do better recruiting and retaining and promoting individuals with disabilities. The other area that I noted was with your directors and executives. You recently lost, over the last couple of years, and you were down to where the only executive of color was the equity director. And we really appreciate the mayor's office leadership in looking and doing open and competitive for the city's largest agency, showing and demonstrating that there are competent, qualified men and women, people of color, for all positions in the city. There is no place, no position that we couldn't recruit qualified people in a diverse pool. So, you know, having adopted the Charles Jordan standard, and having that demonstrated, that leadership by the mayor, means a lot. It means a lot. It's going to say to your department heads, "When I get an executive position, I need to do open and competitive, and I need to do just as good of a job of recruiting, whether it's regional, whether it's national, to fill those positions." 'Cause that's very, very important. So, those are the highlights that I have. I would entertain any questions that you have about the report that you have. I have read all 751 pages of it, [laughter] committed it to memory.

Wheeler: Well, it is thick.

Fish: We are all itching to go to lunch, so, first of all, I know, Donny, you've read this carefully, and so, on page 463, are you, do you stand by everything on that page?

Adair: Everything on that page.

Fish: This is the document that Mr. Adair is referring to, and it's the size of the Manhattan phone book. And it contains a gold mine of information and recommendations. Two things: One, Anna, thank you for the work you've done with the utilities on the pilot to try to expand opportunities for people with intellectual disabilities. Mr. Adair noted that we are lagging in how we address people with disabilities, and that's a particular area where we have a lot of room to grow and learn. We are learning from our friends to the north in Seattle, and I think that it's very important that we try this pilot out, figure out how we can be a more welcoming employer, and then build on it. And second, to Donny, based on a prior council presentation we had, one take-away for me is that we have to rethink our whole recruitment strategies. You know, once upon a time, I am being a little flip here, but once upon a time, I think the city felt like you put an ad in the scanner, or you've got, you've covered, you know, check a box. And I think now we know that we are looking nationally for the best talent, but we're competing against other public and private employers that want that talent, too. And we can't just, we cannot expect they're just gonna knock on our door, we've got to identify people, we've got to reach out to them, we have to recruit them. A couple of our most successful recent citywide, uh, national searches, I think, bear that out, but that requires a different approach to how we do hiring. And the net effect is we're gonna get better talent. But we can't just post things and use listservs, we've got to go out and actively recruit, or as someone said that day, "poach," you know, talent. And so all of us need guidance, you know, in how we do that more effectively with the goal

October 4-5, 2017

of having a more diverse workforce, and a better led city. So, thank you for your work.

Adair: Yeah. I do want to thank the Affirmative Action representatives from the bureaus and offices. Each bureau and office has someone, including your offices, and some of you more than one, who have taken on the responsibility for this program in their area, and we really appreciate that, and some of the affirmative action committees and Parks and other bureaus that get involved in this. So, it isn't just a few people. Most of these bureaus did vet this before their entire management group before submitting that to us, so everybody is aware of what's in the Affirmative Action plan. We only print the required few numbers of this that you guys require. This is posted on the Bureau of Human Resources website, so that anybody in the world can look at the, all of this information, it's not a secret, it's public information. So, those who would want to look at it, it will be a couple of weeks before the new one is posted, but the current one is currently posted.

Wheeler: Very good. Colleagues, any further questions? Any public testimony on this item?

Moore-Love We have one person signed up. Shedrick Wilkins.

Wheeler: One person! Come on up. Thank you for your testimony. And for reading all of the report.

Shedrick Wilkins: I am Shedrick Wilkins and I commend mayor Wheeler for, on Monday, having the first woman African-American police chief sworn in. Right?

Wheeler: Thank you, but I picked her because she was the best applicant.

Wilkins: That is a form of affirmative action, I think 30 years ago, they tried a woman police chief, and it didn't work out too well, so we'll see what happens. And for Affirmative Action my best practice was, I supported president Obama and the following year, he won a Nobel Peace Prize which, no president had won one for ninety years, so Affirmative Action does work in that case. You don't hand out Nobel Peace Prizes like candy. And number three, I was a soldier in the United States Army. And, as a test in basic training, I had to take orders from a woman American Indian drill sergeant. It's not easy, and she ran me through the ringer and made sure that when I was in the Army, that I would follow the orders of women, lieutenants, or higher-up or whatever.

Wheeler: Especially if she is your drill sergeant! You'd better! [Laughter]

Wilkins: Drill Sergeant! It's a pretty stressful experience.

Wheeler: [Laughter] I am sure that it was.

Wilkins: And I didn't say anything or mouth off. I wouldn't have got through the Army. That was in the 1980s.

Wheeler: Very good. Excellent. Alright, colleagues, any further discussion on this issue? Any further questions? Call the roll please, Karla.

Eudaly: Thank you for presenting the plan, and I look forward to working with your office on making the city a more welcoming and inclusive employer for everyone, but in particular for people with disabilities. Aye.

Fritz: Well, thank you, director Kanwit, and also Mr. Adair for all your work on this and for nudging us when we didn't get our stuff in on time, and I want to thank Pooja Bhatt in my office, who... Her work is very much reflected in our plan, and I very much appreciate it. Also, she's my senior policy advisor to Portland Parks and Recreation, they have a racial equity plan that is referenced here, and which we're hoping to bring to the council as suggested by my colleagues so that we all know and buy into the plans that bureaus are doing. I do notice that three of the categories, no, four, are within Portland Parks and Recreation, where we're not yet meeting our goal, that's in the technicians and the service maintenance folks in botany, and in the park rangers. So, we will make sure that we focus on those particular areas. I am surprised we are doing so well throughout the city, and what we need to do, also, is make sure that there is planning and an opportunity for

October 4-5, 2017

advancement for everybody in every category so it was mentioned that there is more representative leadership in all the bureaus. Aye.

Fish: Thank you for your presentation and excellent work, and we have a lot of work to do, but you have given us is a clear road map. Aye.

Saltzman: Thank you for your work, Donny and Anna both, and everybody else who helped put together this plan. And it remains, always, an eternal call to action to do better. And having the road map helps, aye.

Wheeler: Aye. The ordinance is adopted. Thank you both very much. Colleagues, given the lateness of the hour, here's what I would like to do. First of all, could I ask a question: Is there anybody here who is being appointed to the rental services commission? Did anybody show up? Could you do me please a favor, since we're probably not going to take the vote, could you come up now and introduce yourself to us, is that a possibility? Thank you for being here and thank you for your patience.

Allen Hines: My name is Allen Hines. I represent the disability community.

Wheeler: Thank you very much, and I appreciate your coming in today and this afternoon you will be appointed to the Rental Services Commission, and I thank you for being here, and we appreciate your willingness to step up and provide both your perspective and your leadership and your advocacy for people in this community who need to be heard on these issues around housing. Thank you, sir.

Fish: Mayor, why don't we take the second vote on 1094.

Wheeler: Yes. Take 1094. Please call the roll. Sorry Karla, I'm catching you off guard. Second reading of 1094.

Eudaly: Aye. **Fritz:** Aye. **Fish:** Aye. **Saltzman:** Aye.

Wheeler: Aye. The ordinance is adopted, so 1095, 96, 97 which, can be read together this afternoon, we'll put at the end of this afternoon's agenda. Same with 1098. And with that we are adjourned until 2:00 p.m. Thank you, colleagues.

at 1:13 PM council recessed

October 4-5, 2017
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.

October 4, 2017 2:00 PM

Please call the roll.

[roll call taken]

Wheeler: So, I won't read the statement. I know it almost by heart. The statement is this: Treat people with respect. Expect that when people give testimony at the microphones they will not all agree with you. If everybody at the microphone agrees with you, you should question what is wrong with all of us. [Laughter] And it's no fun if everybody agrees with you. Just treat people with respect. We don't shout, yell, boo, applause. Thumbs up, thumbs down works with great effect in this chamber. If you're a lobbyist please state that. Council rules require that. If you're representing an organization, that's also super helpful. If you continue to disrupt the council you'll be asked not to do so. If you continue you will be asked to leave. If asked to leave, and you choose not to leave you are subject potentially to arrest for trespassing. We don't want it to go there. Let's all just enjoy the time that we have together and express our views together as a community. So, with that, colleagues, I'm reshuffling the schedule a little and I want to run this by you. First of all, I have an absence today at 3:45, I must go and cannot get out of that. I just want to forewarn you. I have proposed that we move item 1101 to the front of the agenda. That should take about an half hour-ish. Then I would propose we go back to the items from this morning that we did not get to. There are three that we can read together, I believe, to speed that up. Then we'll go back on to the agenda as proposed. Does that work with folks here? Okay. Great.

Fish: Mayor, for those here for the Time Certains, that would mean that the 2:05 time certain is likely to come up at 3:00?

Wheeler: Maybe not that long.

Fritz: Question about that: The first one is just second reading vote?

Wheeler: That's correct.

Fritz: So, could we just take care of that one?

Wheeler: Probably. Hang on. Always enjoy second readings because they go quickly. Which one are you looking at?

Fritz: 1099.

Wheeler: Ah, very good. Good! Alright, do you want to start with 1099? Let's do it. 1099, please read 1099.

Item 1099.

Wheeler: Very good. Colleagues, the purpose of today's session is to make a decision on allowing Prosper Portland to move forward with the early implementation of the height and floor area at the United States Post office site. Karla-please-read-the-ordinance-you-did. The USPS site is one of the most significant redevelopment sites in Portland Central City. The proposed changes are consistent with the Central City 2035 Plan and the 2015 Broadway Corridor Framework Plan. This project will bring approximately 700 units of affordable housing, a high-density mix of employment, new city attractions including expansion of the park blocks, and signature connections between the Pearl District and

October 4-5, 2017

Old Town/Chinatown and between the north park blocks and the Broadway Bridge.

Colleagues, any further discussion? Please call the roll.

Eudaly: Aye.

Fritz: It was impressive how much consensus we had on this, and I'm looking forward to getting it done. Aye.

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

Wheeler: Aye. The ordinance is adopted. Thank you for everybody who worked very hard on that. We'll next move to item 1095. I'm sorry, to 1101. I apologize. 1101. If only I learned my numbers. Commissioner Saltzman.

Item 1101.

Saltzman: Thank you, mayor. Over the past years, the Portland Bureau of Transportation has seen a significant increase in complaints of derelict, abandoned, or malfunctioning recreational vehicles, or RVs, on our city streets. More concerning is the amount of reports we receive from community members, business owners and others of the extreme cases of these recreational vehicles, ones that have caught fire due to improper electrical wiring, RVs that leak sewage, gas, or other dangerous liquids onto neighborhood streets. These are clear public health and safety hazards that need to be addressed. With this action today, we are getting upstream on an issue the city literally spends a significant amount of resources to solve. We are making it clear to tow lots, businesses, or any other owners of derelict RVs that by knowingly selling and in some cases giving away RVs with malfunctioning wastewater or fuel systems that will leak onto the city right-of-way, that you are putting the health and safety of those who occupy, live, work, or play near that RV at risk. The city spends significant resources to dispose of the hazardous waste or materials, pick up trash, tow and recycle these RVs. We also recognize that properly dismantling these RVs could be expensive and a burden on owners, so PBOT, in partnership with Metro, will be hosting an RV turn-in day toward the end of October to provide a way for owners to dispose of these RVs in a responsible way. It will cost the city money, but we believe it's the right and necessary thing to do. We do have invited testimony, and the mayor will introduce those invited panelists in one minute here. And I want to thank them for being here today, and for their advocacy and support on this issue. And I would also like to recognize the work of PBOT and Portland police who have been thoughtful and thorough on their work to address the increased number of derelict, abandoned or malfunctioning RVs on our streets. And I also want to thank mayor Wheeler and his staff for their work in partnership with my office to take this step to get upstream on the issue. And I also want to introduce an amendment that is some technical clarifications that I would ask that we move at this time as well. And then I'll turn it over to mayor Wheeler.

Fish: I'll second the technical amendments.

Wheeler: Very good. Commissioner Saltzman moves the technical amendments, commissioner Fish seconds the technical amendments, We'll call that Saltzman 1.

Saltzman: And, turn it over to mayor Wheeler.

Wheeler: Very good. Colleagues, two weeks ago I had the opportunity to tour the facility where we have been storing these derelict and malfunctioning RVs. Beyond the expense of towing these off the street and the cost to the city and the valuable time and resources it consumes, it was apparent – I will say very apparent, as you'll probably see from the presentation today, that these RVs were a public health and safety hazard. These were the extreme of the extreme with some completely burned out due to electrical issues, the smell of leaking sewage was overwhelming, they were stuffed often with needles and human waste. PBOT and our offices have fielded over 4,000 complaints from concerned residents and we must respond with a multifaceted approach. This ordinance is an attempt to head off these hazards upstream and discourage individuals or businesses from gifting or selling

October 4-5, 2017

these derelict malfunctioning RVs at no or very low cost. We do understand that this can be costly to owners, and that's why we're pairing this ordinance with an RV disposal turn-in day. It will still cost the city money, however, it will cost significantly less than it costs to have staff assess, tow, and dispose of RVs as we're currently doing. What we are saying is you can't just give these malfunctioning vehicles away. Instead, we are providing an option for turning them in and having them disposed of properly. I would lastly like to highlight the great work and strides that PBOT, Dave Benson in particular and the police bureau, Sergeant Teague in particular, have had in addressing these RVs. This is a very complicated issue. They have been nimble and incredibly thoughtful in their approach to these complicated scenarios and it goes without saying it is very difficult work.

Commissioner Saltzman, I want to thank you and your team for your leadership on this issue. I'm very appreciative of the work that we have had the opportunity to do together. We have five invited individuals for invited testimony. I would like to call them up first. We can probably pull two more chairs up if people don't mind that. We have Dave Benson from PBOT, Robert King, who is the assistant chief of the Portland police bureau, Randy Teague, who is a sergeant with the Portland police bureau, Jennifer Young, who is the Lents Neighborhood Association Liveability chair. Corkey Collier from the Columbia Corridor Association. Welcome.

Dave Benson, Bureau of Transportation: Good afternoon, mayor Wheeler, commissioners. I'm Dave Benson. I'm the parking services group manager of the Bureau of Transportation, I'm here today to explain the ordinance being introduced by commissioner Saltzman and mayor Wheeler. The purpose of this ordinance is to make unlawful the sale, loan or other transfer of RVs that leak fuels or have leaky wastewater systems or a reasonable person would conclude that they are in such disrepair they would be likely to leak. This ordinance was also written with exceptions to it. So, an individual can transfer an RV to a repair facility, a licensed dismantler or to the city of Portland, for that matter, during the RV turn-in day. My presentation today is designed to share with you the work we have done in recent months with derelict and hazardous RVs so that you understand why we're making this recommendation. You will also hear from my colleagues to my left here, commander Robert King, sergeant Randy Teague and community members who are deeply concerned about this issue. We believe that adopting this ordinance is a way to keep dangerous and hazardous RVs off our city streets. In November of '16, city council provided \$150,000 to the bureau of transportation for the purposes of dismantling and recycling derelict RVs that qualified as abandoned vehicles, that is vehicles that aren't operable, have no current registration, little or no value, and no legal owner claims them when they're towed. We made - and you approved this request because an RV at the end of its life cycle has no value, and the disposal process can cost up to \$2,000 for an individual if they are lucky enough to find disposal facilities that will take RVs. Tow companies that scrap cars don't want RVs because they don't have any commercial value. This \$150,000 helped us partner with tow companies to tow derelict RVs off the street and dispose of them. At the time, PBOT increased the number of abandoned auto officers from three to four as well as focus our efforts on chronic abandoned vehicle cluster locations. To give you some sense of how the issue has exploded, in all of 2016, we had 4,000 abandoned RV cases. To date, three-quarters of the way through the year, during the first six months, we had 4,000 or doubling what we had all in '16 and through three-quarters of the year, we have had almost 7,000 abandoned RV reported cases. We are on pace to be close to 10,000 by the end of the year. And this doesn't include the over 20,000 complaints we receive for abandoned cars in the right of way each year. In the spring of this year, we began partnering with the Portland police bureau on a process that you'll hear later talked more about, called the

October 4-5, 2017

community caretaking procedure. In short, this procedure allows the police to immediately to seize RVs that pose immediate public threat to health and safety because of leaking raw sewage, flammable fuels, sharps in and around the vehicle, garbage or other waste matter that attracts rodents and creates hazardous condition. These RVs are dangerous to both the public and to those who choose to stay in them. To complement PBOT's -- the Portland police bureau's efforts, we added an additional four abandoned auto officers for a total of eight officers. These new four officers have formed what we are now calling our vehicle inspection team. They are exclusively dedicated to working on abandoned auto complaints. In addition to working to remove derelict unoccupied RVs from the roadway, they also engage with persons living in RVs, offering referrals for services. They interact with social service providers, contact neighbors and area businesses to hear their concerns, and work closely with the Portland Police Bureau Neighborhood Response Team officers to look for solutions. They are dedicated to helping people in our community and during the hottest periods of this summer, they handed out water to persons sheltering in RVs. They also distribute heavy trash bags to occupants of RVs to help them keep the areas around the RVs clean and helping to eliminate some neighborhood livability concerns. Their addition had had a dramatic ability on our ability to respond to these RV complaints. We have reduced wait time by about 88%. As a practical matter, it was a few weeks to respond to abandoned RV complaints. It's now down to a few days. Since May of 2017, the tow yards have been full and unwilling to take additional RVs, and the new community caretaking program was launched, therefore all RVs were towed, as either abandoned auto or community caretaking, to the Portland Police Bureau's property evidence yard at Guile's Lake. Each of these RVs shown has its own story and has to be handled differently. Some have drug paraphernalia including needles and other hazards that need to be abated. Some need to have waste tanks pumped. Some have missing or obliterated vehicle identification numbers, requiring additional investigation. Some have been completely burned and the fire bureau tells us that so far this year 25 RVs have burned. The handling and processing of RVs is both complex and nuanced, depending on the condition, as is the coordination of towing. The lack of which often hamstring the police. As a result, PBOT has assigned a full-time staff member to ensure all the administrative paperwork is in order to move RVs through the demolishing process in a timely manner. We also assign our towing coordinator spent about 50% of his time working with our contractors to make sure the police get the tows when and where they need it. These are just some of the RVs that we currently have at Guile's Lake, and each has a story. The one that's up on the screen right now, I'm told, and sergeant Teague could probably speak more eloquently about it, but, the day before it was towed, this was a trailer. Actually had sides and a roof. When the police came to tow it, this is what they found. So, each is different. On this trailer, it was still a vehicle, so we have to go through a rather thoughtful process to make sure we can try to identify an owner, offer them the chance to claim it before we dispose of it. A lot of these RVs are full of garbage as you see here. This is just one small, it looks like a Class C motor home, and that is all the garbage that was inside. We have a company that cleans out and cleans out all the waste matter, all the sharps, all the garbage from the inside. You see, on the slide, on your right. RVs towed, since the community caretaking process was put in place in about May of this year, there have been 100 RVs towed under that program. Since November, when you gave us \$150,000, we have towed 156 RVs as abandoned, and not too surprisingly, the motorized RVs, because they are derelict, break down on our city streets, so, police officers tow them as traffic hazards fairly routinely. And we've towed 43 of those. The outcomes of the RVs towed by the Portland Police Bureau, so far, we have taken 72 to the demolisher. 72. The RVs that are remaining out there, we have 96 of them, 64 of which are community

October 4-5, 2017

caretaking tows and 32 of which are abandoned RVs, or treated as traffic hazard. I should point out that we have to handle these very, very differently. Community caretaking tows are held onsite for 60 days, whereas an abandoned RV can be disposed of in a much shorter time. This has been costly program. Portland police bureau to date has spent \$92,000 in personnel costs. PBOT, during the last fiscal year, spent 126,000. This year, we're projecting somewhere between 1.3 to 1.8 million dollars. Our costs have gone up dramatically, largely because PBOT has five full-time personnel, three haltime personnel, and an additional five staff who spend up to 25% of their time working on this project and I didn't even count my time. So, it's very expensive. We have never engaged in a process like this. We know the costs are high, but we hope, with established policies and procedures, we'll be able to get them down. RV recycling is about \$1500 a unit. That includes \$500 for towing, \$200 to clean it, about \$40 to clean out the tank, and about \$700 to demolish it. So it's a very expensive process even for the city.

Fritz: Could I ask a question? Where is the money coming from?

Benson: We're using - our personnel are fully funded, and we're using it out of existing resources.

Fritz: Thank you.

Benson: Revenues. Talk a little bit about that. You gave us \$150,000 last year. In this year's budget, or actually this year's changes to fees, you added a \$9 charge on every vehicle towed. And that brings us about - and that money is dedicated towards RV recycling. So that gives us a little bit of ongoing funding to your question, commissioner, or way to help pay for this cost. Obviously, it's not everything, but it's something. Brings us up to today. We're told - we believe that there are an estimated 650 to 750 RVs in Portland with people living in them. Some of these are leaking sewage or fuel. Derelict RVs are often disposed of at little or no cost through craigslist and other ad sites. I'd like to show you a couple actual ads. This is over the summer, we had ads, and you can kind of zoom in. I'm sorry, I can't, the one on your right says "Free to the first person to remove from our lot. You must take and remove it yourself." This was a tower out in Washington County that was giving these things away because, again, remember, they have no value. The other one, the gentleman was asserting that his mother and father left it to him and that it's ready to be fully remodeled. But it's not in the best shape, and he wants 200 bucks for it.

