



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **31ST DAY OF JANUARY, 2018** 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; Ben Walters, Chief Deputy City Attorney; and Nicholas Livingston and John Paolazzi, Sergeants at Arms.

On a Y-5 roll call, the Consent Agenda was adopted.

The meeting recessed at 9:51 a.m. and reconvened at 9:56 a.m.

COMMUNICATIONS		Disposition:
85	Request of Bridgid Blackburn to address Council regarding the impact rising crime and vandalism has on business, employees and clients in the Central Eastside Neighborhood (Communication)	PLACED ON FILE
86	Request of Brent Parry on behalf of the Central Eastside Industrial District to address Council regarding increase in crime and vandalism in the Buckman Neighborhood (Communication)	PLACED ON FILE
87	Request of Brooke Cabatic to address Council regarding increase in crime in the Central Eastside Neighborhood (Communication)	PLACED ON FILE
88	Request of Tamara Goldsmith to address Council regarding help for businesses in the Central Eastside Neighborhood with vandalism, mental health resources and homelessness (Communication)	PLACED ON FILE
89	Request of Emma Pelett to address Council regarding the impact rising crime and vandalism has on businesses, employees, clients and community in the Central Eastside (Communication)	PLACED ON FILE

TIMES CERTAIN		
90	<p>TIME CERTAIN: 9:45 AM – Venture Portland Annual Report to Council (Report introduced by Commissioner Fish) 30 minutes requested</p> <p>Motion to accept report: Moved by Fritz and seconded by Eudaly. (Y-5)</p>	ACCEPTED
91	<p>TIME CERTAIN: 10:15 AM – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Wheeler) 30 minutes requested</p> <p>Motion to accept report: Moved by Fish and seconded by Fritz. (Y-4; Eudaly absent)</p>	ACCEPTED
CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Office of Management and Finance		
*92	<p>Pay claim of Thomas O'Connor in the sum of \$8,265 involving the Portland Fire Bureau (Ordinance) (Y-5)</p>	188790
*93	<p>Pay lawsuit of Leta Klutz in the sum of \$80,000 involving the Portland Bureau of Transportation (Ordinance) (Y-5)</p>	188791
*94	<p>Authorize a five-year lease extension with Columbia Square, LLC for office space at Columbia Square 111 SW Columbia St through May 31, 2023 at an average annual estimated cost of \$798,000 for Revenue Division (Ordinance) (Y-5)</p>	188792
*95	<p>Authorize a lease extension with 2020 Portland Owner, LLC for office space at CH2M Center 2020 SW 4th Ave through October 31, 2022 at an average annual estimated cost of \$630,314 for Bureau of Development Services (Ordinance) (Y-5)</p>	188793
Commissioner Dan Saltzman		
Portland Fire & Rescue		
*96	<p>Authorize Intergovernmental Agreement with Marion County for disposal of infectious waste at the Covanta Waste-to-Energy Facility (Ordinance; Contract No. 30006083) (Y-5)</p>	188794
*97	<p>Authorize Intergovernmental Agreement with the City of Gresham for the joint operation of Station 31 (Ordinance; Contract No. 30006220) (Y-5)</p>	188795

*98	<p>Authorize an Intergovernmental Agreement with the State of Oregon, Office of the State Fire Marshal for Regional Hazardous Materials Emergency Response Team Services (Ordinance; Contract No. 30006221) (Y-5)</p>	<p>188796</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p>		
99	<p>Reappoint Jenny Kim and appoint TomiRene Hettman to the Home Forward Board of Commissioners (Resolution) 20 minutes requested (Y-5)</p>	<p>37341</p>
<p>Bureau of Police</p>		
*100	<p>Amend an Intergovernmental Agreement with Multnomah County to extend the Sex Buyers Accountability and Diversion Program through December 31, 2018 (Ordinance; amend Contract No. 30002122) 15 minutes requested (Y-5)</p>	<p>188797</p>
<p>Office of Management and Finance</p>		
101	<p>Authorize five-year price agreements for purchase of fuel from Associated Petroleum Products not to exceed \$32,000,000 and from CECO, Inc. not to exceed \$500,000 (Procurement Report – Project No. 121020) 20 minutes requested Motion to accept report: Moved by Saltzman and seconded by Eudaly. (Y-5)</p>	<p>ACCEPTED PREPARE CONTRACT</p>
102	<p>Authorize a grant agreement with APANO Communities United Fund not to exceed \$33,000 to support the Asian Pacific American Communities United Against Hate project (Previous Agenda 73) Motion to add directive b “Before executing the grant agreement, the Mayor’s Office shall first receive and review the report identified on page 6, Art. V.H. of the agreement, and with input from other Council offices, make a determination that the action steps addressed in the report reasonably and appropriately respond to the allegations”: Moved by Fish and seconded by Saltzman. (Y-3 Fish, Saltzman, Wheeler. N-2 Fritz, Eudaly)</p>	<p>PASSED TO SECOND READING AS AMENDED FEBRUARY 7, 2018 AT 9:30 AM</p>
103	<p>Authorize up to \$250 million of new money sewer revenue bonds to finance sewer system capital improvements and authorize refunding of outstanding bonds (Second Reading Agenda 79) (Y-5)</p>	<p>188798</p>
<p>Portland Housing Bureau</p>		
*104	<p>Amend subrecipient contract with Enhabit to increase by \$100,000 to expand Flood Insurance Savings Program (Ordinance; amend Contract No. 32001511) 15 minutes requested (Y-4; Eudaly absent)</p>	<p>188799</p>

Commissioner Amanda Fritz		
Portland Parks & Recreation		
*105	Amend contract with Land Morphology, Inc. in the amount of \$674,137 for additional design and construction administration services for the Leach Upper Garden Development Project (Ordinance; amend Contract No. 30004540) 10 minutes requested (Y-5)	188800
Commissioner Nick Fish		
Bureau of Environmental Services		
106	Increase contract with e-Builder, Inc. by \$746,818 for additional software and license support and training for the capital project management software system (Second Reading Agenda 82; amend Contract No. 30004084) (Y-5)	188801

At 12:21 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **31ST DAY OF JANUARY, 2018** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidy Brown, Senior Deputy City Attorney; and Nicholas Livingston and John Paolazzi, Sergeants at Arms.

The meeting recessed at 2:26 p.m. and reconvened at 2:30 p.m.

107 TIME CERTAIN: 2:00 PM – Appoint Albert Lee, Vadim Mozyrsky and reappoint Kristin