Fish: I'm trying to follow all this, the proposed ordinance would prohibit the tower from transferring this vehicle to anybody, even at no consideration. Correct?

Benson: We have limited it to just those vehicles that are either so badly damaged or likely to leak fuels or wastewater. But any other kinds of vehicles that are just old, it doesn't prohibit. It's very narrowly tailored.

Fish: Okay. But if this Chevy Winnebago was leaking according to the definitions, then this would apply -- this would essentially prohibit a towing company in Portland from offering, for no consideration someone to take one of these things, because that would be a transfer?

Benson: It makes it unlawful to do so. Correct.

Fish: Whether it's for consideration or not.

Benson: Correct.

Fish: You're taking this problem off my hands and we go back to that person who has been storing it saying, "You can't do that. You have to..."

Benson: Correct.

Fish: Okay.

Benson: Here's yet another Craigslist. The one on the right is the same tower in Washington County. He's busy out there, trying to give away a trailer. So, these actually do happen. We hear rumors every day about businesses giving away RVs to individuals. We

October 4-5, 2017

hear about – and I think sergeant Teague can speak more eloquently about this, about folks going into tow yards saying, “I’d like that one right there.” They put it on a tow truck and take it out and dump it somewhere in our right-of-way. Then ultimately, we engage with them and we dispose of it. So, it’s a big problem. And it’s a big problem for the towers too.

Wheeler: What’s the current ordinance in place with regard to sleeping in an RV in a public right-of-way?

Benson: Uh, you cannot have an RV - the most restrictive reading of it is: “You cannot have an RV in the right-of-way unless you’re actively loading or unloading for more than eight hours.

Wheeler: And that’s been on the books for a long, long time.

Benson: That’s been on the books for a long, long time.

Wheeler: ‘Kay. Thank you.

Benson: The current situation and the impact, derelict RVs leaking fuels or wastewater are often inhabited and parked on city streets, creating a public safety and health hazard not only to the public, but the people living in them. So, we receive complaints, the police or PBOT tow these vehicles, and the people that receive them are yet displaced yet again. So, this process actually harms the homeless by getting these derelict vehicles. This ordinance is just one tool to prevent the most derelict of RVs from being occupied to begin with, and being parked in the right of way, creating hazardous conditions. And that’s the end of my presentation. Thank you.

Wheeler: Very good. Thank you.

Fish: I have a question if I could, mayor. In your presentation, you said there are about 650 to 750 known RVs with people living in them on our streets. Is that correct?

Benson: We believe that to be correct.

Fish: Roughly. And in most instances, if I follow what you said, they are illegally -- where they are parked and the way they are being used is illegal.

Benson: Almost always.

Fish: Almost always. And there’s a certain percentage of them that are unsafe to both the occupants and people in the community.

Benson: Correct.

Fish: So, you know, last time I was on Hayden Island and visited that spectacular manufactured home community, one of the things I learned is that they have an RV Park where people can come, hook up, they, at a reasonable cost, you get electricity, water, and then there’s a general store. And it turns out that a lot of people who live there are people that work in jobs like, they work for the circus or construction projects, or whatever, so they travel around. And they just come there, they hook up, and it’s a great deal. It’s a wonderful location, actually. As a future action, and this may be more directed to Housing Bureau, are we thinking about ways of creating safe places for people that have high-functioning RVs where they could go at low cost and plug in and other things subject to a set of rules and some kind of oversight so that there’s not just this piece, which is important, getting the derelict off, but giving people a lawful option where they can take their RV at a low cost and operate it?

Benson: Commissioner, it really is an excellent question and it’s really two parts. One, the RVs that we have on our streets, and, I think, commander King and sergeant Teague can also speak to this, are almost universally in very poor condition. They are not going to hook up to anything. I mean, they don’t even have power cords to hook up. They are in horrible shape as you know, commissioner, as you remember, you directed us to provide some dollars to repair RVs. We haven’t been very successful because the RVs out there are in such disrepair and are so badly maintained that there’s no dollars that could repair them.

October 4-5, 2017

So, to your question, I don't know if there's too many of those out there that would fit that bill.

Fish: So, just food for thought, and I don't want to - we have a lot on our agenda this afternoon, but it seems to me, if we could find a couple locations, and in a cost-effective way, create something like what they have in Hayden Island, where responsible parties – and let's say, even go one step further, maybe find a way to contract with FEMA or some other disaster agency to get some of those low cost trailers they have, so it gives someone temporary use as a transition to us, looking for permanent housing and other kinds of things. My guess is, we could find some dirt, and like some dirt, that are close to utility structures, because we're looking for just water, electricity and sewer. So, we could create a set of criteria and look for some dirt. We have a couple of ideas, actually, in one of my bureaus, so, that's for another conversation, but that's the carrot, not the stick approach. How can we positively address it. And again, the model for me, was seeing what happens out in Hayden Island where it's a very attractive, well managed thing. Well, could we create a similar environment for people that are otherwise homeless?

Benson: Sure. And, just to add a little bit to it, and it's a fabulous idea that I think should be explored, but Seattle tried much the same thing, and what they found is, these RV Parks didn't become transitional, they became an end, in and of themselves. People saw that as their permanent location, and they abandoned their program. The city of Eugene tried the same thing, and they had much the same experience. And, although you can still camp in private lots in the city of Eugene, they haven't embraced this idea either. So, I think there's been attempts around the nation at this, and I think we should talk to our colleagues in other cities to figure out best practices.

Fish: Thank you.

Wheeler: Very good.

Robert King, Assistant Chief, Portland Police Bureau: Mayor, city commissioners, I would like to make my comments at the end. I would like to introduce Jennifer Young from the Lents Neighborhood Association. Jennifer has been a tireless advocate on behalf of children and neighbors in our community especially in Lents and Brentwood Darlington, and has been at the table working closely with police and community groups for a very long time, in a way designed to make people safer. So, I'd love very much to hear from her. And then, also from sergeant Teague, of course, who, in the police department has singularly been our expert in many regards, and has helped to develop and implement these programs. And without and his tireless work, along with, of course, PBOT and David Benson and Kezia Winter, we would not be here today.

Jennifer Young: Thank you very much for that introduction. And thank you for having me speak today. I feel very privileged. My name is Jennifer Young, I am a over-20-year resident of the Lents neighborhood, I'm coming to you as a Lents resident today, not in my role as an LNA board member, I'd like to add, because I have been working on this for much longer than I've been involved with the Lents Neighborhood Association. I own a small nonprofit social service agency in Lents as well, and I am an administrator for a reporting site for livability issues. Over two years ago, Lents began to see an influx of motor homes, trailers and RVs arrive in the neighborhood. I began documenting these vehicles, maintaining photo archives and spreadsheets, with a lot of help. Because what we were seeing were very dangerous and derelict RVs. These weren't the kind of RVs that I grew up seeing for recreation. We have, I like to say hosted over 250 of these derelict RVs by conservative counts over the past two years, with I would say, about 95% being what we would consider derelict or unsafe. Most of these vehicles lack tags, many lack license plates, and often they are from out of state. This makes reporting extremely challenging for residents. Many of the RVs do not run, and it's not uncommon to see RVs

October 4-5, 2017

acquired from junkyards or traded off Craigslist being towed with tow ropes throughout our neighborhood, narrowly avoiding people and cars! We see it pretty frequently. Our parks, schools and residential areas have often resembled RV graveyards with up to 20 caravans parked along public streets. The streets and sidewalk access often is limited, and some of these RVs have operated as mobile drug houses, fencing operations and bike chop shops. Large groups of people tend to congregate at them as well. The biohazards associated with the derelict RVs have been a huge issue. We have documented cases of RVs leaking human waste from overfull septic tanks or occupants actually draining tanks into sewer grates or into the gutter. Sometimes we see buckets poured into the street. The smells are often unbearable, and you can smell them from several feet away. People saying they can smell them inside their houses. It's not unusual to see the sewage flowing when it rains. When we have tried to report, sometimes we're directed to the fire department because it's an immediate health hazard. Then, sometimes we're directed to BDS, and then, most of the time back to PBOT. And PBOT, as Dave so eloquently explained, is just completely overburdened. They are sort of the point of contact for all of this, and it has taken weeks for tow warnings to be issued, and sometimes weeks or months for tows to be arranged. Many of them simply move or have someone tow them a block or two away, resulting in a big game of Whack-A-Mole and we have to start the process all over again. We have seen engines pulled out and left on hoists dripping oil, gas, transmission fluids, especially near parks and schools. We have had very recently, in the last couple of months, two RVs explode. They were both in the same location, oddly enough, next to the high school. The one in May was supposedly electrical. The other one was from gas. Both of these explosions burned the trees nearby, signs, utilities. Residents in the first incident were left without utilities for three days. In the latest incident, power was out for several hours and it was the hottest night of the year, leaving people unable to cool their homes. Luckily, school was out when these explosions occurred. The occupants were unharmed, but this could have easily been a tragedy. We have documented and smelled RVs storing chemicals, and probably most likely manufacturing drugs. We have seen dogs being used to guard manufacturing drug RVs, which are occupied by people. We have to begin to enforce city ordinances and enact measures which will limit flow and abundance of these dangerous vehicles to our streets. Just as we ask drivers to have a license, registration, operate safe cars, get a DEQ, display their plates and respect parking ordinances, we should expect the same from the operators of these derelict RVs. This is a crisis and a crisis which is harming the neighborhood, the environment, and the occupants of these, basically, what I call "death traps." It's not good for anyone. So, I urge the council to please adopt this ordinance. Thank you.

Wheeler: Thank you.

Randy Teig, Sargent, Portland Police Bureau: I would like to focus more on extension of what she's talking about. There's no exaggerations here. I just received a complaint, before I walked in here, of one that sewer is just pouring out the bottom of it, and they sent me pictures of it. And an additional impact that has not been discussed is: The Bureau of Environmental Services has also taken a financial impact on this, where these are leaking into the sewer systems, and, I went and got trained by some of the people that worked there, and they explained that just to have the initial call is \$1,000 and quickly can get up to \$5,000 per incident. And so, BES is incurring these expenses currently. And so, that's another hit the city is taking on these. And I would like to talk about one of the things this ordinance will stop, is the recycling of what we're currently seizing. So, some of these vehicles we're taking, there's drugs in there, there's waste, human waste, syringes, all kinds of things that are a danger to a person. Historically, these could go to a tow yard and then that tower could give it back to another unsuspecting person who now, believing

October 4-5, 2017

they're getting this motor home, they get this motor home, they go out, it's full of syringes, and bio waste from some unknown person, and they are burdened with figuring out what to do with that. And what ends up happening is, it gets dumped in the street or they live in it. One of two things. So, I know one of the gentlemen has had two -- he lived in a boat and he lived in a trailer, and they both exploded because they are in such poor repair. So, when we talk about the community caretaking piece, we are talking about the entire community. It's not pitting neighbors against homeless people. That's not the characterization at all. It's clearly a balancing of community health concerns for all people involved. And we work closely with social services to address what Mr. Fish was talking about. We do currently find places for them if they will be capable of going to a location. So, the Joint Office of Homeless Services has paid for application fees for, we have located families in these, and the removal of the vehicle, the timing of removing of the vehicle, the community concern was balanced in their favor, so we didn't take it. And we found them a place to go. So, they can go to their work and fulfill their daily responsibilities. So, there's a balancing act that's happening as far as maintaining a humane piece to this, and then maintaining the community health and safety piece. Probably we tow, my unit has inspected roughly 120 of these homes, more than that probably. We have towed about 60. We towed the worst of the worst and we get social services to every person involved if they are occupied. We have a social worker or outreach worker we work closely with. I don't think she sleeps. She works tirelessly to help. We have a combination of her helping people in places, we have veteran services, outreach workers that are helping us, then the other piece of this is oftentimes when we step in to remove the motor homes, families come forward to offer the people that are living there a place to live, because now, the last resort is gone. So, sometimes it acts as catalyst for change. And then there's times that we have worked with transition projects to have beds reserved for those times when there's no place for someone to go. And they've been working very hard to make sure there's an emergency bed for impacted by this program, the community caretaking program. So, we've worked very hard to try to get some balance on the back side of this with people who are impacted. And the one piece we can't mitigate is, they're being victimized by -- that's not an accurate word. Being victimized by someone dumping this hazardous waste dump on 'em, and they think this is going to be the solution to their problem, and it's the beginning of the problem. And it puts everybody in a bad position. Puts them in a bad position, puts the officers in a bad position, and we've got to put a stop to it. That's pretty much - I just want to make sure Mr. Fish knows we're working and discussing with the Joint Office of Homeless Services about a more efficient way of dealing with these. We have talked about it. We identified the parking lot that had power, all the services there, but we start doing a cost analysis, it's prohibitive currently. Just mainly because of the disrepair of these motor homes. It's just keeping them there would be so expensive. Most of the local RV Parks won't take them if they are more than ten years old. Some will if they are in good repair, but they have to be in good repair. My team has been successful going outside the city and finding RV lots that will take people, and we have arranged to have them towed there. And when we can accommodate that, we accommodate that. In some cases, we have gotten family to come out and bring the RVs to their private property. So, there's - as long as it's not something that is going to blow up and burn the house down. An the fire bureau expressed to me some concerns about when you have 'em lined up, when one goes, you could have a chain reaction that can start passing on to houses, taking out power poles. So that's a serious concern when we've have had 25 of them already burned down. That's pretty much the program in a nutshell. We're just utilizing the community care taking law, which is state law, that enables us to do noncriminal activities to support safety of the communities, things that are inherent to our mission to protect

October 4-5, 2017

people. So, that's what the community caretaking law does. There's never a criminal component to this. We don't search these and charge crimes. It's completely and totally for human life and safety.

Wheeler: Thank you. Very good.

King: I just wanted to stay, commissioner Fish, it's a pleasure to see you. I haven't seen you since I learned of your cancer diagnosis. Someone very close to me that I love very much is recently receiving treatment. I'm very hopeful for you, for your healing, and for complete recovery, and we will pray for you and your health.

Fish: Mr. King, thank you and all I can tell you is. I'm grateful to live in a city that has the Knight Cancer Institute. 'Cause it turns out we've got a world class facility in our backyard, and the care I'm getting is first rate. And I think we're making progress. Thank you very much.

King: And that's where my family member is, and we're very grateful that they are there as well.

Fish: Thank you, sir.

King: As you've heard today, this really, ultimately is about safety and health. And about a way for us, it's an additional tool to use at our discretion to stop this revolving door of putting what are really dangerous RVs back in the hands of people that are trying to find alternatives to housing in a crisis that they are experiencing. It is designed from everyone's point of view to be a humanitarian approach to a difficult situation. And I just wanted to encourage you that we are all of us, in this team, both of city bureaus as well as community members working together to carefully balance the interests of all of those that are involved. And it's complicated and difficult but we're working through it in a way that I think is ultimately progressing towards a result that is better than the current condition. And then lastly, I just wanted to say that one of the advantages of the benefits that I have of having worked in the city for the last 27.5 years is, I get to see people do really amazing work and PBOT, commissioner Saltzman, David Benson and Kezia Winter, and through your leadership and support, have led an effort in PBOT to help in the city and with the police bureau and other city bureaus unprecedented in my experience and they producing results that are having an impact that is positive in our neighborhoods that are impacting safety and livability in a way I have never seen before. Randy Teague of the east precinct is a nationally recognized expert in all of these matters. And he, in many respects single-handedly, has, through his own initiative and his own drive, and his own grit, moved all of these things forward in collaboration with so many different people and organizations, and you heard the testimony that he had today for you about the nature of the challenge and the work that he and his team have leaned into. And they have delivered very positive results up to this point. I'm extremely proud, and respect, admire and appreciate the work that they have done, and I'm very grateful for Jennifer and so many other people in Lents and so many other people in Brentwood, Darlington, and so many other community members and families throughout our city who have regularly messaged to us, as your representatives, that they are sympathetic and they understand that people fall on hard times. They want us to be, as a city, supportive in every way that we can, but they also want us to do work to ensure the safety of all that are involved. Both safety and health. So, when we come to you with this, we are coming from the point of view of having been at countless and numerous community meetings we have heard from many city bureaus, from representatives of the state of Oregon, and the federal government, and there are many, many people who have all been working together to make our neighborhoods and our communities around this issue one notch safer, and do it in a way that's humane for all involved. So therefore, I hope that each of you supports this ordinance. Again, it gives us an opportunity to do this work. We will use this tool as an investigative tool, as a deterrent

October 4-5, 2017

in a way that is designed to produce the kind of results we've talked about today. Thanks very much for allowing us to testify.

Wheeler Thank you. Thanks, all of you.

Saltzman: That completes the invited testimony.

Wheeler: Commissioner Eudaly has a question.

Eudaly: I just wanted to thank all of you for being here today, and for the presentation. You've addressed nearly all of my concerns. And I just really appreciate the compassion and humanity you bring to the conversation. It's been a long day, so I just want to make sure that I'm not seeing and hearing double. Did you say that we were on track for 10,000 removals or 10,000 derelict RVs?

Benson: We're on track at the end of the year. I think the actual number is 9617 cases of abandoned RVs that will be reported to us. We'll be at 30,000 reports of abandoned vehicles this year.

Eudaly: So that number is, are unique vehicles?

Benson: No, some are duplicated. It's not actual. Some have you might get three reports on the same vehicle.

Eudaly: Okay. That is a little bit comforting, because that would be one derelict RV for every 65 Portland residents, [laughter] if we did have ten thousand. And it makes me very concerned that our homeless count might be grossly off. Interesting. Okay. And commissioner Fish, I just wanted to let you know that we have had a conversation, initial conversation with director Joel at Home for Everyone about the possibility of opening up lots, and it is problematic, because, as has been explained here, if an RV is ten years old or less, or in really good repair, there's typically somewhere for them to go. And then, if it's in disrepair, unsafe, obviously, we don't want to give it a place to park. And there's not -- there's not a lot that's in between. It's still something I'm interested in pursuing for those few that might fall into that middle category, but it is problematic. Thank you.

Wheeler: Thank you. Do we have public testimony on this item, Karla?

Moore-Love: I have one person signed up. Scott Pratt.

Wheeler: Scott, come on up, three minutes, name for the record please. Good afternoon.

Scott Pratt: Good afternoon. Scott Pratt, I am not a lobbyist, I guess I don't have to say that, but I like to. Uh, over my 35 years living in Portland, I have held a number of volunteer public advocacy positions. I think, for these purposes, the one that is probably most applicable here was the 30 years as a board member – Oregon League of Conservation voters. And to me, this is probably the most important part of this problem, is the sewage, the gas, the waste, the environmental degradation that is occurring because of derelict RVs. So, and that should be a problem that is not absorbed by the city. It shouldn't be a danger to the public, to the citizens of this city, so I strongly urge you to pass this ordinance, make our city a bit more livable, a bit healthier, and get rid of the dangers that are caused by these derelict RVs. Thank you very much.

Wheeler: Thank you. Colleagues, any further questions on the technical amendments? Please call the roll.

Linly Rees, Senior Deputy City Attorney: Just a quick technical correction on the amendments. They identify in the preceding paragraph that it's to amend sections B and C, but when you look at the amendments themselves, they show as A and B. I just want to clarify, for the record, that council intends for those to be B and C, rather than A and B.

Wheeler: Very good. Commissioner Saltzman, any objection?

Saltzman: No.

Wheeler: Very good. Any further discussion on the amendments? Thank you for that clarification. Please call the roll.

October 4-5, 2017

Eudaly: Thanks again for the presentation, and thank you to commissioner Saltzman and his office and PBOT. Aye.

Fritz: I appreciate the technical amendments, commissioner Saltzman. Aye.

Fish: I want to compliment everybody on the presentation. 'Cause I learned a lot. And I want to thank our friend from Lents for coming. I took copious notes as you spoke, and I thought you gave really helpful testimony. And thank you for doing that. And commissioner Saltzman, you have already been singled out for some praise in pulling all this together, and, you know, I've served with Dan for nine years, and one thing I have come to be appreciate is that if you give him a tough, intractable problem, he will usually find a way to solve it, and that's part of his brand on this council, and that's one of the things that I will miss when he finally ends a distinguished career. Aye.

Saltzman: Well, I want to thank a lot of people here. I want to start by thanking the Bureau of Transportation, Dave Benson, Kezia Wanner, Mark Williams in particular for your leadership in making this happen, and also Portland Police Bureau, Sergeant Teague and commander King. I don't think this would all happen without the two bureaus joining together to make it so. And I especially wanting to thank Jennifer Young for inviting us to the Lents Neighborhood livability meeting in April, 'cause that was the catalyst for me. I got angry at what I saw. And what I saw the Lents neighborhood dealing with every day. And I felt it was time to deliver on some things. And so, what we have done today, I think is to show that we have a program that works, and this is going to make it even work better by prohibiting sale of vehicles that have failing waste systems or other threats to residents of our city. And I also want to thank mayor Wheeler for his leadership in directing the police bureau to make this all happen too. And this is really a great, great place we're at, and I hope we're not inundated with more RVs than we already have, because the numbers are astounding. It's just hard to believe there are thousands of abandoned RVs out there, but there are. So, thank you to everybody for making this program happen. Aye. Oh, I also want to thank – sorry, I forgot to thank my staff. Always important. Tia Williams, Matt Grumm and Shannon Callahan, formerly of my staff, all had a hand in making this happen. Aye.

Wheeler: So, this is a great policy. And, as with everything we're doing regarding homeless populations in our community, it is a thoughtful balance. On one hand, as you heard from the people giving testimony, we are seeking a compassionate approach to a humanitarian crisis. On the other hand, as we heard loudly and clearly in Lents, we also are expected by the public we serve to uphold environmental public safety and public health standards. And I think everybody engaged in this process struck a very thoughtful balance. That's the first thing I wanted to say. The second thing I wanted to say is thank you to those of you who testified today. I thought that was very compelling testimony and I thought it nicely covered both of those aspects, the compassion on one hand, community standards and the law on the other. And I want to commend commissioner Saltzman. I think one of the best decisions I have made as mayor was to make him transportation commissioner. And I think he's been very responsive to a number of very complicated issues. Hard to believe, it's October, pretty soon, Dan, we'll be talking about ice and snow on the streets again. And then after that, potholes again. Then we'll get back to more of these issues. But I believe that in every case, you and your team have risen to the occasion brilliantly. The second thing -- I'm joking, it's like the tenth thing - the next thing I want to say is, this is not a Portland-only problem. And I have to keep coming back to this because it occurs to me, as I listen to people, and I go out and I meet with people in the community, there's a sense of hopelessness in so far as people think this is a Portland-only problem. I want to assure you that it is not. This issue with regard to RVs is all up and down the west coast. And my suspicion, commander King, and Sergeant Teague, is that

October 4-5, 2017

you're going to be getting lots and lots of calls if you're not already, from other jurisdictions, asking you how you're doing this. And I encourage us to work with all those jurisdictions across the west coast to address this issue in both a thoughtful, effective, as well as compassionate way. I want to thank the folks on my staff as always. If I ever look like an idiot, that's all me. If I ever look like I'm doing something good, you can bet that Sarafi, Burke, and Andrea are behind it as they were on this. So, thank you for that. I vote aye. The ordinance is adopted as amended. I'm sorry, that's the amendment. Getting ahead of myself. The amendment. Now to the main motion. Please call the roll unless there's any further questions. Call the roll please.

Eudaly: Aye.

Fritz: Well, thanks to everybody who has been mentioned, particularly commissioner Saltzman and also to the Lents Neighborhood Association. Jennifer Young, amazing work you have been doing, but also in partnership with Judy Lore and Cora Potter and so many folks who have been working in Lents for a very long time. And I agree with commissioner Saltzman that the hearing we had, or the town hall that we had in Lents was extremely compelling. So now, we'll get the RVs taken care of, we've got the nice new soccer field, we've got the playground fixed, so we'll have to decide together what's the next thing to go. But it's really great to see good things happening in Lents. Did I hear correctly, assistant chief King?

King: Acting assistant chief.

Fritz: Acting assistant chief. I thought it sounded very good. Thank you for your longstanding work with the police bureau and obviously with the partnerships that you've formed here. And thank you to Jeanine on my staff, and especially to Matt Grumm on commissioner Saltzman's who always gets back to us very quickly. Aye.

Fish: If you're the acting assistant chief, did that mean we saw you on Grimm?

King: No, I never did make it to Grimm.

Fish: Okay, well, their loss. Aye.

Saltzman: Aye.

Wheeler: Aye. The ordinance is adopted. Please call 1095, 1096 and 1097 together.

Item 1095.

Item 1096.

Item 1097.

Wheeler: Colleagues, housing and tenants' rights have been a top priority for me and I know for all of you. Meaningful public engagement has been key part of our approach as we implement our strategic vision around housing, access and affordability. To maintain transparency of, and enable community feedback on the city's increasing role in tenant/ landlord affairs, we needed to create a setting for the public to discuss these regulations, and for a body to advise the city on these regulations. Therefore, we went through two different recruitment processes to rejuvenate our PHAC, Portland Housing Advisory Commission, Portland Housing Bureau's BAC, which is our Budget Advisory Commission, and to institutionalize a new advisory body, the Renter Services Commission, or, of course, the RSC. I think we need to pass a subsidiary ordinance about acronyms. This new advisory commission, the Rental Services Commission, will advise the Housing Bureau director, housing commissioner, and city council on issues of rental housing law and regulations, landlord-tenant programs and services, and provide a forum for public input on rental housing. Along with the creation of this commission, we're making 13 initial appointments to this body, reinvigorating our Portland Housing Advisory Commission with five new members and reappointment of seven sitting members. Both PHAC and RSC, eventual advisory body to the office of rental services, will provide a sounding board on the Portland housing policy issues. Today, we have an invited panel. We have director Kurt

October 4-5, 2017

Creager coming up first, and at the conclusion of his presentation, we'll have one more panel of invited testimony. Director Creager, take it away.

Kurt Creager, Director, Portland Housing Bureau: Thank you very much. Members of city council, mayor Wheeler, Kurt Creager, your director of housing. This is an opportunity for a base clearing home run after a long morning of policy, we are bringing forward, as you indicate, a new commission, a rental services commission. I think it's important that you recognize that the technical advisory group that is currently charged with dealing with the necessary policy improvements to the mandatory relocation assistance will continue its work. We're not going to burden this new group with that assignment. We already have a group that's empaneled. They will finish their work and will report to council as directed by mayor Wheeler. The bureau has been onboarding with the Geo Bond Oversight Committee, so we will use the first meeting to make sure that everyone is properly onboarded, and that they will take up their charge appropriately. So, two steps, ordinance 1095, creating the commission, ordinance 1096, appointing members to the commission. I'm sensitive to the discussion this morning about balance. And while we did not screen people for their tenancy and their tenure, we did look specifically at people who are sympathetic to renter concerns. And I'm confident in saying that over half, seven of the 13 members, or 54%, are sympathetic to renter concerns. Many are renter advocates or legal service advocates. Although they themselves may own a home. And then, with Ian Davie representing Home Forward, a social landlord, our largest social landlord, one could reason, although they have landlord responsibilities as well as tenant responsibilities, that we have a good, solid representation and a well balanced group here. I know you've gotten comments about expanding the group, or maybe different appointments. I would urge you to consider that if you make any different appointments, that you also expand the size of the group from 13 to 15. Because this was a carefully constructed group, and swapping one person out, I think, could upset that balance. Be happy to respond to any questions you might have about those two items. Would you like me to speak to the PHAC as well?

Wheeler: Yeah! If you wouldn't mind.

Creager: Okay. I'd be happy to. I would like to point out that our good friend and colleague Ed McNamara's name is misspelled. It's M-c-N-a-m-a-r-a. We have returning members, Sarah Zahn, Dike Dane, Alissa Harrigan, Amy Anderson, Betty Dominguez, Maxine Fitzpatrick and Nate McCoy. I would underscore the fact that the executive committee consists of Sarah, Dike, and Alissa, so there are well-valued, long-standing members, and then, we're re-invigorating the group with Cameron Harrington, as you probably know from Living Cully, Ramsey Wake, who has been very active throughout the region, throughout his entire career, and was, I think, in city hall with mayor Bud Clark many years ago. Hannah Holloway, Diane Linn, and Ed McNamara. So, we're very pleased that Portlanders are willing to step up and give so generously of their time and their talent. I report to the PHAC itself, and will be happy to meet with them at their upcoming meeting.

Wheeler: Very good, director Creager. And colleagues, I just received a note: We had an invited panel. As you can see, the individuals on the invited panel were also in the chamber this morning for the better part of four hours on a different item. They all have jobs that they need to attend to, so it's my understanding none of them are still here. Debra Emcee, Katrina Holland, Alyssa Harrigan, and Margot Black. Are any of them present and would like to testify? We had one gentleman this morning who is actually being appointed to the Rental Services Commission. We allowed him to testify this morning. He couldn't be here this afternoon. Are there other members from the commission, either who would like to have the opportunity to come on up? Please do so. Director Creager, you can cool your heels. Sorry, commissioner Fritz.

October 4-5, 2017

Fritz: I just have a quick question for director Creager. The code section doesn't say anything about term limits. We're about to discuss that in the next item. So, I'm assuming that it can be amended?

Creager: Indeed. Yeah. Absolutely.

Fritz: Thank you.

Wheeler: Good afternoon.

Christian Bryant: Hello. I'm Christian Bryant. I'm officially – I own my own management company. I'm a property manager and president of the Portland Area Rental Owners Association as well as Northwest Real Estate Investor Association. With that said, I also do a lot of continuing education for landlords and am a firm believer in the best way to be a profitable landlord is to be one that treats your tenants like people and respects their rights and makes sure they feel at home. So, I have the professional hat, also happen to be a tenant myself. I'm the second tenant that was referred to on the oversight committee for the relocation ordinance. So, I also feel like, when we have these kinds of issues that divides two groups that really need to have a symbiotic relationship, then we definitely need to approach this in a way that is fair for all those involved. We can't deny that there's a housing issue. And we need to make sure that we do try to create fixes that will actually solve the problem for the long run as well as the short run. So, I appreciate being invited to be on the commission.

Wheeler: Thank you. We appreciate your willingness to serve. Thank you so much. Colleagues, any further questions before I open the door for public testimony?
Commissioner Eudaly.

Eudaly: Mr. Bryant, thank you for your willingness to serve and congratulations on being appointed. And I'm going to resist asking you why you're a renter. [Laughter] Which is a question that many of us – given the field that you're in, and, yeah.

Bryant: I have a great answer! Absolutely fair. So, I am a renter because – I run my own business, actually two, because I have a public speaking, continuing education business where I go around the state and the nation and do that. Also running two nonprofit associations and I'm a single dad of eight and five-year-old boys, so I don't have time to fix things, I don't have time to mow the lawn. I will happily pay more than what I would pay if I owned the place just to know that no matter what, I can focus on all the stuff going on, keep it organized, and whatever I need is one phone call away if there's a problem, and I don't have to take that responsibility.

Eudaly: Fair enough. Thank you.

Wheeler: Commissioner Fish had to leave momentarily. He passed me a note. He wanted to know what do you do in your spare time. [All laughing] Just kidding!

Bryant: I do absolutely nothing. When I have spare time, I love my couch. No, I do a lot of hiking except when there's nowhere that's not smoky or on fire.

Wheeler: Awesome. Thank you for your service. Is anyone here who is an appointee who would like to speak? Very good. Any public testimony on any of these items?

Moore-Love: No one signed up on anything.

Wheeler: Alright, very good. 1095, please call the roll.

Eudaly: Well, first I want to thank mayor Wheeler for following through on the promises he made to create an office specifically to manage renter issues in Portland. This is a really important step toward even greater service support and protections for tenants as well as landlords. Starting a new office is a huge undertaking, and I'm proud to work alongside other council members and a mayor who gets how important these issues are to individuals, households and families in Portland. We know that we have a supply problem and we're working on it, but more than, that we have a stability problem. We have a lack of rules – well, former lack of rules – that help mitigate conflicts between two parties who are

October 4-5, 2017

engaged in one of the most critical types of contracts, which is leases and rental agreements. The agreements made and the expectations set between owners and renters have devastating consequences when not done properly and when one side has very little power and the other holds most of it. The office, my office will not relent on making sure that renter protections remain a top priority for this council until or unless such time as we see all Portland renters in safe and stable housing. Thank you very much to the organizations and the individuals who stepped up to dedicate their time to serving on the Rental Services Commission and the Portland Housing Advisory Commission. I look forward to working with you. I vote aye.

Fritz: Well, when mayor Wheeler told me that he was going to form this commission, I was a little taken aback. Because we hadn't actually got the office yet, and I was wondering who was going to staff it and all that. The more I thought about it, mayor, the more I really appreciate you bringing the community in before we have got all those details worked out so that they can help advise on how to set up the office, and I also appreciate director Creager assuring us that he will be able to manage it at least this fiscal year within its current budget. So, I'm very enthusiastic about this. Aye.

Saltzman: Well, I want to thank mayor Wheeler also for setting up this rental services commission. It looks like an outstanding group of individuals and I'm sure we'll benefit from their advice. Aye.

Wheeler: Good work, everybody. Aye. The ordinance is adopted. I'll entertain a motion on 1096.

Fritz: So moved.

Wheeler: Commissioner Saltzman moves, commissioner Fritz seconds. Any further discussion on 1096? Please call the roll.

Eudaly: Aye.

Fritz: This is to appoint those 13 members. Aye.

Saltzman: Aye.

Wheeler: Aye. The appointments are approved. Congratulations to everybody on the Rental Services Commission! We look forward to amazing things from you in the weeks, months and years ahead, and know that you have very willing partners here on the Portland city council. I'll entertain a motion on 1097 to appoint five new members and reappoint seven members to the Portland Housing Advisory commission!

Saltzman: So moved.

Fritz: Second.

Wheeler: Commissioner Saltzman moves, commissioner Fritz seconds. Any further discussion? Seeing none, Please call the roll Karla.

Eudaly: Aye.

Fritz: There's some really amazing people who have agreed, at your invitation, step up on this. Cameron Harrington who is an anti-displacement coordinator of Living Cully, Ramsey White, I had to call him out, he was chief of staff to city commissioner Gretchen Kafoury. And I'm sure she's looking down on us. I'm so happy that the housing is getting such great attention under mayor Wheeler and commissioner Eudaly and myself and commissioner Saltzman. We are all dedicated. And Nick as well. He's not here. Thank you, mayor. Diane Linn, who was in charge of the Office of Neighborhood Involvement and Multnomah county chair, Ed McNamara, who worked with various mayors and has just done some wonderful low-income housing. So, I just appreciate everybody who's being appointed. Aye.

Saltzman: Yes, these are outstanding appointees, and they join a group of people who are already very dedicated to Portland housing issues who are currently serving on the Portland Housing Advisory Committee. Pleased to support their addition. Aye.

October 4-5, 2017

Wheeler: I want to thank everybody who is stepping up to serve. Aye. The report is accepted and the appointments are approved. Next item is 1098.

Item 1098.

Wheeler: Director Creager.

Kurt Creager, Director, Portland Housing Bureau: Kurt Creager, director of housing. The Portland Housing Bureau is the recipient of federal home and CBG funds, and then we distribute them to our partners in the region, including the city of Gresham. So, this \$749,573 is a pass-through. We're responsible for compliance. We work cooperatively with Gresham staff to ensure the projects are executed according to federal rules, then we have a fiduciary responsibility to report back to HUD. So, this is an ongoing relationship that we have with Gresham as well as with Multnomah County.

Wheeler: Very good, director. Any questions, colleagues? Any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Very good. Call the roll, please.

Eudaly: Aye.

Fritz: Well, hurray, we're still getting three-quarters of a million dollars from the federal government that is being shared with the city of Gresham. Aye.

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

Wheeler: Aye. The ordinance is adopted. Thank you. Next item is 1100.

Item 1100.

Wheeler: I'm sorry, not sure who opens with this.

Fish: I'll open. Thank you, mayor and colleagues. Welcome people who are still here after a long day. [Laughter] I'm very pleased to co-sponsor this resolution with my colleagues, Chloe Eudaly and Amanda Fritz. Here's the run of show. I'll provide a few opening comments, then other members of the council will make opening comments. We will then place proposed amendments on the table for your consideration. We have an invited panel and then we'll take testimony. We'll break for dinner, come back and have a further discussion, we'll break then pick it up at breakfast. No. But uh... [Laughter] That's the run of show, and we're losing the mayor at 3:45, so I will curb the humor and try to get to the meat of this. The premise of today's proposed action is that we make better decisions when we partner with the community. And that the city needs to do a better job of providing volunteers who serve on advisory boards and commissions with the tools they need to be successful. In May, council directed the city attorney's office to develop a package of updates to standardize our policies and procedures and to clarify the expectations of all involved. City staff, community members and decision makers. Today, we are forwarding that package of reforms and updates to council for consideration. Like many others, I became interested in this issue after learning that we did not have clear standards governing public service on advisory bodies. Nor did we consistently require disclosures of conflicts of interest as a condition of service. The package of proposed reforms and updates before you today was developed by the city attorney's office in consultation with the Office of Neighborhood Involvement, the Office of Equity and Human Rights, individual council offices and commissioners, city staff, and of course members of the public. The goal in establishing city-wide standards is four-fold. First, to advance meaningful public involvement. Second, to provide consistency and clarity on the role of advisory bodies. Third, to daylight conflicts of interest, and four, to give community members greater confidence in the value of their service. We have before us, for your consideration today, the following. A uniform application which includes a conflict of interest disclosure form, training materials for both advisory board members and staff, options to track the delivery of that training, a template for standard bylaws, an exit survey to be completed by

October 4-5, 2017

members at the end of their service, and values to guide our selection process.

Colleagues, I want to preview for you one of my amendments we'll be considering today. The original draft the bylaws as filed contained a restriction on members' abilities to speak freely with the media. This language was not something that any of the sponsors discussed much less agreed to. So, my first amendment - emphasis on the pun - will remove the restrictive language while highlighting the need for transparency and deliberation of the various advisory bodies. With that, I would like to invite my co-sponsors and other members of the council to make opening comments after which, mayor, I will try to organize an orderly process for putting amendments on the table, and then we'll invite our first panel to come forward. So, colleagues?

Eudaly: Thank you, commissioner Fish. So, shortly after taking office, my staff was approached by a number of constituents about ideas they felt could help the city be more effective. One of those ideas was asking if the Office of Neighborhood Involvement could somehow provide more direction and guidance to all of the bureaus in how they engage, recruit and manage advisory bodies. The concerns ranged from the fact that or the at least the perception that the same few people were being tapped over and over again to serve on multiple bodies to what happens to the work product volunteers who put so much time, energy and expertise into creating. I'm pleased to say this ordinance is part one of addressing those issues. Today we are setting the stage for a more cohesive collaborative vision of how public engagement with the city via boards and commissions will work moving forward. By standardizing our systems across all bureaus, we are making sure that every volunteer who chooses to spend their time and expertise with the city will know what to expect, understand their responsibilities, and ensure that we are all following the law. But we still have more work to do. After the stage is set today, my staff, in partnership with staff from commissioner Fritz's office as well as ONI will begin important work of creating best practices guidelines for recruitment and retention. I'm looking forward to seeing those proposals come before council sometime in the spring. I also look forward to hearing from our staff as well as public testimony about the work done so far, and now commissioner Fritz would like to say a few words.

Fritz: Thank you, colleagues. I'm very excited about this. I was, as many know, on the planning commission back when it was called the planning commission, and I was on it for seven years. So, I have had lots of thinking about this over the past, uh, however many years it is. It's a lot. I was also engaged in the 2011 Charter Review Commission, and I'd ask Bryan Hoop, who's formerly with the Office of Neighborhood Associations, it does not surprise me you are here today to follow this through, now that we're at the Office of Neighborhood Involvement. So, Brian Hoop put together a kind of survey to find out who was serving on our boards and commissions, so that we could appoint a charter commission from these members, and it turned out that there were significant disparities in who was serving on the commissions and committees and the general demographics of the population. So that was really when I started looking at, not only that, but with the Office of Equity and Human Rights being formed, how can we invite more people to be engaged in this? Because I found it a wonderful experience being on the planning commission, totally overwhelmed to start off with, would have loved some of these trainings and onboarding and all the things that we're now putting into place, and I learned a lot. And I felt I had a voice, I knew I wasn't making the decisions, but was having a voice in recommending to the to the council. So, I'm very, very excited about this process. It does many things. One provides clarity, it also provides training, as commissioner Eudaly said, it specifies very clearly what the legal requirements are, and what the aspirational values are as well. And commissioner Fish provided the amendment taking out the language on talking to the media. I support taking that language out, and, I learned, to my

October 4-5, 2017

detriment, that talking to the media before I talked to any of my colleagues on the planning commission was probably not a good thing to do. 'Cause it didn't help us really discuss things in an open and transparent way. I'm very concerned that some boards and commissions currently don't have any term limits. Over the time that I've been on the council last nine years I have had many opportunities to appoint or reappoint. I also had the duty, which was not quite so pleasant, of informing people who had been on a committee within parks for the past 20 years that I thought it would be good to have some new people around the table. And so, we need to make more room for new people at the table because there are lots of people want to step up and help our communities, and so that's what we're aiming to do, one of the things we're aiming to do now.

Fish: So, thank you very much. I want to second what commissioner Fritz just said. We're not going to prescribe what people can do in terms of talking to media. But we hope, in the selection process, and in the training, and in the spirit of what we're trying to achieve here, that people understand that having discussions at the table with colleagues is usually more fruitful than going around that process prematurely. Doesn't restrict anyone's right to talk to the media at any time on any subject, it's certainly not our intent to regulate that, but our goal is to create a set of protocols that actually enhance the value of people's public service. And that's what this first step attempts to do. I believe there are a total of five amendments which will be offered. Mayor, my suggestion is, each one be placed on the table and seconded so that we can get public testimony. And I would like to begin with commissioner Eudaly.

Eudaly: Thank you, commissioner Fish. So, I have slightly updated language to this amendment. It is: Add to Exhibit D, Bylaws Template Section V, general operating procedures, a bullet after the first bullet that states, "When the conflict of interest could result in a direct financial benefit to themselves or relatives as defined in state law, a public official shall refrain from voting on the issue although discussion and participation is still allowed."

Fish: So, that is "Eudaly 1", mayor. And I think the shorthand way of looking at that is: That is a proposal for recusal. So, thank you very much, colleagues.

Fritz: Yes. And I second for the purpose of discussion.

Wheeler: OK. So, commissioner Eudaly moves, commissioner Fritz seconds.

Fish: Commissioner Fritz.

Fritz: So, earlier, we were talking about minority reports, and I think it's very important – I know it's very important to the council that we do hear minority opinions. We don't expect our boards and commissions to come to complete consensus, and it's helpful to us to hear what the discussion was, and what the different sides or many sides might agree. So, moving to add the following language to the resolution: "Whereas the city council seeks to understand not only the conclusions of the body, but also the substance of deliberations, and for that reason, encourages the submission of minority reports along with the majority recommendation." And then, there will be a training slide that we'll see that the city council is interested, not only basically what I just said, but we're putting that into a training session, and members are encouraged to develop and submit minority reports if the advisory body does not reach a consensus recommendation.

Fish: So, mayor, I will second that amendment. That's Fritz #1, and it addresses minority reports. Commissioner Fritz.

Fritz: I don't think I have any more, do I?

Fish: Okay. So, that brings it back to me. And I should note, before I offer my amendments, that we have received a letter from the League of Women Voters of Portland, which I've circulated to my colleagues. And in the letter, they address, among other things, term limits and the recusal proposal. So that will be made part of the record. I

October 4-5, 2017

have three amendments. The first is Fish 1, which deletes the following language from Exhibit D Bylaws Template Section X: Communications, and it is the second, third, and fourth bullet points, which impose restrictions on the right of members to talk to the media.

Saltzman: Second.

Fish: And Dan seconds that, thank you, and so that is Fish 1.

Wheeler: I'm sorry. I apologize. Can we get one of these?

Fritz: We've got that already.

Fish: That, we'll call "Fish 1," and perhaps, as a tip of the hat to Jim Redden, we'll call that the reversal of the so-called gag order in the bylaws. Fish 2 – so, I have 2 other amendments, which I'm gonna offer, and offer a tip of the hat to Tracy Prince, who, in fairness, while there's a lot of people in this room who care passionately about these issues, Tracy's passion has been boundless. And I got a -- we got an e-mail from her outlining concern she had with the legislation. So, I have prepared two amendments for the council's consideration, which are designed to address concerns that she has raised. I am not offering them as Tracy's amendments because she is free to tell me that I got it wrong or seek to enhance them, but I want to have them on the table for consideration. So, Fish amendment 2: Add to Exhibit D Bylaws Template Section V: General Operating Procedures, this is the bullet after the last bullet, that states, "Staff are obligated to keep a record to keep a record of all conflicts of interest that are announced during each meeting. So, I offer that as Fish Amendment 2.

Fritz: Second.

Wheeler: We have a motion and second, Fish and Fritz. That's Fish #2.

Fish: And Fish 2, we'll just call a conflict record keeping. I have one additional amendment, which we'll call Fish 3. Add to Exhibit D Bylaws Template Section V: General Operating Procedures, bullet after the last bullet states, as follows, "If it is found that a member did not disclose a conflict of interests, Staff must alert the bureau director of that instance. I offer that as Fish Amendment 3.

Fritz: Second.

Wheeler: Commissioner Fish moves, commissioner Fritz seconds. Fish #3.

Fish: Colleagues, are there any other amendments that you wish to offer at this time?

Fritz: I'm going to be, later, offering an amendment on commissioner Eudaly's amendment.

Fish: Okay. So, at this point, it's my great honor to invite our first panel. If you would please come forward. Judy Prosper from the office of the city attorney, Ashley Horne from the Office of Neighborhood Involvement and Koffi Dessou, from the Office of Equity and Human Rights. And I would like to take a moment, as the three of you get settled, to especially thank Judy Prosper for her work on this project over the past year. She is quite literally the driving force behind this proposal at the staff level, and we would not be here today without her outstanding work, so Judy, thank you for your service, and with that, I will recognize Judy Prosper.

Judy Prosper, Deputy City Attorney: My apologies first and foremost. I think I am far enough away from all of you that no one will get sick, and I am sorry to my colleagues here. I just came down with something awful. Thank you for that introduction, and good afternoon to you, mayor Wheeler and commissioners. As you stated, I am Judy Prosper, one of the deputy city attorneys here. A little bit of background, how I became involved in this project, early in my tenure with the city, I was working with a newly formed board, and various issues arose. We started trying to tackle each issue as it came up, and that seemed like an impossible task. So, two things jumped out at me. One was that members of the advisory boards did not know of their status as public officials, nor the obligations and responsibilities that flowed from that. And the second was that no one told them. So,

October 4-5, 2017

needing to resolve some of the issues that came up, I culled the existing work of colleagues, looked through relevant law, and put together a 50-slide training that was delivered via Powerpoint. It is in your packets. I have it loaded in case there are questions later. I can pull a slide here and there to respond to those. The training is offered as on an as-needed basis as folks request it. Myself or one of my colleagues will deliver it to new boards, existing boards or whatever is requested. The crux of it was to introduce the pillars of being a public official, and again, the obligations. I have a slide, and how do I get a slideshow?

*****: [away from mic].

Prosper: Just kind of click this here. You don't have to see me -- perfect. Thank you. I just want to make a quick note, because when we had some -- we had some focus groups of staff members, and some issues came up that we wanted to just put forth, and that is to distinguish appeals boards, boards that make final decisions, and any board created by charter from advisory boards, which we are here to discuss today, advisory boards that are created by council, by code or by a bureau. Appeals boards do make final decisions even if their decision can be appealed to a higher authority. Boards like FPDR who make final decisions, and any board created by charter, including FPDR, is not the subject of our work here today. They are not advisory in the sense that I described.

Fish: And Judy, can I just jump in? It's very important you make that distinction, because we have heard from some interest groups that were concerned about the impact of what we are doing on, say, confidentiality agreements that they enter into, as a part of being a deliberative body, and receiving information, maybe it's police accountability work or other kinds of things. And so, there are a different body of laws and rules that apply to bodies that make final decisions, or have a higher level of decision making. We are talking purely about advisory boards that serve at the discretion of the council and therefore a different standard.

Prosper: Exactly. Okay. So, the three basic pillars of being a public official, there they are. Well, the three basic pillars of membership in a body. And, they are: Being a public official, whether you are sitting in a public or private meeting and whether you are to keep public records. I will go on. So, my recommendation, of course, and this is part of the plan, is that all staff -- all members of advisory boards should receive of this training in one form or another. There will be additions based on what is decided here today, and then, an additional training for bureau liaisons, in addition to what the volunteers receive with information on how to help them effectively staff those boards. So, this next slide, through our work, we have decided, or it sort of shook out, when we did an inventory of all the advisory bodies that came back from the may inventory, there are really three types of advisory bodies. The bona fide governing body of a public body, that's a collective cull of ideas to advise this body, a public body council, by a designated group of individuals and is ongoing. The second type is a little bit of a deviation from that, and that are those limited boards that are pop-ups for a specific reason. They are still advising council, but they have a limited duration and they are issue-specific. The third type of board is a little bit different. It's before bringing an idea to council, or implementing it at the bureau level, staff, city staff, are to gather input from a variety of stakeholders or designated constituencies, and then, the staff members incorporate those ideas into a final product or proposal. City staff members are the ones doing the work. What distinguishes 1 and 2 from 3 is that 1 and 2 bodies come directly to council. And as an example, if they disagree, if staff disagree with what the body has come up with, the body can come straight to council and give their input and conclusions and such, based on their votes at their meetings. A type 3 board is a board that is advising a person who works for the city. That is one of you, a bureau director, anyone inside a bureau who is managing a project, and the person responsible

October 4-5, 2017

for the work product is the staff member. So that's sort of a distinction, and maybe we will get to that later if you have questions. And just to point out here, there are also alternate means rather than putting together a type one, two or three board, to gather community input. You can have a town hall, or you can simply have a meeting in your office of various folks who you want to give input on a topic. One other key distinction between ones and twos together, and threes, is that quorums and votes are not required in the third -- in type 3's, and you can use other means. I have heard of taking the temperature of the room by using red, yellow and green flags, by having a show of hands or how many people kind of feel this way. When you are in a 1 or 2, a board that advises council, you have to use the quorum rules per state law. And your votes are going to need to be tallied. Okay.

Disclosure. Oregon state law considers appointees to city advisory bodies public officials and requires disclosures of conflicts of interest. Members of all three categories of advisory bodies are public officials. Under Oregon revised statute 244.020(3), a person has a conflict of interest when participating in an official action, a vote, which could -- which is potentially -- or would actually result in a financial benefit or avoidance of detriment to the public official, a relative of the public official or a business with which that person is associated. Additionally, Portland City Code chapter 1.03, our code of ethics here, requires advisory members to uphold a specific standard of behavior. The language is included as part of the application form which someone will speak to later, advising volunteers from the beginning, when they are coming in to volunteer and sign up to get on a board, or ask to be selected for a board, they have that information. So, some definitions from this slide. So, Oregon State Ethics Law defines business with which a person is associated as: When during a preceding calendar year, the person is a director, officer, owner, employee, of a private or closely-held corporation and has \$1,000 worth of stock. Or: When during the preceding calendar year, a person owns \$100,000 worth of stock in a publicly held corporation. And not only the person, but an appointee or relative is a director of a publicly held corporation, and then again when an appointee is required to file an annual verified statement. The definition of relative is very vast. Your spouse, your children, the children of your spouse, that is your steps, your siblings, in-laws, spouses of siblings. That's in-laws. Parents, parents of your spouse, your in-laws the other way, and anyone basically who provides financial support to a member of your household. These are the -- this is the state law definition of who a relative is. Again, these last two bullets are for -- I know the text is going over it, but the last two bullets are basically for households of unmarried people but who provide support to each other. State law counts the monies and the interests as relatives.

Wheeler: Could I ask a question on that? Hopefully it will give your poor voice an opportunity to recover a bit. Thank you for being here. I have often wondered, is the standard here -- a conflict of interest would be, if a sibling had a direct interest in a company, and you were making a decision about it, that is technically a conflict of interest? Correct?

Prosper: Yes, yes.

Wheeler: So, here's where it gets weird, so bear with me. Is it the obligation of the person on the body to disclose known conflicts of interest, or is it to disclose those conflicts of interest? And the reason I ask, and I am not personalizing this to anybody anywhere near this room, but what if you are estranged from your sibling, and you have no idea what their financial interests are? How does that work?

Prosper: That's a very interesting question. The way I read the statute, it is meant, you know, sort of those folks that you can reach out and touch that are in your realm. I actually don't have an answer to an estranged relative on the list, how that would count. I don't want to guess what the OGC would do, but I think logic would sort of have to prevail in that

October 4-5, 2017

situation, if someone were to bring a claim against someone before the OGC, I would hope that the OGC would use logic in that case when they were thinking of a penalty.

Wheeler: Mayor: Very good.

Prosper: When they were thinking of a penalty.

Fritz: You can't disclose what you don't know.

Wheeler: Correct.

Fritz: I suppose, if a person comes and says, "By the way, I own that property," at that point, you would have to say, "I just found out my estranged sister owns this."

Fish: I don't want to sound like the lawyer here, but, I'm guessing the Ethics Commission would sound like, "What reasonable steps did you take to know, to learn?" Because there is no ostrich defense, and I am guessing there's a lot of estranged siblings who served on closely-held boards of closely-held companies, so you know about that. But the other thing is, I think it's probably a subject of a reasonable inquiry standard. My guess. Again, I am not a practicing lawyer anymore, but I am just guessing.

Wheeler: Okay. I mean, it's an interesting question. 'Cause I am not estranged from my siblings. We're close, but I have no idea what their business dealings are. I am not sure they would tell me if I asked. [Laughter] Thank you.

Prosper: You are welcome. So, a public official is required -- this is again all under Oregon law, to make an announcement of the nature of a conflict of interest each time the issue gives rise, and it needs to be made on each occasion, and "each occasion" has been determined to mean one time per meeting, not like every single time the subject comes up: "Me, me." So, each time they are met with a conflict of interest, the nature must be disclosed. So, next, I am going to talk a little bit about the bylaw template and sort of its purpose in creating a bylaw template. When we look at the templates that came in after the cull of May, they were all over the place. There were templates that were two pages, they were bylaws that were 30 pages. There were bylaws that were created by the group themselves. Some were -- it was just all over the place. And in thinking this through and doing some research, the template is meant to be a technical operating manual for an advisory board. The points included in it are to insure relevant laws are followed, in this case state law, relating to governance of advisory bodies for things such as quorums and voting and to provide basic information about membership meetings and expectations. It is my opinion, my legal opinion, that the bylaws should be created by city staff and approved by either an elected or bureau director or designee. Members of the body and staff can recommend changes, but ultimately, it is the elected or bureau director who should approve any changes. And the reason for this is to assure that the purpose, initially set out for a board, an advisory board, doesn't go too far astray. So that there is someone there if the body would like to suggest doing something else, adding something else, changing a procedure, that there is someone who is aware that that change is being made. Those are sort of the legal issues that I have. I am going to pass it along to my colleague Ashley. I will push the buttons for you. [Laughter]

Wheeler: And I apologize. I do have to go. But I believe you in commissioner Fritz's able hands. Thank you.

Ashley: Good afternoon, mayor, and commissioners. I am really excited to be here before you today. I really am grateful for your leadership on this issue and the opportunity to address you today. It's been my pleasure to work with the other panelists you see before you and also members of your staff and others who are not up here today, many of whom serve on the Public Involvement Advisory Council and they have been working on this as well. I want to just give a little bit of context, very briefly, and then get into some points around why these documents, these products that are being brought to you are so important and will add value to the work that we are doing here together. For those of you

October 4-5, 2017

don't know, I run a city-wide community engagement program. There are three main components to that program, one of which is the Public Involvement Advisory Council, or PIAC, and at the May session, on the resolution that we are bringing you reports to you about, we were very encouraged, PIAC was very encouraged to hear the enthusiasm here among all of you that PIAC would be engaged in this work, and PIAC has been involved. Another big piece of the program that I run is developing city wide public involvement policy and best practices tools to elevate our work and standardize our work across all the bureau across the city in this work. The third bucket that takes up a lot of time, I do a lot of capacity building across the city, a lot of training/consultation with bureaus and groups of bureaus on issues. Just to share a couple products that you may have seen come before you over the years, the Public Involvement Principles is a product out of PIAC, and the program that we are all very proud of. Also, some of the budget advisory committee standards came out of here. Comp plan chapter two language was a collaborative effort and came out of that program, and also the new racial equity toolkit, which you have heard presentation on from the Office of Equity and Human Rights, my program is one of the coauthors of that tool, because we believe that community should be engaged in government decision making and reform work, especially in equity matters. The whole premise of this program and this work and really bringing people into advisory bodies, is the understanding that those who are most impacted by something should be at the table making decisions about it. And so really, it's important, I think, just to step back and get bird's-eye view what is the role of boards and commissions advisory bodies? Why are they of added value to you in your work, as you're making all these important policy decisions? It's an opportunity, after election, to hear from constituencies about matters that are important and to work together to solve problems that are shared. In my role, my reason for providing that context to the role that I serve here at the city, I hear from so many people every day about the challenges that they face in coordinating and leading important public involvement work across everything that we do. And one of the big trends that I have seen over my three or so years here is just the need for more clarity, guidance, and structure as it relates to advisory bodies. PIAC has identified the need for this and is working on a number of things that will come before you, we are hoping, in the spring in the form of complementary recommendations that will dovetail with some of this. I want to give a -- oh. [Laughter] It's not projecting. Apologies. I want to just -- I have been told to keep to five minutes. I am doing my best to do that. I want to just speak to some of the products that we have all collaboratively worked on and have brought forward to you for your consideration, and share some, I guess, some added context as to why they would be so helpful in improving this work. So, this need for a standardized application, I think, is a pretty obvious case. Just as a point of history, ONI has served as sort of like the default clearinghouse for applications to all of our advisory bodies, boards and commissions, except for those that are very specifically housed in bureaus to advise bureau directors and so forth, and that is presented as a challenge in that we don't have a dedicated FTE to manage that presently, and it's something that has come up at various points, some of which predate my time here and since I have been here. So, I am really excited about us hopefully adopting a standardized application, and also getting to some of the FTE support needs that are present.

Fish: Can I just amplify that? The third from the last "Be it further resolved," of this resolution says, "As part of our next budget process, the Office of Neighborhood Involvement will request adequate resources to insure proper and timely implementation of these policies. So, it's baked into here.

Ashley: Yes.

Fish: And, I just want to say that yes, they are going to have to be resources invested to

October 4-5, 2017

make this work, and that was a very important part of the draft resolution that the city is committing through the budget process. Well, you will be requesting the resources, but presumably the city will look favorably on a reasonable request.

Ashley: I certainly hope so, since I am assigned the person who will be responsible for developing an implementation plan and also executing it. [Laughter] So, I hope you will be favorable to our request for additional resources and FTE to move that work forward in the future.

Fritz: Let me jump in as well. First of all, thank you for what you have been doing, 'cause it's been already too much for just one person. You have done an amazing job with it. Secondly, the intent on the standardized application is not meant to preclude additional information to be given via the bureaus to the specifics of whatever they are applying for. Is that correct?

Ashley: Yes, that's my understanding at PIAC, which I staff, we have a standardized application, and sometimes we will ask additional questions of all applicants. So, yes, it's okay to have a standardized or uniform one across the city which is helpful in a lot of ways, and important. It's also okay to have more subject matter or specific questions that are asked as long as it's consistent across the board. I wanted to share the importance of bylaws template also. I get asked by a number of staff who support these bodies questions about bylaws, and it is so very helpful to have a template that brings us into compliance with existing state law and also addresses some of the other issues that have been addressed here today before my speaking that are of value and will, again, improve and elevate this work. And I think it will clarify a lot of questions that people who are serving on these bodies have, so that's also very important. Another thing, the exit interview's template, so very important that we have something like that, to offer people who are serving and giving of their good time, or their time, their goodwill and expertise. And we know sometimes that people have wonderful substantive feedback to provide, and there has been no feedback loop created that's more standardized or official, and so, we wonder how much good information we are losing or missing, as to why people are leaving, or potential improvements that could be made to the body and to the work itself. So, I will stop there. Those are just, you know, some points in support of these wonderful products that we have. I mentioned just a couple minutes ago that I will be developing an implementation plan and executing it. I will be working with my bureau leadership. They are aware that we are being asked to do this, and we will be figuring this out together. We estimate that this implementation will take about nine or so months, and we ask for some flexibility there, considering the FTE considerations that we just addressed. Also will be working proactive --

Saltzman: You don't need permanent full-time staff?

Fritz: No, they do.

Ashley: We do. [Laugh] I have been asked to assume this in addition to my existing full-time, you know, full-plate responsibilities, and so, I am saying yes, [laughter] and I will be developing a plan with my bureau leadership, and we will be needing additional resources because we have -

Saltzman: But what happens once you are through the bulk of this work of implementation?

Ashley: Oh, what work would, then, that extra FTE need to do? Is that...

Saltzman: Are we talking one FTE?

Ashley: One is my understanding.

Saltzman: One. Okay. That's different. I hear "staff," plural.

Ashley: Oh, no. We would be grateful for one.

Fish: This is the Saltzman line of inquiry on any issue where there's new FTE, and there's

October 4-5, 2017

the potential for mission creep. I think the point I want to make is that we have over a hundred boards and commissions, and we may decide to prune that a little bit, because we want to make sure we are getting the maximum impact. But those are commissions that have regular turnover, and that means new members that have to be trained. They have regular inquiries about, you know, what they can and can't do. So, there is a tremendous amount of work, and Judy is our legal resource, but we really need someone whose job it is to be the liaison, to do some of the training, to track all the disclosures and be the point of contact. And even that person, it seems to me, is more than a full time job.

Ashley: Thank you. [Laughter] The last thing I wanted to say is that we are working proactively and collaboratively with Judy Prosper at the city attorney's office. Judy did take -- she's taken a number of leadership roles as it relates to this work, and facilitated a couple of roundtables, and has gathered wonderful substantive feedback from city staff who support these bodies. I am aware of that feedback, and we are working together to anticipate other questions and concerns and also be responsive to them. And especially as legal questions come up, I will be pulling Judy in. And then, you know my contact information, so if you have any additional questions, please do direct them to me because I am the point of contact for this. Thank you.

Fish: Ashley, thank you for your great work.

Ashley: Thanks.

Fish: Koffi, welcome.

Koffi Dessou, Office of Equity and Human Rights: Thank you. My name is Koffi Dessou, from the Office of Equity and Human Rights. Commissioner Fritz, commissioner Eudaly, commissioner Saltzman, commissioner Fish, thank you all for setting a new vision for the city's engagement with Portlanders who are willing to provide advice on policies, program, and practices. I had the honor to work closely with Ashley, Brian, Judy, Claire, Sonja, and Amira, and I am forgetting one name. Jamie. And I want to highlight -- this working? I want to highlight a few points in this process from the perspective of the Office of Equity and Human Rights. The first one is about the uniform application for the advisory bodies. The application form is the first document that provides the mission of the body, the advisory role of the members, and the expectations. Although the mission of each body will be different, the uniform application will allow the city to be consistent in the process. And data that would be generated, such as demographics. At the Office of Equity and Human Rights, we believe that it's important that city advisory bodies reflect demographics of Portlanders. You know well that the city has been providing funding to train community leaders through the civic leadership program.

Saltzman: You are a little too close to the mic there.

Dessou: Sorry. [Laughter] So, and community organizations have been training leaders and encouraging them to serve on, you know, government bodies. And this is going to be helpful for them. The second point is about the exit interviews. Members of our advisory bodies live with a variety of experiences, that will be a total loss if we don't have a collection system in place. The exit interview will provide rich data based on experiences, including the accomplishments, the challenges, and areas that need improvement. The third point is the establishment of standardized template of bylaws. This structure will save time for advisory bodies to focus on the analysis and advisory role they signed up for. The city-generated bylaws allow the city council to lead the vision and the mission of the advisory body while remaining open to recommendations from community members. The city-created bylaws also help the bureau director and the city officials to take ownership of the structures put in place to support the advisory bodies. From the perspective of the Office of Equity and Human Rights, I want to express my gratitude for establishing these structures. I believe if the city provides the necessary funding, the management of the

October 4-5, 2017

advisory bodies would be more effective. Finally, the new standardized bylaws provide some flexibility that validate the great work that my colleagues, Nicole Sharon and Tatiana Elejalde, have accomplished to restructure the Portland Commission on Disability and the Human Rights Commission. These two commissions have removed the positions of chair and vice chair, and they are being more productive than ever before. They have established a new steering committee format, and they are more empowering for all members. We encourage everyone to continue the conversation about the importance of inclusive city advisory bodies. We are grateful for your new vision, and we look forward to continue to improve city policies, processes and practices. Thank you.

Fish: Thank you, sir. Madam chair, do you have a second amendment you would like to offer at this point?

Fritz: I do. And if we can maybe have them both on the table at the same time, this is an amendment to commissioner Eudaly's amendment on recusal. And...

Fish: I will second it for discussion if you can explain it.

Fritz: Ms. Prosper brought to our attention, and so have other speakers, that there is city code already in ethics law. And so, my amendment to commissioner Eudaly's which I also support, is, when the conflict of interest could result in a direct financial benefit to themselves or relatives as defined in state law, a public official shall refrain from voting on the issue. The end of that sentence, for commissioner Eudaly, is, "although discussion and participation is still allowed." I am recommending that we change it to, "and may not participate in the discussion prior to a vote." And that's because under -- in exhibit B and page 11, this is existing city code, it says under objectivity: "If an individual official's financial or personal interests will be specifically affected by a decision, the official is to withdraw from participating in the decision." And we actually had something that came to council last year, or actually last term, where a member of the design commission was the applicant, and yet participated in the discussion even though he didn't participate in the vote, I believe, is what happened.

Fish: So, madam president, may I make a suggestion? We have ten people who signed up. Judy is doing heroic service today. She doesn't feel great, but she is available to walk us through the legal issues, because we now have three different proposals. We have the current proposal, which is state law governs; Commissioner Eudaly's proposal which has a recusal component; and commissioner Fritz' proposal which has a recusal with a prohibition on participation. And they have different legal significance. May I suggest, because of the hour, that we defer on getting a legal analysis until we've heard the public testimony. Let's take the temperature of the room and then have the panel come back, give us some legal guidance, and then see where we are as a council.

Fritz: Yes, that sounds fair if that's okay with everybody else, potentially we could hear testimony and then carry things over so the mayor can participate.

Fish: On this issue, the mayor had expressed an interest in participating, but I have a couple suggestions how we can slice that too.

Fritz: Okay, let's do that then.

Fish: Judy, can you hang out for another half an hour?

Prosper: Of course.

Fish: There must be some supplemental pay for hardship. So, we have ten people who have signed up.

Moore-Love: The first three are Tracy Prince, Terry Parker, and John Hollister, I don't know if he's still here. Let's go ahead and go with Mark Velke.

Tracy Prince: And John Hollister asked me to read his testimony. I don't know if you guys are okay with that.

Fritz: I'm fine, considering all of the changing around we've done, that would be fine, so

October 4-5, 2017

you can have three minutes for yours and three minutes for his.

Prince: Okay.

Fritz: Thank you.

Prince: I am Tracy Prince. I am the vice-president of the Goose Hollows Foothills League. We care passionately about this issue as you guys have heard repeatedly over the years. We are very proud that we have very strict ethical requirements and a lot of what you have suggested today follows with our very strict ethical requirements for our board members. Thank you so much for this long overdue resolution. I really appreciate that all the committee e-mails are defined as public documents, and at that all committee members are understood to be public officials. I like that it's disclosing your conflict continuously, the term limits are absolutely important. We believe very strongly in that because we believe that that creates a strong citizenry who have an ability to engage. That's why I am not president because we have term limits, and I am really glad about that. I love the minority reports, which were so important on many issues. I was really concerned before we entered today that it didn't seem like there was a definition of conflict of interest, but that has been resolved by some of the amendments. And the staff role in tracking the disclosures, which I hope is also made publicly available. And the requirement to recuse, and we absolutely support a requirement that there is no discussion. Because then you are able to influence people in a way that other people don't have access to, but you would be in a privileged position. I have been in meetings where people have voted to give themselves millions of dollars. It feels awful because it feels unethical because it is, and I have been very concerned that our laws haven't kept up with this. So, I feel like this is so crucial because we should not be participating in such an unethical situation. Bad things happen when committee members focus mostly on their own profits rather than the public good. Rich developers will still vote to give themselves millions unless we have these rules in place, as they did on the west quadrant SAC, as they did on the RIP SAC, their votes to enrich themselves threatened hundreds of historic buildings and privatized iconic views at Salmon Springs and to and from the Vista Bridge, and I think that people should be focusing on what's best for all of Portland and not just what will make them the most financially. I have a couple of suggestions to strengthen this resolution. Number one, there need to be consequences. Right now, I believe it's an over \$1,000 fine to litter your cigarette. So, we should at least have a consequence that -- I mean, maybe you can build it in a way that is both carrots and sticks because there are ways to get compliance. But I feel like there must be consequences. And there needs it be a reporting mechanism for the general public so that when people, for example, saw the west quadrant sac members voting in their own financial interest, what mechanism would exist in order for the general public to weigh in on that? Thank you. And I have been asked by John Hollister to --

Fritz: Let's do Mr. Parker's first, and then it's John's turn.

Prince: Oh, sorry. Mm-hmm.

Terry Parker: Thank you for the opportunity. My name is Terry Parker. I am a fourth generation Portlander that's lived in the Rose City Park neighborhood most of my life. Frequently I labeled many of Portland's citizen advisory committees as stacked decks, with the majority of seats at the table representing special interest agendas. A recent example of this trend was the Residential Infill Project Stakeholder Advisory Committee, organized under the auspices of then mayor Charlie Hales. This committee was heavily weighted with developer interest. The broad range of community interests were underrepresented. The committee embarked on a direction with end results that distinctly reflected developer objectives. Some of the comp plan stakeholder advisory committees also had a tendency to be slanted as to their focus and perspective. Where stacking the deck that predominantly runs rampant when it involves transportation issues. Although the citizen

October 4-5, 2017

involvement may be equitably diverse as it relates to race and gender, stacking the deck has been all about fostering social engineering. No way does this represent an accurate makeup of the means by which the majority of people move about in Portland. Equity is discriminately absent as it relates to travel mode, where there are usually one or more seats at the table, for all alternative modes, and while 75 to 80% of the trips in Portland are made by utilizing a car or truck, most, if not all PBOT committees are entirely deficient of specific representation for drivers who, through the gas tax, are the primary financial stakeholders for all transportation system projects. At the Planning and Sustainability Commission, one of the commissioners has a well-known reputation as one of the most well known car haters in the city. There is a multiplicity of types of equity. What other sector of city government wholly rebuffs and snubs physical stakeholder equity and representation? Citizen advisory bodies need to proportionately reflect the makeup of the community. At PBOT, that must include seats at the table that proportionately reflect the mode split, thereby including transport, tax paid, stakeholder motorists as opposed to just beneficiary, non-tax-mode representation. I support the intent of this resolution to clearly define transparency and accountability of city advisory bodies. What still needs some work is to include language that requires all types of equity, and based on something that commissioner Eudaly said earlier, I think there needs to be a limit on the number of bodies that any one individual can serve on at the same time. That will give more openings to the public. Thank you.

Fritz: If you would like to read Mr. Hollister's, please, Dr. Prince.

Prince: John Hollister asked me to read this, that he had to leave to attend a Prosper Portland meeting for the unreinforced masonry seismic upgrades. He looks forward to talking to you in the future about what seems to be a pattern on the advisory committees that he had dealt with. The things he is concerned with are the lack of committee transparency, the potential conflicts of interest by committee members, and the lack of public representation on committees. And by this, he said that he wants to see residents considered primary stakeholders, that right now the planning staff and other staff members in other bureaus determine that the stakeholders are the people who have the most at stake financially, and Land Use Rule Number 1 requires citizen participation. It doesn't require giving the best access to the richest people. Thank you.

Fritz: Thank you. Mr. Velkey.

Saltzman: Can I ask a question, Terry and Tracy? How long have you been on the -- I know you are on the Rosewood neighborhood board for a long time. How long have you been on the Goose Hollow board?

Prince: Five years.

Saltzman: Does your board membership have term limits itself?

Prince: Oh yes. So, I did two before, I'm on my second 3. I did a big break in the middle. And we have term limits, you cannot serve more than six years on the neighborhood association. You cannot serve more than two years in executive positions.

Saltzman: Okay. Does Rose City Park have similar rules?

Terry: Rose City Park doesn't have term limits, but we allow 25 board members, and I think we only have 16 now, so there's various openings, and if we got up to 25 and somebody really wanted to be on the board, we could probably accommodate that. I mean there is no -- as I say there is no term limit.

Saltzman: I guess I'm wondering, through this discussion, and maybe it's just a simple question, but does any of this that we are talking about, apply to neighborhood organizations, in terms of term limits?

Prince: I wish it would. [Laughter] I wish all the conflicts of interests would apply to all business associations and neighborhood associations. [Talking simultaneously]

October 4-5, 2017

Parker: Well, one of the things I will say about neighborhood associations, if you get very involved, there is an awful lot of work. I mean you can spend 40 or 50 hours -- [talking simultaneously] Not everybody wants to do that.

Prince: So, we often hear some arguments against having term limits. "Oh, there is nobody else to do the work." But inevitably, when we have -- we have two board positions to fill right now, and I thought, "Oh my, who will we get?" But the more you knock on doors and the more you say, you know, "Hey, we need some more people," you find them. And so, I believe that when there are no term limits, it leads to sort of mini dictatorships and the will of the people isn't reflected.

Fritz: Thank you, Mr. Velkey.

Parker: So, I guess I will just leave it at: Maybe we should include those organizations in this resolution.

Prince: Well, that would be very far reaching. [Laughter]

Fritz: I want to cut this off, we will get back to that later.

Eudaly: Madam president, I have a comment and response to miss Prince. Neighborhood associations are independent bodies, and the city doesn't dictate what their bylaws are. So, we could certainly make suggestions, but we are not exactly the boss of them. And as to your concerns about enforcing the standards like recusal, I wanted to let you know that there is language that states that a person serves at the discretion of the commissioner or bureau director in charge. The staff tells us that a person serving on a public body is refusing to recuse themselves, they could be asked to leave. But beyond that, it does make sense to me that an enforcement process would be developed as part of the best practices for retention and recruitment.

Prince: Thank you so much for pointing that out. And I think that's a good change, that the commissioners should have oversight over the people serving, and that there shouldn't be this unlimited thing. On the neighborhood association issue, I know we want to move on, but you actually could say -- and business associations -- you actually could say, "You will not receive city funding if you do not have a strict conflict of interest obligation." I am telling you that because in our neighborhood association, we had to vote people out who were clearly stacking the board and trying to vote on their own financial interests rather than what was good for the whole neighborhood.

Eudaly: I will look into that.

Fish: Dr. Prince, I just want to say something. Commissioner Eudaly just used an expression that brought back a flood of memories. 'Cause I remember the first time my now 13-year-old son, but I think it was when he was about eight, he said, "You are not the boss of me." [Laughter] By that he meant "I take orders by Mom, not from you," so we had to have a little conversation. This question about whether we should have a similar set of guidelines and restrictions that apply to neighborhood associations and business associations, I am certainly open to that conversation. There is a different legal architecture. I think in fairness, if we decide to do that, we should take it as a resolution today. We should take it up as a separate matter.

Prince: Totally.

Fish: 'Cause I would want to give the affected bodies a chance to weigh in on it. But I am personally agnostic in terms of having that discussion. And if that's something that a colleague or two think is worthy of pursuing, I would suggest that be a complimentary piece we do later.

Prince: And I am not suggesting that anyone's right to free speech is suppressed. They are always welcome to advocate for themselves, but not on the city dime.

Parker: One more comment I'd like to make about the neighborhood associations.

Fritz: Thank you. Fish -- Mr. Parker, no, no. I would like you to please be quiet so we can

October 4-5, 2017

get on with the testimony.

Parker: I think the membership can override the board at any time.

Mark Velkey: Commissioners, my name is Mark Velkey and I live in the Goose Hollow area where I serve on the Goose Hollow Foothills League Neighborhood Association. I would like to thank commissioners Fish and Fritz and Eudaly for bringing this resolution forward. It is a great step in the right direction, and I would hope that everyone else will also support it. I was very glad, as were many others, to hear mayor Wheeler say these two things at the February 2016 Northwest Examiner Candidate Forum. His first quote was, "To find out afterwards that an advisory committee was loaded or potentially stacked with people who have their own vested interests, that just should not be allowed to happen." And a second quote is: "What we found with the West Quadrant Stakeholder Advisory Committee was, someone could have a direct conflict of interest, they could personally and financial benefit from the recommendations being made by that committee to city council, and yet the auditor found, under the ethics law, that they cannot actually have a direct conflict of interest. That's goofy to me." I agree with what the mayor said, and council should also add the changes that Dr. Prince suggested so that this resolution can be even better. And I also think that the amendments that you are considering are all very good, particularly the last one from commissioner Fritz. I do feel that this resolution can be tightened up and strengthened to make it even better, so please do that. Um, one thing I was a little confused on, I only had time to read the 31-page resolution once, so far anyway. But it seems like the thing about type 3 committees and commissions, the rules seemed that they had a lot of loopholes in there. So, I think type 3 should be -- you know, have more rigorous requirements. I am not an expert on that, but it just seems there is something wrong there, so I really wish someone could look into that. So anyway, that's all I had. Thanks.

Fritz: Thank you. Next three please.

Moore-Love: Are Daniel Solomon, Mary Sipe, and Robert Right.

Fritz: Mr. Sullivan, I believe you are first.

Daniel Solomon: You want me to go first? Sure. My name is Daniel Solomon. I am a Section 8 renter in the central city. I couldn't believe that it was legal for West Quadrant Stakeholder Advisory Committee Members to vote to give themselves millions of dollars by raising heights on their own properties. I think they would spend a lot of time in jail if they did that in other states. It sounds like the mafia to me. But apparently this has been Portland's normal way of doing business for decades. It's easy to see why the Center for Public Integrity gave Oregon as an F rating in ethics. But I do want to say thanks for taking these amazing steps towards ethical government by requiring disclosures. Please vote for commissioner Fish's amendment to make it illegal for committee members vote to give themselves millions of dollars by voting on their own financial interests. Recent statistics show that Portlanders have a dramatic decline in their trust of local government. This is why. Voters don't like it when you allow rich developers to vote to give themselves millions of dollars as they did on the West Quadrant Plan. This makes us distrust Portland's government and distrust our elected leaders. Requiring recusal goes beyond state ethics laws, but Portland often leads the way with progressive laws with the state. And I also want to say it was not just with the West Quadrant Plan, but also RIP SAC. But again, I want to thank you for helping raise Oregon's ethics ratings from an F. We got into this situation because city staff members believe that rich developers are the main stakeholders, not Portland's residents. If this resolution doesn't have a statement that residents are the primary stakeholders, then staff will still continue to think of stakeholders as those who have the most at stake financially. This violates land use goal number one, which requires citizen participation, not just the richest citizens. We residents are the stakeholders who

October 4-5, 2017

matter most. I am a Section 8 renter. I would like to know that my voice will be heard and that a rich developer doesn't have better access than I have to shaping city policies. Thank you for this wonderful resolution.

Fritz: Thank you. Ms. Sipe.

Mary Sipe: Hi. Mary Sipe. I just want to say one thing. The standard application, I think, is a really great idea, but I would also like to see something else standardized, and that is how announcements for vacant board positions are made. There does not seem to be any consistency in that. Recently, will a board that I have been very involved with over the last three years, earlier this year, it had a board vacancy, and there was no announcement of it. Apparently, they just took a qualified person from the last round and appointed them, and I think that leaves for some kind of stacking of the deck, and I would like to see perhaps you also address some consistency and standardization that any time there is a vacancy on any of these boards, that that be publicized, and that a whole new application process is undertaken. That's it. Thank you.

Fritz: Thank you.

Sipe: Half my time.

Fritz: Miter Wright.

Robert Wright. Thank you. My name is Robert Wright. I am a proud native of Portland and I lived in the west end for over 11 years. Commissioner Fish, commissioner Eudaly, commissioner Fritz, thank you very much for your leadership to strengthen the transparency and accountability of city advisory bodies, and by direct extension that of city government. Weakness in these fundamental pillars of good governance were identified and confirmed in the central city 2035 planning process, but could have occurred in other advisory bodies. The public's trust in government from federal through the city levels is at low ebb across the nation. Portland must shed the weight of conflicts of interest, favoritism, hidden agenda and the perception of good ol' boy decision making. Report and recuse must be the backbone of your proposed resolution, reporting financial interest and recusal from voting on recommendations that may impact those interests. The proposed resolution had, according to amendments, a chink in its armor. Recusal from voting. As drafted, members could vote on recommendations that pose actual or potential conflicts of interests. Such voting must absolutely be prohibited and codified in Exhibit D under general operating procedures, with the proviso that the entire vote on a recommendation will be null and void if later determined that interest-conflicted voting had taken place. Again, thank you for your hard work on this very important matter.

Fritz: Thank you for your patience in waiting to testify. Next ones, please?

Moore-Love: The last 2 I show are Margaret Noel and Roger Leachman.

Fritz: Good afternoon. Thank you for staying Ms. Noel, would you like to go first please?

Margaret Noel: Yes, commissioners, thank you for letting me testify. For the record, I'm Margaret Noel, I'm representing the League of Women Voters of Portland. The league approves of many of the recommendations that were developed to improve transparency and accountability in city advisory bodies. However, we urge you to consider some changes to the bylaws template. First, we believe that mandating term limits is a poor policy. We value the contributions of the experienced members who understand the complex issues advisory groups consider as well as the fresh ideas offered by new members. Both viewpoints are needed. We believe that each group should have the flexibility to shape its own policies on term limits. We strongly oppose mandatory two-year breaks after eight years of consecutive service. The selection process for members of the Citizen Review Committee is an example of one way to foster diversity and fresh perspectives but retain expertise in a group without term limits. CRC members serve staggered terms of three years at which time they must reapply and be reappointed or

October 4-5, 2017

replaced. The decision depends on which appointments will cause the CRC to best reflect the makeup of the community. CRC members are replaced if there is another nominee whose participation would improve the diversity of the CRC. We recommend that the uniform bylaws template should offer other advisory bodies the ability to adopt a process like this. Regarding disclosures of conflict of interest, we certainly agree that financial conflicts must be disclosed. However, we also believe that such conflicts of interest should not require recusal because the advisory bodies do not make the final decisions, they are not the decisionmakers. Instead we recommend adding to the bylaws template a requirement that all formal correspondence from an advisory body should include as an attachment the names, affiliations and other connections of all the members of the advisory group and a record of how each of these members voted on any recommendations. Information on the backgrounds and interests of all members as entered in their applications should be public. Although this information may be included in the group's minutes and other records, it would be easier for commissioners and the public to find it if it is sent with the group's recommendation. And incidentally, I totally agree with the idea that these groups should be balanced, they should include a lot of public involvement, and that they need to have citizens who live in the community, who volunteer in the community represented. Thank you.

Fritz: Thank you. Mr. Leachman, you have the last word.

Roger Leachman: Commissioners, my name is Roger Leachman. I am a resident on Southwest Vista and I serve on the board of the Goose Hollows Foothills League. I think it is salutary to consider why we are here and why this matter is before council. A little over two years ago, a group of ordinary citizens, resident in Goose Hollow, the Pearl, the northwest district and downtown filed an ethics complaint with the ombudsman. I don't need to rehearse that history to you. You know it. They were undoubtedly whistle blowers. Sometimes, certainly not always, whistle blowing results in actions to address the concerns raised. Accordingly, I too was heartened over a year ago by the mayor's remarks at the candidate's forum, which Mark Velke has quoted to you. And I am more pleased than I can say that you are moving forward. But it is important to say that the actions contemplated here derive from grass roots action by citizens. Abetted by one courageous journalist, and it would not otherwise be happening. A very American story. Whistle blowing and citizen advocacy have their hazards, ranging from character assassination to reprisals in lawsuits. The former is the first line of attack as it is the first symptom of the kill-the-messenger syndrome. It's on display in the op-ed by Neighbors West/Northwest president Felicia Williams in yesterday's Tribune. Both the citizen group and my own neighborhood association are denigrated. We are now used to that in Goose Hollow as we have many pages of the like from her going back a long time. You probably don't want to -- you probably want to pass on going through those, and it would be tedious. So, I presume that you can see beyond an attempt like this to marginalize Portland citizens and their advocacy. And I'm sure you will, and I am sure that the general citizens of Portland see through it. There is a famous phrase that I encountered as an undergraduate in the civil rights movement decades ago. It became the title of a PBS series. Keep your eyes on the prize. Do that. This prize is insuring robust ethical standards, accountability and transparency. And thereby restoring trust in city processes. Which had been strained to the breaking point. I second Tracy's testimony, and there is little point in repeating it since it's on record now. If you heed her suggestions, you will make all the work you've done -- I applaud the commissioners for that work -- move us further along the path to the prize. Thank you.

Fritz: Thank you very much. With that, we are going to close public testimony.

Fish: I have an of suggestion, madam president. And thank you for all the testimony. First

October 4-5, 2017

of all, I have run out of gas, so I have to just tell you that in a few minutes I have to head home. It's been a very long day and actually an outstanding day. Number two, the mayor would like to be heard on the question of recusal. It's a significant policy question. Number three, we now have, on the question of recusal, three distinct proposals before the council. One is reflected in the resolution, which tracks state law. The second is reflected in commissioner Eudaly's amendment, which would mandate recusal, and the third is represented in commissioner Fritz's amendment which would go further and prohibit participation. I came into this hearing with an open mind about where I would land, and I found the testimony quite compelling. I can't tell you where I am going to land, but what I would benefit from is the chance to meet with Judy when she is healthy, and to go over just the legal landscape, so I understand the intended and unintended consequences. I want to better understand the concern raised by the League of Women Voters who, in their testimony, have said they do not support going beyond state law, I want to understand why and how they get to that point. And so, my suggestion, if it's acceptable to the council, is that we vote on Fritz 1, Fish 1 and Fish 2, and then adopt the resolution as amended with the proviso that in three weeks, a resolution will come to council with a recusal proposal for discussion and debate. Or, no, as early as three weeks, it's whatever the will of the council. At which case, we could take up, as a separate resolution, that question, and just decide it, and have the benefit of the briefings on the interim, so that the council, a full council, could decide that question, and we have three distinct choices. So that's my proposal.

Fritz: Thank you, commissioner. We just -- before everybody gets packed up, we have one more item left on the regular agenda, which is an emergency item, so I would ask you not to pack up quite as quickly -- it will only take five minutes.

Saltzman: I would echo what commissioner Fish just suggested. But I guess I would like to go further and say that I'd like some more time to think about the term limit question in light of the league's testimony.

Fish: Well, the resolution that could be brought back to council could be amended by anyone at that hearing. So, my intent would be to bring a clean recusal resolution to council, and then allow the council to deliberate that if any amendment would be an order. And, you know, for me, my preference would be in three weeks, because that's one of my golden weeks, and the next would be six weeks, but it's up to the council, but I see no reason why we couldn't bring it back in three weeks, and have it even a time certain, adopt everything else today, because a lot of hard work has gone into it, and then make sure that council is clear about the alternatives when we come back, and just address recusal, which I think, is a compelling issue that needs us to address.

Fritz: And as everybody else comes, we're voting on Fritz 1 and Fish 1 and 2.

Eudaly: Yes.

Fritz: 'Kay. So please call the roll about Fritz 1, which is about minority reports.

Eudaly: Aye.

Fish: I think it's a terrific amendment. Aye.

Saltzman: Aye.

Fritz: Aye. Thank you. Please call the roll on Fish 1, which is um...

Fish: The restrictions on talking to the press.

Fritz: Right.

Eudaly: Aye. **Fish:** Aye. **Saltzman:** Aye. **Fritz:** Aye.

Fish: Fish 2 has to do with something that was suggested by Dr. Prince about keeping records of recusals.

Fritz: And however we end up on the actual policy, we would certainly want the record to be kept. So I think that's fairly non-controversial. If you could call the roll on Fish 2, please.

October 4-5, 2017

Eudaly: Aye. **Fish:** Aye. **Saltzman:** Aye. **Fritz:** Aye.

Fish: So I move the resolution.

Fritz: Uh, let's, if I might suggest that we just move it over for three weeks, rather than passing something that we are going to amend?

Saltzman: Yeah.

Fish: That's fine.

Moore-Love: The mayor is gone in three weeks, that's the...

Fritz: Or maybe four weeks?

Fish: Five?

Moore-Love: The first of November or 8th of November, I show everybody in right now.

Fritz: Since we have closed public testimony, I don't think we do need to put it as a time certain, so let's have our schedulers look at that.

Fish: I see, but if we did adopt the resolution today, staff could start working on the various pieces, and we have clearly signaled the question of recusal is an open question. I would think just to honor all the hard work, if we adopt the resolution with an understanding we will take up recusal as a freestanding issue.

Fritz: Colleagues?

Eudaly: That's fine with me, yeah.

Fish: And I checked with legal council.

Saltzman: I would prefer to wait. I don't see the harm. Like I said, there was some good testimony from the League of Women Voters, I would like more time to ponder what they said and the context of my final vote on the resolution. So yeah, I want some more time.

Fritz: And I think it's fairly clear to staff who are here, and to everybody, at what points we have concerns about, and what points we don't. So, unless you have a comment, commissioner Eudaly, since it's currently the Office of Neighborhood Involvement.

Eudaly: I mean, it's just that it would be nice to get going on this, it's a long time coming and a lot of work.

Fish: So, staff, I think, is getting -- I think staff is now clear we are going to move forward with this. If we could have this come back in four weeks?

Moore-Love: As a time certain?

Fish: Doesn't have to be a time certain.

Fritz: No, I think it doesn't need to be a time certain.

Moore-Love: Okay. Yeah, everybody is here, that would be November 1st.

Fish: Let's do that. Madam president, could we each take one minute just to make a comment because we may lose some people?

Fritz: Certainly, but do remember, but I need you to stay for the next item, which is 1102.

Fish: I'll stay.

Fritz: Go ahead.

Fish: I just want to, because we are going to obviously lose some people, I want to thank all the members of the public who pushed this issue and helped shape this proposal. And I agree with the last person who testified about the power of grass roots advocacy. I want to thank all of the professional staff people who worked on this, particularly Judy Prosper, who is here, not feeling well, and who really has been indispensable in working this, but all the folks on our panel. I want to thank Amira Streeter in particular, and the rest of my team for the work they have put into it. And most especially, I want to thank all my colleagues. We do our best work when we engage the public as full partners. We do our best work as colleagues when we listen to each other and engage each other and try to reach consensus. And I am very proud of the whole series of decisions this council has made in the last few months and it's an honor to serve on this council. So, thank you to everybody who has brought us to this moment. And we have one final issue to resolve, and we have

October 4-5, 2017

a clear roadmap of the different options, and I look forward to calling that question on November 1st. Thank you, colleagues.

Fritz: Thank you. Commissioner Saltzman, no comment?

Eudaly: I mean, I do have a closing statement, but it was assuming that we would be passing it. So, should I save it for later? I'm gonna save it for later. But I do want to thank Judy and Brian and Ashley in particular for working so hard on this, and I will save the rest of my thank yous for November 1st I guess, yeah.

Fritz: I would add my thanks to those already thanked and also Claire Adamsick on my staff, and there has been some really good staff conversations on this issue. It's obviously dear to my heart. And I can't help comment that many of the people who yell at us about our public process are not here participating in the very difficult work in figuring out what that public process should be. So, thank you to those who are, especially due to the late hour. With that we will move, 'cause we're not voting on anything else. Thank you very much. I hope you feel better soon, Ms. Prosper. 1102 is the last item of the day. I hope you agree with that? Is that right, Karla?

Moore-Love: Yeah! That's what I've got.

Item 1102.

Fritz: Thank you. I told staff from Parks that they did not need to stay because it's very straightforward in the ordinance. These clean, welcoming facilities are an essential part of Portland Park and Recreation's ability to provide exemplary customer service and employee working conditions. By Oregon state law, if Portland Parks and Recreation chooses to contract for janitorial services, the bureau must award a contract to a qualified rehabilitation facility. Qualified rehabilitation facility organizations provide disabled individuals, people with disabilities or experiencing disabilities, with opportunities to achieve personal independence through productive gainful employment. Using the Department of Administrative Services' established procedure for requesting proposals from and selecting a qualified rehabilitation facility firm, Portland parks and recreation has selected Relay Resources, formerly known as Portland Habilitation Center Northwest to provide janitorial services to multiple sites, including community centers, offices, and maintenance facilities. Does anybody have any questions on that from the council?

Fish: Move this by acclimation.

Fritz: Does anyone want to testify on this? Seeing none, let's please vote on it.

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

Fritz: Thank you to all my colleagues, thank you to the city attorney, thank you to the council clerk. This has been a very long day, but we got through it. Aye.

Fish: Thank you, madam president.

at 4:47 PM council recessed.

October 4-5, 2017
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.

October 5, 2017 2:00 PM

Wheeler: Good afternoon we have a very special pre gavel presentation today and proclamation reading I would like to start by reading our proclamation. We have some very special guests here today. We have Sherry Scott, bow and arrow board treasurer and respected community elder, is here with us today. We have Ei Shah Pirtle-Boise is the miss city of roses and we have Jennifer Pirtle who is miss city of roses' mother. We're very excited and if the three of you would like to come up and sit in these chairs here we would be honored to have you. Welcome to Portland city hall, to the city council chambers we're delighted to see you. Colleagues, I have a proclamation I would like to read. It's indigenous people's day. On October 10th and I would like to read the proclamation if I could and I'm noticing the proclamations the point type is getting smaller and smaller I feel like this is a secret eye test at some point. Whereas the city of Portland recognizes that indigenous people of the lands that would later become known as the Americas have occupied these lands since time immemorial. And whereas the city recognizes the fact that Portland is built upon the homelands and villages and traditional use areas of the Multnomah and Clackamas Chinookan of this region without whom the building of this city would not be possible. And whereas indigenous people hand down oral histories, science, governance, a distinct relationship with water, land, rocks, native plants, birds, fish and animals, an invaluable cultural knowledge and rich traditions that continue to thrive in Portland today. And whereas indigenous people who have been here since time immemorial continue to contribute immeasurably to our community, state and city's heritage, distinguishing themselves a scholars, veterans, teachers, athletes, artists, entrepreneurs and leaders. Whereas the indigenous population of the Portland metro area is over 40,000 people, descended from more than 380 tribes, bands from across the nation. And whereas the city of Portland has a responsibility to oppose the systematic racism towards indigenous peoples of the united states in which perpetrates high rates of poverty and income inequality, exacerbating disproportionate health, education and social crises. Whereas the city promotes the closing of the equity gap for indigenous peoples through policies, practices and investments that reflect the experiences of indigenous peoples ensuring greater access and opportunity and honoring our nation's indigenous history and contributions. And whereas the city of Portland continues to promote the prosperity and wellbeing of the American Indian, Alaskan native and indigenous community. And whereas on October 7, 2015, Portland city council passed a resolution resolving the city of Portland shall recognize indigenous peoples day on the second Monday of October. Now therefore I, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim October 10, 2017, to be indigenous peoples day in Portland and encourage all residents, businesses, organizations an public institutions to observe this day by reflecting upon the ongoing struggles of indigenous peoples on this land and to celebrate the thriving culture and value that indigenous people add to our city. I would like to ask Sherry and Ei Shah and Jennifer if they are here, would you like to make a few comments? I believe the mikes are on. Karla, can you see from there? Great. Good afternoon.

October 4-5, 2017

Ei Shah Pirtle-Boise: Hello. I guess thank you, everyone, for allowing me to be here as my second year of being royalty for the city of roses. My name is Ei Shah Pirtle-Boise mother is Jennifer Pirtle my father is Robert Boise. I'm enrolled in the tribes of warm springs in Wasco and I'm also a slets member. I would like to again thank you for allowing me to be here and thank you for taking me from school to be here. [laughter] you know, school is -- school. [laughter] I guess how I should put this is I'm really proud to be here to see all this. I have never been to a big, fancy place like this, but I guess I was told to say that I was why I am happy to be native in a way. To me my culture is my life. Something that I am proud of being because I have been taught I can help the seventh generation and continue on our heritage and traditions, our songs, our dancing, our ceremonies, that's a real proud thing I guess to me. I guess that's all I have to say on behalf of me right now.

Wheeler: Very good. Thank you. Welcome, we're very honored to have you here today.

Pirtle-Boise: Thank you. Also on behalf much indigenous people of Portland, Oregon, and also the bow and arrow culture club we have something to give you. I'll just put it here.

Wheeler: Thank you.

Fritz: Would you like to do a picture with all of us?

Wheeler: Somebody noticed me, I have been told I need more red ties. Thank you. [audio not understandable] that's fantastic. You do know me well. This is a puzzle Pendleton mug. It's gorgeous. I promise I will drink no less than five cups of coffee per day from this mug. Very good. We have two good photographers here. Just for a moment.

Wheeler: Alright everybody this is the October 5, 2017 meeting of the Portland city council. Karla please call the roll.

[roll call taken]

Wheeler: Please read the first item.

Item 1103.

Wheeler: Commissioner Fish.

Fish: Thank you, mayor and colleagues, for co-sponsoring this resolution today. Today the city of Portland, a proud sanctuary city, stands with our immigrant communities and especially with our dreamers. Two months ago our president made good on one of his campaign promises by rescinding the deferred action for childhood arrivals program known as daca. It was a cruel action that removed protection from deportation for 800,000 people living here in the united states who call this country their home. There are 11,000 daca recipients in Oregon, many of which call Portland their home. Dreamers attend school, they work hard and they pay taxes, and they serve with honor in our military. They are people like Mariana medina, the newest member of my staff, who helped write this resolution and thank you. Dreamers in our community and around the country were immediately affected by the administration's action as were their families, their colleagues, their employers and their communities. Their dreams are now in jeopardy and they all face imminent deportation. This resolution formally opposes the administration's action to rescind daca which goes against the values of our nation and affirms that Portland proudly stands with all dreamers. This resolution also proposes to reimburse Causa, which acts as the fiscal agent of the Oregon daca coalition, for up to \$50,000. These funds would be used to help local dreamers with their application fees and with legal assistance. Mayor and colleagues, I should note that today is the last day to submit applications for daca renewals. The administration was asked for a reasonable extension, which under any other circumstance would be granted, and it was denied. Another shameful act. We call upon the trump administration to keep the daca program in place until a permanent solution is formalized and we call upon congress to take swift action to pass the dream act to settle this issue once and for all. It's an honor to be a co-sponsor of this resolution and now I would like to recognize my colleague commissioner Fritz.

October 4-5, 2017

Fritz: Thank you, commissioner Fish it's been a great honor to work with you on this resolution. Too often in the past year especially we have seen tragedy after tragedy unfold. Tragedies that affect the lives of everyone and which disproportionately impact immigrants and people of color. I'm proud to serve on a council that has denounced the tragedies manufactured at the federal level through political and policy decisions that include the recent suspension of the daca program, the deferred action for childhood arrivals, targeting immigrants, especially in sanctuary cities. We have affirmed that our city is welcoming, inclusive and a sanctuary for everyone. I recognize that some of our actions are symbolic and do little to empower and uplift communities that have historically been marginalized. That's why today I'm especially proud to co-sponsor this resolution to declare support for the contributions that dreamers have and will continue to make to our city and country. To urge the congress to continue the daca program, and to reimburse Causa up to \$50,000 as has been said. They leapt into action, Goldann Salazar on my staff took the lead in making sure that we could understand exactly we are going to be doing to help in a practical way and so with this resolution today we are going to commit to providing that funding in the fall budget monitoring and adjustment process. We're committed to assisting dreamers with their application fees, legal assistance and ongoing need for support.

Wheeler: Commissioner Eudaly.

Eudaly: Thank you, mayor. Many of us can't imagine living with imminent threat of being criminalized and expelled from our own country for no other reason than our very existence here. The federal administration decision to rescind daca is a betrayal of our promise to dreamers and will ultimately harm us all. When our core values are consistently under attack at the federal level it's imperative that we recognize the importance of local power. I'm proud of our attorney general Alan Rosenblum, who has reaffirmed Oregon's commitment to dreamers by joining other states in suing the trump administration. I'm proud of our council for upholding our resolve to be a sanctuary city by using our resources to defend our values. I support the work of Causa, the Oregon daca coalition and many others who continue to organize and fight back. Most importantly, however, I'm proud of dreamers who continue to speak out and make their voices heard as well as the original dreamers, their parents who dared to dream of a better life. I will remain committed to protecting all Portlanders' right to live and thrive in the communities they call home. Thank you.

Wheeler: Thank you commissioner. I know that this has been a very difficult year, a difficult year for immigrants in our community in particular. I was along with my colleagues deeply disappointed by the action taken at the federal level to rescind the daca program. I want to state again unequivocally for the record that under my leadership as mayor of the city of Portland will remain a welcoming and safe place for all people. The city of Portland stands with all Portlanders, refugees, immigrants, people of color, the disability community, and all those who are made to suffer as commissioner Fritz said for no other reason than because of who they are. All of us who call this country home feel a responsibility to live these values and overtly condemn racism, intolerance and hatred, the goal of which is to divide and to oppress. Many in our community not just immigrants, but people of color, religious minority community members, and lgbtq community members have legitimate fears that the new administration in Washington will marginalize them and rip their families apart. We know that fear is also true for the 11,000 dreamers that call Oregon home. Daca has allowed dreamers to keep their families together, has provided stability to communities and has allowed recipients to apply for and achieve a lawful education and lawful employment. Without daca Oregon's dreamers would be subject to deportation that's why my colleagues and I approved an allocation of \$350,000 for the Portland united against hate coalition, to support culturally specific initiatives across the city that are standing up to

October 4-5, 2017

hate and are creating a more welcome space for all of us who call Portland home. We also secured \$50,000 in funding for the Multnomah county public defenders to help immigrants fight deportation and I'd like to thank commissioner Fritz in particular for her leadership on that initiative. The city of Portland also recently signed on to the center for popular democracy and national partnership for new Americans joined initiative cities for citizenship. We join other major U.S cities like Chicago, Los Angeles and New York city in supporting citizenship programs and making the path towards citizenship easier and more accessible. This resolution funding organizations like Causa, who are working with daca recipients to renew their applications is critical to ensuring daca recipients are not torn away from their families and their livelihood. As leaders, one of our most important roles is to advocate for all Portlanders and that's exactly what we did last month. The Portland city council requested that Oregon's congressional delegation pass the dream act and support daca recipients. Dreamers are woven into the fabric of our community. They are our neighbors, they are our coworkers, they are students, they are community leaders, they are our newest college graduates, they teach our children, they care for us in hospital and they defends our liberties on battlefields. We're doing what we can and will continue to work together to ensure that everyone is safe in our city, in our state, and in our country. This work is complex. We're working hard together to figure it out and we need to have urgency in doing so. We cannot remain silent. We must trust our voice. I want you to know that I see you, and I stand with you and that we as a city stand with you. Thank you. Commissioner Fish.

Fish: I want to thank all my colleagues for their beautiful statements. We have some very special guests we have invited today. I would like to begin by welcoming the two city staff members who spearheaded this resolution. Mariana Garcia medina from my team and Goldann Salazar from commissioner Fritz's office. If you would both come forward and accept our thanks. I also want to acknowledge Asena Lawrence also had a role in this and she's sitting in the audience. Thank you Asena for your leadership. A number of the young women here today are also alumni from the center for women's leadership that a number of us attended the luncheon today. Congratulations. Mariana, welcome.

Mariana Garcia-Medina, Commissioner Fish's Office: Thank you. Thank you for sponsoring this resolution. I'm Mariana and I'm a new staffer for commissioner nick Fish. A recent graduate and daca recipient who had the opportunity to work on this resolution. On June 15, 2012 my dad called me in tears and full of excitement to tell me president obama was announcing on live television his executive action of daca. President obama did this following failure of the dream act in 2010. Daca was meant to be a temporary measure so congress could pass a permanent position and a permanent solution for dreamers. It gave hope and some relief to the dreamers that have continually been fighting for the dream act. Daca does not grant pathway to citizenship. It offers protection from deportation and a work permit every two years. Daca recipients have to renew their Daca every two years and pay an anticipation fee of \$495 and plus their legal expenses. On September 5, 2017, my dad called me again, this time with sadness and a hopeless tone. The repeal of daca was of the little bit of hope and security we were given was ripped away from us. It was a hard reminder of the uncertainty of my future and revised anxiety and fear for my family and for me. This resolution asks for the program to continue and urges congress to pass the dream act. The dream act would grant the same privileges as daca but would offer a pathway to citizenship. It would also allow more dreamers to benefit from it since the requirements of Daca were much narrower and dreamers were left out because of age, year of entrance into the united states and also many who did not apply because they had a fear to give information to the government for a program that was meant to be temporary. A fear many dreamers had but took the risk, came out of the shadows and

October 4-5, 2017

trusted the government. The dream act will allow many dreamers like me to have that security to stay in their home and be able to fulfill our aspirations and dreams. The dream act would be one step forward for immigration movement, however, it is important to not forget about all 11 million undocumented immigrants who are also part of our community. Many who have parents of the dreamers such as mine and in truth are the original dreamers. Again, thank you. I urge you all to pass the resolution and hope to continue to support an effort from council for the immigrant community.

Wheeler: Thank you.

Fish: Thank you very much.

Goldann Salazar, Commissioner Fritz's Office: Thank you, mayor. Commissioners. For the opportunity to present today. Young people who have depended on the daca program took a risk by giving the government sensitive information that could not be used against them as they face imminent threat of deportation. After our office learned daca would be suspended we reached out to causa Oregon's immigrant rights organization to see what we could do to support communities that are most brutally impacted by trump's decision. Working with causa we identified the importance of addressing not only the \$495 application fee for those renewing their statuses but also of the associated cost of immigration lawyers' advice navigating a complicated legal process. Accredited organizations that are part of the American immigration lawyers association such as catholic charities, ecumenical ministries, Soar, Immigration services and immigration counseling services are providing assistance to daca renewals through weekend clinics and appointments at no cost to those receiving benefits. Many lawyers have volunteered their time to meet the overwhelming need. These services can only be sustained with additional support. President trump's decision to suspend daca triggered a quick timeline that requires applications to be received for federal review by today. Due to this timeline the quickest way to support application assistance for those in need was to partner with causa, which generously used their operating funds to cover this urgent need. The city will reimburse causa for services completed up to \$50,000 and will provide a report that will include a budget and data about how many individuals the funds have helped. This will fund daca eligible applicants currently living in Portland. This resolution is co-sponsored by all five council members and funding up to \$50,000 will be allocated from the general fund's fall bump. Back in March I spoke at council when we passed the sanctuary inclusive welcoming city resolution. It was one most contentious council sessions I have ever attended.

Wheeler: Me too.

Salazar: I witnessed so much pain from the community pleading for more protections, more safeguards, and more safety for their communities. As I sit here today I'm proud that what we're achieving is beyond symbolism. That this grant holds weight and holds us to affirm our highest values to continue to protect our community. Thank you.

Wheeler: Thank you. Well said.

Fish: Thank you both for your great work. Mayor, we have invited two panels to join us this afternoon. I would like to welcome to the dais the first table, the first panel, Andrea Williams, executive director of causa Oregon. Leonardo Reyes, founder of the Oregon daca coalition and the distinguished county commissioner from Multnomah no 345 Jessica Vega Pederson. Welcome.

Andrea Williams: Mayor, commissioners, thank you so much for putting forward this resolution in support of Portland's undocumented young people. I'm Andrea Williams, I'm the executive director of causa Oregon's immigrant rights organization. At the beginning of this year we had major concerns that the trump administration would make changes to the daca program. We saw early signs of the program was in trouble from a leaked executive

October 4-5, 2017

order indicating that trump would take daca away, to the arrest of several Portland area daca recipients over spring break. Since that time causa have worked hand in hand with organizations led by daca recipients like the Oregon daca coalition in order to advocate with and support Oregon's undocumented young people. This included the establishment of a scholarship fund in may founded by the Oregon daca coalition in order to cover the 495 uscis fee. Odc volunteers set up the application process and have conducted the applicants' screenings while causa supported with behind the scenes operations as a fiscal sponsor. It's been a really great partnership. Unfortunately our nightmare came true on September 5th when the trump administration announced the ends of daca and giving 2,000 Oregonians who are still eligible to apply only one month to get their renewals in. I don't know about you, but scraping together \$1,000 within the month to cover these fees would be hard for me. So these scholarship funds and nonprofit legal services supporting low income individuals became especially critical over these last four weeks. I'll tell you that community organizations and volunteers went above and beyond to respond to the need without guaranteed funding to support it but we made and sacrifice because we knew that this could potentially be the last chance in the foreseeable future to provide real protection from deportation and a work permit for daca recipients who are students, young professionals, parents. So I'm thankful that the city of Portland is considering this allocation towards supporting daca renewal scholarships and nonprofit immigration legal immigration services. Leo, my colleague here will tell you more about the scholarship functions and how they screen and how we have been processing these, but I want to let you know from the operations side we have been cutting the checks, directly to uscis, so that we can ensure the money is going to its intended purpose. Each daca scholarship is sent with the applicant and they sends it with their pact of application to uscis. For the legal services causa partners really closely with immigration counseling services, soar and catholic charities. They served dozens of low income daca recipients when there was a rush to renew. For those that needed it agencies provided fee waivers, providing their services at no cost, because again their interest was getting as many people to apply as possible. These legal services are critical, having legal support in renewing daca can be the difference between being denied or approved. Because the timeline was so short, there really was no time to revise your application if there was even a small mistake so having an attorney to review the application ensure accuracy and increases chances of approval. In addition to that nonprofit legal services and community organizations held daca educational forums to inform the community about changes to daca which was an essential outreach effort to refer eligible people to the free legal services that were being provided and the scholarships. It was really important to get the word out and I'll tell you it wasn't easy because of the fear, because of various barriers. So far we estimate and we're still calculating final numbers because today was the last day and there will be more numbers that come in but so far we estimate way over 650 Portland residents received educational information via the forums. 30 Portland daca recipients received a full renewal scholarship and 36 daca recipients from Portland received free legal services through a nonprofit immigration legal provider. So this is the kind of work that the city's funding will support. Finally, as you heard unfortunately today is the last day to submit your daca renewal, and after today it is likely that no one will be able to apply for daca ever again unless there are changes that the trump administration makes or unless we pass the dream act. I'll just really quickly say that I was in d.c. last week. I talked to all of our members of congress. They say they haven't heard much from us here locally so I'm really happy to see that you are making a public statement. Hopefully our members of congress hear it and in particular our member of congress, congressman Greg Walden, who is the only representative to not co-sponsor the dream act at this point. So in closing I just want

October 4-5, 2017

to saw thank you so much for putting forward this resolution and to goldann and Mariana for working with me to put together the proposal.

Fish: Thank you. I wish I had the document we could resubmit for the record. Not only did the council send a letter to each senator and member of congress urging action and very specific action, but we asked our federal lobbyists to follow up. Tomorrow there's a forum co-hosted by both our united states senators to which a number of people here have been invited including Mariana, where they are going to be talking about next steps in terms of legislative fixings. I do not know where representative Walden is. I have not seen any comments from him, but the council before this resolution took what for us is not a routine action otherwise we would be signing letters every day, sent a very strong letter of support on this issue to the delegation. We'll make sure we pump up the volume.

Williams: Thank you.

Eudaly: I'd just like to add that I'm headed to d.c. in a few weeks and I'll be lobbying our representatives and a couple of our federal legislative parties and I would be happy to add this to my personal list at least. Perhaps we can get that on the official list as well. Thank you.

Fish: Welcome our distinguished county commissioner and thank her for being here.

Jessica Vega-Pederson: Thank you so much. Good afternoon mayor and commissioners. For the record my name is Jessica Vega-Pederson, I am the the Multnomah county commissioner for district 3, which includes most of southeast and east Portland. Thank you for inviting me to testify here today in support of daca, recipients, the daca program and the dream act. I want to thank commissioners Fish and Fritz for bringing forth this important resolution today. I want to thank all of you for your ongoing steadfast leadership on this issue. It is wonderful to have all of you as sponsors of this resolution. It's also a pleasure to be here with Andrea today. We have worked together on issues like this for a long time, tuition equity, driver's card and the fight keeps on going and we're here today in support of our dreamers. We know members of our community have been demonized and threatened by those wielding immense power and influence. The highest reaches of our government are actively trying to divide us and cast blame on the weakest and most vulnerable among us for the many problems that plague our society. These efforts are wrong, misguided and politically motivated. They are frankly disgusting but you and many others in our community have stood fast in the face of political pressure and threats of federal funding. So thank you. Thank you for your courage. The trump administration's decision to end daca jeopardizes the status of 11,000 Oregonians creating fear and uncertainty for families, clients, employees and our communities. At Multnomah county we're committed to doing everything we can to support our own employees' right to work and contribute to the well-being of our community. At the county we do not collect information on who is and who is not working with daca authorization but we do know we have daca recipients on our work force. We stand with dreamers in our community and look to congress for quick, urgently needed legislative action. Dreamers form their identity here. They came to this country not of their own choosing but they now call it home just as we do. Deporting them to countries they don't know is foolish, cruel and short sighted. The threat of detention and deportation is hitting close to home. As reports of increased local ice enforcement activity continue to surface. Take the example of a well respected community member, an employee of a nonprofit organization serving the east Portland and Gresham communities. On the morning of September 27, he was awoken by ice agents knocking at his family's door. Because he had benefited from know your rights training and legal assistant opportunities which are partially founded by both the city and the county, he was able to keep his family safe. However, we know that not everyone has access to information that can keep their families safe and that's why it's important for leaders like us

October 4-5, 2017

to take strong stances like this one. Dreamers are our coworkers, friends and family. They are enterprising small business owners, volunteers and neighbors who help make this county the amazing place that it is. We need their energy, their talents and skills. We stand with immigrant and refugee communities in denouncing government action like operation mega and the mass deportation efforts that led to a Washington county employee being stopped and harassed an action of gross ineptitude which was caught on video. Arrest and detention as well as the threats of enforcement activity can tear families apart, cause people to move into the shadows and compromise emotional and mental well-being of many of our friends, families and neighbors. We stand for fair and just treatment of immigrants and refugees so that those who came to this country to create a better and safer life for themselves and their children no longer have to live in fear. Thank you for taking the leadership of the city of Portland to stand with our community and make this meaningful resolution today.

Fish: Commissioner thank you for joining us, Mr. Reyes, we welcome you. Thank you for joining us.

Leonardo Reyes: Hi my name is Leonardo Reyes, I am the founder of the Oregon daca coalition. I am an undocumented Oregonian and I am a daca recipient. I want to start off by saying that I'm very moved to be here today and to hear you all speak, and all the years that I have lived in Oregon I have never felt so welcome and so accepted and valuable in my own home. It's very moving to be here and to hear everyone speak on the subject that tended to be very invisible by extension made my struggle and my journey as an Oregonian, undocumented Oregonian, also invisible. I'm glad we're taking the opportunity to talk about this. The Oregon daca coalition started right after the results of the election, November 9, where we met with close friends and my sister. I remember driving home that day crying because I understood what the results of the election were, could potentially mean for me at that time. I really wanted to get in touch with my sister, who is in college, a close friend who is a coworker of mine, we both work in helping people access Medicaid assistance for elderly and adult communities. So I didn't want my sister to feel discouraged from continuing her education. I didn't want my friend to feel alone and isolated and her struggle also realizing that everything we had worked for, everything we have built for ourselves and everything that changed over the past five years was very suddenly very fragile. So we started doing a lot of advocacy work, organizing our community, starting having a conversation about what it meant to be undocumented in Oregon. Through that advocacy effort we started the scholarship fund in May where we were able to help some daca recipients pay their renewal fee. We started with two applications per month in May and we're going along with that process of basically a scholarship where we have people apply and submit some essays so we can then assess basis of need and get a better understanding of the individuals receiving these scholarships and how they were contributing back to their communities. As of September 5th and the announcement that was made on that date, we really switched gears in trying to get any funds we had available to the community as quickly as possible. 30 days is not a whole lot of time for anyone to submit a legal application, especially if you don't feel comfortable with filling out legal paperwork on your own. Myself I took that risk because I couldn't afford a lawyer. I couldn't afford someone to help me look over the application. I just didn't have the money for that. I had to take the risk of doing that application on my own. So we switched it to be a very quick process of collecting daca recipients' information. We followed up with them to make shall your they qualified for renewal cause there was a lot of misunderstanding as to who could and who couldn't reapply at this point. So it took us being very aware of what those requirements were to be able to have a conversation with each of the applicants as to whether or not they qualify for renewal and be able to screen them to then award the

October 4-5, 2017

scholarships so they could submit the application as well, being able to provide some support for those who needed help filling out applications. It was a very strenuous process, it was a lot of hours, it was full-time on top of doing this work as volunteers. So we got together every day after work for basically two weeks making calls to people, making sure there was a good understanding of who could still benefit from this program and really being able to extend that process. It was both rewarding and heartbreaking journey. I remember speaking to a few daca recipients, one, a mom of three, who was in need of the funds because it was very difficult for her to save money with three children and to be able or to have to explain to her that the process was no longer available to her because of the guidelines set by the administration. They are definitely difficult conversations to be having those and to be breaking news to members of our community. At the same time we have seen strong support from a lot of members of our community that has enabled us to issue 54 scholarships to more than -- 54 scholarships just in the last 30 days. It's actually been more since we started in May, but in the last 30 days we had 74 applicants which we were able to screen all of them, we were able to find funds for each of the people who qualified and that was a really -- an amazing experience and I was very happy to have been able to be a part of that. We obviously need to continue our advocacy work for long term solution. Daca is only a very temporary fix and so we really need to continue the advocacy for legislation through advocating to our congress and specifically urging our representative Greg Walden to sponsor the dream act. It's not going to come at the expense of our communities. Thank you.

Fritz: Thank you for your service.

Fish: We have one more panel. I would like to invite up jimmy dogo, from the new Portlanders commission, and Daniel Franco Nunez from the human rights commission. Thank you both for joining us. Jimmy, want to kick off?

Jimmy Dogo: Thank you. Thank you, mayor, commissioners, for the record my name is jimmy dogo. Everything that I want to say county commissioner Jessica said it already but I'm going to also bring to your attention when we talk about daca or undocumented, all often what we see is Latinos. The media portray Latinos, the face of undocumented, but this resolution is not just helping the Latino, it's helping all undocumented people who live here in the united states or in Portland, Oregon. According to the black alliance for immigration we have about 565,000 black undocumented. Out of this 13% are coming from Africa and 16% from the Caribbean. Some of those daca recipients are here in Portland. They are so scared to come out because even for African immigrant and refugee documented we're almost invisible let alone those who are undocumented or daca recipients. So with this resolution it will help a lot of our community members to get support, to get help, to renew their applications. Also not only black daca recipient but we have also a lot of daca recipients from the middle east, from Asia, from all over the world that are here in Portland and with this resolution, it's again, like all the speakers before me said "even it's not enough but it's a step in the right direction that will help people to fill out their application". To conclude, I want to take this opportunity to thank you city leaders and also county commissioner leader for supporting us, for supporting all the immigrant and refugee community, for supporting undocumented. This is our city. Some of our children were born here. Some of them were brought here from a very young age by undocumented parents. but we are here. For instance I have a case of a west African family who came here, who brought their child because their child has some rare disease and they cannot treat it in Nigeria thinking it would just take a couple of weeks or a month for the treatment. They ended up staying here over their visa. They cannot go back, they cannot take a chance to go back because there no treatment back home so they stay. While staying here for four years they have two more kids who are born here. Some of

October 4-5, 2017

those kids who they brought with them from Nigeria grew up going to school here, daca recipient. Those are cases we don't see in the media, in the public, but often we just think that daca recipient is all Latino, but there are also a lot of people who are going to benefit from this resolution and from your support. Thank you so much.

Fish: Thank you very much. Welcome.

Daniel Franco: Hi my name is Daniel Franco from the Portland human rights commission. Thank you, commissioners and mayor, for coming to our last meeting. I would like to formally invite all commissioners to come to future meetings we meet the first Wednesday of every month in the office of human rights and equity just up the street. You're all invited. We'll save you a seat. I don't think there's much left for me to say. I think all of you recognize that this resolution puts you on the side of a decent human being against an administration that is bent on opening up the gates of hell. I am a daca recipient myself. I renewed it three times, so power to the people, but we appreciate that you see us. It's great to hear you say our parents are the original dreamers because they're really the one that took the risk, coming across international waters, borders, where oftentimes you're treated worse than animals just for your kids to have a better future. It's not a choice that anyone makes lightly. There's no reason why anyone would choose to leave their home and be treated like a second class citizen unless it was better than their daily lives. Nobody comes to the u.s. to experience immigrant life-style just for kicks. As it pertains to daca specifically, you guys know the numbers. 11,000 in Oregon, close to 800,000 across the u.s. your resolution states how many billions of dollars daca recipients contribute to the economy in tax alone. The whole immigrant community contributes billions more never eligible to receive unemployment, Medicare, welfare or social services that they pay into on an annual basis, but I think it would be important to give you a little understanding of what it's like to actually live this application process. As I said I had to do it three times. The government knows where I have lived, they know what cell phone number I have had since the age of 16, they know my past employers, they know my ministers, their phone numbers, addresses, coworkers until now. Part of the daca process that is every two years you had to go renew it. The thing about it was that you would go to the federal building where Jeff sessions was a few weeks ago and they take your fingerprints and make sure you're not a criminal or have committed any felonies or anything like that. That type of scrutiny is something that I doubt the majority of natural born u.s. citizens would ever stand for. In a country where your privacy and individual rights are so cherished, dreamers gladly put themselves in that situation just for the right to legally work and contribute, go to school, join the military. So again I think what you are doing is great. I would encourage you guys to encourage your attorneys to push forward any other lawsuits, programs or legislation that actually helps have a real life impact in the lives of our community cause its great to know that you guys see us, that we matter to you, but it wont make up for families that are torn apart or families deported back to their home country that they don't even know. Knowing there's people actually willing to get down and have a street fight with this administration would really mean a lot to our community. Thank you for your efforts here today.

Fish: Thank you both.

Fritz: Thank you. I know I speak for all of us we are willing to continue doing the lawsuits and such. One of the most encouraging things about this whole process for me was that goldann has the relationship with causa, so she reached out to say what can we do. If you see things as a human rights commissioner that you would like us to do – see something we should be suing that we're not suing please let us know because maybe we can't respond to all requests but that is what a real partnership is when the community trusts us. We recognize that for many immigrant communities it's been very difficult in their own

October 4-5, 2017

country to trust the government and yet we are wanting that to happen and we will look after folks to the best of our abilities.

Franco: Gladly. Thank you.

Fish: Thank you.

Wheeler: Thank you, gentleman. I understand we have one individual signed up for public testimony.

Moore-Love: Don Baldwin.

Wheeler: Come on up. Three minutes, sir, if you could state your name for the record.

Don Baldwin: For the record my name is don Baldwin.

Wheeler: Thank you.

Baldwin: Thank you again, mayor and commissioners, for this opportunity to speak before the city council. My name is don j. Baldwin, I am a ems professional, a student, a voter and resident of this county. I'm very proud to be here in front of you and I was here in front of you on august 23 to urge you to adopt fully the aclu nine model policies. This is not why I'm here today. I'll cut to the chase. Portland faces an intimate danger which you can easily rectify by making a decision to take action here today. You see whether or not we adopt the exact language of the model 9 is irrelevant in this context. If the population, those policies protect do not know they exist or what they mean, then they are nothing more than a symbolic gesture. This is essentially doing all of the homework then not turning it in. It doesn't take rocket science to reason that the undocumented immigrant population is afraid to call the police or to access ems for fear of detection and deportation. There's numerous research available out there just by googling it the numbers out of los angeles are staggering about the numbers that have dropped and the communities because of people not calling ems for this exact same reason. This mistrust also prevents undocumented immigrants from seeking other medical services such as flu shots and other vaccines. A severe outbreak of flu this year could be very harmful to our community and with our infants and elderly taking the brunt of that hit. Additionally, gangs and drug dealers know about the reluctance of undocumented immigrants to call, to access help and take advantage and exploit this creating crime pockets in our neighborhoods, creating the crime increase that a.g. sessions spoke about. We simply don't want this to happen here in Portland. What I'm asking for is that the city of Portland would engage if we're going to spends \$50,000 on dreamers which I think is a great idea and I'm all for that, we need to spend some time and money educating this population so that they understand that the laws that are out there to protect them and take care of them. Thank you.

Wheeler: Thank you. Appreciate it. Very good. Colleagues, any further discussion? Please call the roll.

Eudaly: Thank you, everyone, for being here today and for your work on this resolution. I'm looking forward to assembling a task for force for the city that will be devoted to strengthening our sanctuary city policies. That's one of the next steps the city can take and very pleased to vote aye.

Fritz: Thank you, everybody, for being here and again goldann and all who have done this. One thing I learned today is our U.S representatives and senators have not been hearing from Oregonians so I'm going to read the senators' numbers now and say it again at the ends so if you're watching at home go get a piece of paper or take out your phone and put it straight in. Senator Jeff Merkley's is 202-224-3753. Senator Wyden's number is 202-224-5244. I was actually at an event with a member of one of the senators' staff and actually phoning is the best way to make your voice heard. They will tabulate how many people call and at the end of the day they tell their senators this is what the topic of conversation is and this is what people are asking you to do. It's also really helpful if you can call your united states representatives. There are five districts in Oregon of course and as

October 4-5, 2017

mentioned Greg Walden is the lone republican. The representatives listen to most of their constituents. So you can find out which constituency you live in certainly in the city of Portland and then if you know somebody who lives east of the cascades who would be willing to call Greg Walden, call your friends, call your family, tell them. Call this person and tell him this matters to people in your district. One of the statistics I saw is that the DACA program generates \$800 million for the economy. That's beyond as was mentioned the application fees. That's taxes and other things and the productivity that certainly eastern Oregon depends on a number of folks being able to do that work. I think also one of the most -- well, a lot of this is very depressing. The reason that the attorney general gave for why they were giving a month was that it would be too cumbersome to not process the applications or figure out which ones they were going to process and which ones not. I think it's rare that government red tape is something that has at least the outcome that we did have 30 days to get this going. As the president continues to undermine and circumvent constitutional protections and previous federal policy decisions I recognize this \$50,000 contribution is a relatively small portion of the city's budget that will do little to stem the trauma of families under constant threat of deportation face. Government can't do it all, government shouldn't do it all. So causa, and the other organizations working on this, they need your ongoing contributions. Just because the city has covered this particular application fee and legal services we know this is not the last salvo in this long battle and we need the community of Portland to give whatever you can to one of these organizations so that there will be something else we need to spring into action for there will be individual cases that will need attorneys. So let's all pull together like we did after some of the other horrible things that have happened this year and make sure those most in need have the resources to be able to get the help that they need. I'm grateful although it won't protect all families at risk of deportation, it's a cost burden for many families and serves as a reminder to us that the symbolic gestures are something and the practical means are others. Maybe we haven't been able to protect everybody, but for the 50-plus DACA students that this is covered by it means the world to them. It means their future be here for the next two years, which hopefully we all survive the next two years. We'll continue to look at ways to support our community to support the wonderful work being done and publicizing it. In these dark times I feel very grateful that you co-founded the organization on November 9th. I wasn't here November 9th too and it seems like a very long time since then. So please everyone make a contribution whether it's financial, whether it's making a phone call, senator Merkley is 202-224-3753. Senator Wyden is 202-224-5244. I thank each of my colleagues for your unanimous support for the principles that we hold dear. It's not a lot but this is what we could do today and I'm very grateful for it. Aye.

Fish: Well, I'm very proud to co-sponsor this resolution. I want to thank everyone who took time to join us today. Commissioner Vega Pederson I took down a note she said the administration's action was foolish, cruel and shortsighted. I don't think I can improve on that. I also made a note as we listened to testimony about some of the people in groups that this administration has targeted. DACA recipients, Muslim Americans, transgender students, transgender service people, undocumented families, low income Americans who rely on federally subsidized food stamps, legal services, and health insurance. The list goes on and on and there's a common thread. The administration has targeted people in a fight that's not a fair fight because none of these groups have the power of organizations like the national rifle association or the lobbyists of K-street or everyone else who has a very loud voice in Washington and it says something about the approach of this administration that they have targeted people that they know really can't fight back fairly or at a disadvantage and that's bullying behavior. My mother is from Montreal, Canada, and if she had not made the trek to this country I wouldn't be here. My wife's mother is from

October 4-5, 2017

Cordova in the south of Spain, grew up with nothing. If she had not made this journey for a better life my wife would not be here. I'm currently receiving treatment at ohsu, and it struck me that my doctors are Philippine American, Korean American and Nigerian American. Let's make sure that we bar people like that from coming to our country because god forbid they actually save a life or help provide health care to our community. So we have everything upside down. It's a Lewis Carroll story Orwellian or some combination. Today's action is somewhat symbolic although I thank commissioner Fritz and goldann for the suggestion of the \$50,000. I think that made it better, but when we're in leadership it's important that we do speak out in these public forums and state our values and encourage others to join us. Finally, I want to say how proud I am of Mariana. She is sort of I think exhibit a in what we're fighting about. She came to this country when she was three years old. She is a distinguished alumna of Portland state university. She is a leader out of the women's leadership program at psu. But she came to this country at age 3. If she is deported, where is she deported to? And to what? She's known no other life than America, this country. This is her home. This is where she plans to make her mark and she is already a leader in our community. How on earth can we have a policy that even suggests that someone like this, this high achieving, this deeply committed person is at risk of being deported back to a place she never knew and where she has no ties? What kind of country would even consider such an action? That's what we're talking about. So Mariana, goldann, Asena Lawrence thank you for your work and I'm very proud to support this resolution. Aye.

Wheeler: I don't think I can add much to what my colleagues have already said. I am usually the pessimist in the crowd, so I want to say something hopeful. I actually think that this debate, the debate around daca, the debate around sanctuary city, the debate around immigration, is actually on the whole from the perspective of the lens of the future looking backwards, will be seen as a time of reformation and it will be seen as a time of renewal and it will be seen as a time of evolution for this country. We would not be having this conversation, we would be talking about why aren't the potholes filled or what are we going to do about the humanitarian crisis on our streets or what are we going to do about water or sewer or public safety that's what we would be talking about. This is actually what we should be talking about and quite frankly these are things we should have been talking about 30 years ago but didn't because it was easy for us to escape the difficult conversations around race, around diversity, around immigration, and as a mayor who is the mayor of a progressive west coast city in a time of trump, my administration has been anything other than filling potholes. It's been about very core questions about who are we and whose interests do we represent. And what of human rights and what does it say about our country and where do we want to go, and who is in and who's out. How we decide. It's been a difficult conversation to say the least. It's challenged all of us, and we're a long way from done from the end of this conversation, but I'm actually really proud to serve on this city council. I understand the city council doesn't pull well. We all get it. I understand that it's easy to say, oh, city council, they don't get it. This city council gets it and this city council has stood up time and time and time again this year to say we stand with vulnerable communities. We stand with communities of color. We stand with immigrants, appeared yes, it is largely symbolic but it must be said and the more we say it I'm convinced the more people we convert. We had the united states attorney general in our community two weeks ago apparently for the purpose of coming to beat us, to beat the city council, to beat our county commissioners, to beat our county sheriff and law enforcement over the head with our sanctuary city status. Why is it important for us to speak out? Because if we didn't nobody else would point out the fact that the attorney general for the united states of America was speaking about values that are already

October 4-5, 2017

demonstrably contrary to the united states constitution. What do you know about the u.s. constitution, ted? Seems like you've gotten into a few scrapes on that issue yourself. I don't have to know anything. All I know is a federal judge appointed by Ronald Reagan, who serves in Chicago, said we are right with regard to sanctuary status. That our sanctuary status is protected by the united states constitution. That we are doing the right thing, and I think it's important for us every once in a while just to be heard on that subject. Is it symbolic? Yes it is symbolic but it is what we do. We don't control immigration policy for the united states. We're local elected officials, but the more we talk and the more you come here the more we have these conversations together the more we come up with concrete policies, concrete resolutions, support for local organizations who support those without the same voice that many of us enjoy in this community, the more that happens, the more progress we make. So my suspicion is some of these young folks here, commissioner Fish and colleagues, and their kids, they will wonder what was the fuss all about? We're having the fuss so that they don't have to. So as complex as it is being here at this time in history, I think we are made for this time in history. I think the people here today who testified were made for this time in history. So we're going to do it right and this resolution is just one more brick in a very long path to the future. So I vote aye. The resolution is adopted and we'll continue this fight. Thank you all for being here. We're going to take -- [applause] five minutes. A five minute compassion break then we're coming back for the 2017 Hispanic heritage month proclamation. Thank you for waiting patiently we will continue in five minutes. We're in recess.

At 3:12 p.m. council recessed.

At 3:22 p.m. council reconvened.

Wheeler: This is a continuation of the October 5, 2017 afternoon session of the Portland city council. Karla, please read the next item.

Item 1104.

Wheeler: Colleagues, I'm going to read the English version of the Hispanic heritage month proclamation then victor Salinas will help me out by reading the Spanish version, which hopefully I have right here. Excellent. I do. Colleagues,

Whereas, 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 recognizes that Hispanics or Latinos are multi-racial and multi-cultural 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 rice, 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 community 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 72% growth since the year 2000. In Portland there are over 60,974 people of Hispanic descent making up 10% of our city's population. While Portland's overall population for 2013 grew by 1.2%, the rate of growth for the 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 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.

October 4-5, 2017

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 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 5.91% 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 reestablished in 2014. ULA has reached over 60 members and continues to grow. Now therefore I, Ted Wheeler, Mayor of the City of Portland, Oregon, the City of Roses, do hereby proclaim the week of September 15 to October 15, 2017, to be Hispanic Heritage Month in Portland and encourage all residents to observe this week.

Victor Salinas, Office of Neighborhood Involvement: For the record my name is Victor Salinas reading the Spanish version of the proclamation for Hispanic heritage month for the city of Portland.

Fritz: Back off the microphone about six inches.

Wheeler: They are touchy.

Salinas: Okay. Por Cuanto, la herencia hispana en los Estados Unidos se extiende historicamente mas de cinco siglos y ha sido una influencia constante y vital en el crecimiento y prosperidad de nuestro pais; y

Por Cuanto, la cultura hispana o latina esta ligada a raices ibericas, a las que se suman la gran riqueza y diversidad multicultural y multirracial de nuestras culturas indigenas y africanas. Los hispanos representan mas de 24 diferentes paises 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 Espana. Reflejan una variedad de culturas distintas y valiosas que han enriquecido nuestra comunidad en forma notable; y

Por Cuanto, la poblacion latina de Oregon esta creciendo a un ritmo mas rapido que la tasa nacional, los latinos representan el 12.8% de la poblacion estatal, con una tasa de crecimiento de 91% desde el 2000. En Portland, hay mas de 65,054 personas de origen hispano que representan el 10.2% de la poblacion. Mientras que la poblacion general de Portland crecio en un 1.2% entre 2015 y 2016, la tasa de crecimiento de la poblacion hispana de la ciudad fue 6.5% en el mismo periodo de tiempo; y

Por Cuanto, en el 2016 69% de los hispanos en Oregon eran nacidos en los Estados Unidos. La edad mediana de latinos en Oregon es de 28.4 anos de edad; y

Por Cuanto, la poblacion hispana ha contribuido a la economia de Portland con un sinnúmero de aportaciones en las areas de comercio, ciencia, tecnologia, servicio publico y salud entre otras. Actualmente, su poder de adquisicion 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 poblacion hispana a superar disparidades tales como los indicadores rezagados de salud y

nivel de logro academico, trabajando incansablemente para asegurar que sigan siendo una comunidad prospera; 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 poblacion hispana forma un 6.34% de la fuerza laboral del Ayuntamiento de la Ciudad de Portland. La asociacion de empleados Unidos Latinos Americanos (ULA) fue reestablecida en el 2014 con el proposito de conectar a hispanos con puestos de trabajo en el Ayuntamiento de la Ciudad

October 4-5, 2017

de Portland y apoyarlos a lo largo de sus carreras. Actualmente, ULA cuenta con mas de 60 miembros y sigue creciendo.

Por la tanto, yo, Ted Wheeler, Alcalde de la Ciudad de Portland, Oregon, proclamo que del 15 de septiembre al 15 de octubre de 2017 sea reconocido el Mes de la Herencia Hispana

en Portland, e invito a todos los habitantes a celebrar este mes.

Wheeler: Thank you Victor. We appreciate that. [applause] And I am not sure the exact run of show here. It shows that Romero Sosa would like to make some remarks.

Salinas: Actually, commissioner -- sorry, mayor wheeler -- [speaking foreign language]. We were going to start with some remarks.

Wheeler: Perfect. This is your show, so however you would like.

Salinas: Thank you, thank you. Good afternoon. Commissioner Eudaly, commissioner Fritz, thank you for having me here this afternoon. Again my name for the record is victor Salinas and I am the executive director of the east Portland neighborhood office one of seven district coalition offices serving the east Portland area which houses 25% of the city's richly diverse population. Ula members are proud to represent our city's different bureau and are committed to recruiting more talented Latinos/Latinas to the city's workforce and supporting their retention and advancement. In only a couple of years our membership base has grown from an estimated ten members to close to 60. We believe this reflects the city's efforts to diversify its workforce and the growing number of Latinos in our community, but also the work ula has done to help create a safe and supportive environment for Latino city employees.

Fritz: I just want to note two of my staff are running hood to coast.

Salinas: When we learned a new Latino has joined the city, we serve as an unofficial welcome committee. An email or phone call goes a long way as well as an invitation for walk or coffee, for some just knowing there are other Latinos who work for the city is comfort. Upon being reestablished in 2014, we took ownership of coordinating the city's Hispanic heritage month proclamation corresponding activities. We wanted to make sure Latinos in the city and community are visible, feel supported and that we celebrate our vast contributions. Last year we formed a partnership with a city, african-american network and women's empowerment affinity group to develop and implement a pilot deep leadership develop program. We are fortunate to receive support from deep and a grant from the office of equity and human rights to make it happen. We were excited to see relationships that were formed to see participants become more engaged and gain their confidence that participants and coordinators gained through the experience. The leadership development program is a proactive approach to help future city leaders. We encourage you all, city council, to be intentional about advancement about Latinos and Latinas into leadership positions because through diversification we can only become enriched in the diversity and perspectives to make sure that the voices that help inform the decisions that you all make are also representative of the community that we serve in the city of Portland. We are going through a tumultuous time and have leaned on each other more and more over the few last months to be able to cope. Ula members have mobilized to support a community outside of the city as well. Ula members have been coordinating with community partners to assist in creating support for daca recipients who face considerable uncertainty with the changes to the daca program. Thank you for passing the important resolution to declare the city's support to continue the daca program and pass a dream act and provide financial support to cover daca applications fees. Thank you so much for doing that. That is a huge support to our community. Lastly I want to mention that as a queer immigrant Latino with a disability, I want to thank my commissioner, commissioner Eudaly, for my advancement and the advancement of other Latinas and Latinos within the office of neighborhood

October 4-5, 2017

involvement into leadership positions. My mom luce who is at home, she wanted me to say, she has worked in the fields of Yamhill county for most of her life, to be able to provide better opportunities for me and my siblings asked that I thank you for this opportunity. Thank you so, so much.

Wheeler: Victor, we will report back to your mother that did you what she asked. She will appreciate that.

Salinas: Thank you, thank you. I do what my mom tells me to do because I am a good Latino son and we listen to our moms.

Eudaly: Would you talk to my son about that?

Salinas: I would like to introduce an amazing community leader Romerso Sosa the executive director of VOZ serving day laborers in Portland and throughout the metropolitan area to share a few words. Bien Venido

Romero Sosa: Gracias dood afternoon. I am going to speak in Spanish because I have problems speaking English.

Tatiana Elejalde, Office of Equity and Human Rights: I am going to serve as Romero's interpreter today.

Sosa/Elejalde: As I stated, my name is Romero Sosa, I am the executive director of voz, the program for day laborers' education project. Firstly I would like to thank those that organized our event today. For me it is a special month of the celebration of Hispanic heritage month and thank you to mayor wheeler for dedicating an entire month to our Latinos here in our city. It is a month of recognition and celebration, but I would also like to recognize all of the Latinos and Latinas that are here that work for the city of Portland if you would raise your hand, please. They are the living example of what we are speaking about today. I also dedicate this day and this month to the day laborers and workers that dedicate their lives to working and finding work to survive and that also those day laborers that find work at our mlk work location which was thanks to the city of Portland. I also want to thank Jose Luis who is over there and he helped me write some of what I will be saying today. First I want to say that Voz as an organization that is led by workers, that is led by workers of diverse backgrounds that seek work here in the city and who work to protect their civil rights and improve their leadership opportunities and education and economic opportunities. I am going to talk a bit about the past in order for us to be able to talk about the future that we want. Voz has had a very important leadership role in the advancement of -- and the rights of workers here in Portland. The organization started to work with day laborers in the year 2000. In the corners of Portland. Some of the workers are men and women. They come from Latin America. They are American citizens, and some are African Americans, Asians and native Americans. They all have a common objective. They all have a common objective of wanting to find work in order to feed their families, to cover the basic necessities like paying rent, food and transportation. All have left their countries because of extreme poverty, natural disasters, and political violence. The life of a day laborer is one of uncertainty. Their day begins at 6:00 a.m. and they gather in the corners of Portland. Some come by bus. Some ride bicycle and -- I'm sorry and some walking. Some sleep in shelters or under bridges and some have their own apartments. Thank you. In the year 2006 I was parts of a team called safe. It's street access for everyone. Which was created by city council and commissioner Fish was a part of the council at that time and it was created with a focus on providing recommendations for those that were gathering in the street and one of the first recommendations was to provide \$200,000 in order to open a center for day laborers and workers. There were different properties that were identified by pdc, which is now prosper Portland and Voz recommended that the location was not far from the street corners where the laborers gathered and on the 16th of June, 2008, we opened the first center for day laborers in the city of Portland. For which

October 4-5, 2017

we are profoundly thankful. The center for workers on mlk is presently a trailer and we have a waiting room with temporary -- made of temporary structures and temporary bathroom facilities. The center for workers on martin luther king, junior, it is a space that is more secure and dignified for the workers to be able to reunite and meet with their prospective bosses and for them to be able to organize with them and negotiate with them away from the streets and avoiding conflicts with the owners of businesses and their clients as well. It also helps avoid laborer abuse by those bosses that would seek to abuse the workers. Since we have opened the center we have produced 27,000 temporary jobs and some of them have been able to turn into permanent employment. We have been able to recuperate \$600,000 from bosses that at first did not want to pay and these cases came from some day laborers and also other situations that were from other working. In 2016 last year 450 workers participated in workshops. We have been able to connect 500 workers with 4,000 employers. \$400,000 of salaries by way of employment found through the center for workers. This means that for every dollar spent at the center for laborers, it produces \$2.50 in gains for the workers. This means, this proves that we are a force for -- an efficient force for economic prosperity for communities of color and low-income communities. Our plan for next year is to expand our labor force, including jobs in ecology, so ecological jobs, construction. Oh, deconstruction. Sorry. We also provide training so that the health and security of the workers can be protected from things such as chemicals, which affect their lifespan. These workshops and trainings have integrated the workers into the labor force of Portland, with their work they have made the city of Portland beautiful. Thank you for passing the resolution that makes Portland a sanctuary city. The center for day laborers is also a sanctuary place for the community of day laborers. It is a sanctuary because it helps avoid labor abuses, like those who seek to take salaries from them unfairly, which are things that they face when seeking work on the street corner. It is a sanctuary because those bosses, employers, that are anti-immigrant and seek to discriminate against people of color cannot come in. It is sanctuary because it gives shelter from rain, from the heat, from snow. It is a sanctuary because it has become like a second home to the workers, where they are among others who understand them and they are in community. It is a sanctuary because it stands against the gentrification of the central eastside area. From the construction of large buildings, and from businesses of -- from luxury businesses that are opening every day. The day laborer center, it is the only building that has a temporary structure for people of low income on the central eastside, and we need to protect it. Our future is still uncertain. Presently we are still on land that is not our own and we are in a rental contract, which is month to month. We are presently in the process of negotiation with prosper Portland regarding a letter of intention. In order for us to gain control of the land and be able to build a permanent building. We have the opportunity to work together in conjunction with the Latinos of this city and with elected officials so that the dream of the day laborer to have a permanent building can be made a reality because in order to create these bridges of collaboration, it needs to be permanent because the Latino community will be here for a long time. I invite you all to join in part of these efforts so that we can try to together make Portland become and have a permanent sanctuary for the laborers because I believe that love is greater than hate. Standing in solidarity and fighting is very important during these moments under this new administration. Our fight will always be to defend the poorest and the most marginalized of our society and to give voice to the voices that have never been able to have the opportunity to express themselves. Thank you very much, and I hope you have a very happy Latino heritage month.

Wheeler: Thank you Romero. Thank you, victor, thank you very much for the excellent translation. Very good. Well, the council, if you would be willing, would like to have a photo

October 4-5, 2017

up front. Would that be good?

Salinas: Thank you. I would be remised if I didn't take the opportunity to give Tatiana, Cynthia -- who am I missing?

Elejalde: Christina.

Salinas: Christina. I want to give you all a shout out for putting this together. Your tremendous efforts brought us here together to be able to have this proclamation, so thank you.

Elejalde: Thank you.

Wheeler: Excellent. Well done. Fantastic presentation, and we are obviously proud to support this proclamation, and we would like to go ahead and if we could have a photo up front. I will go ahead and adjourn us. This is our last bit of business today, so we are adjourned, but if we could gather here for a photo, that would be fantastic.

At 3:57 p.m. Council adjourned.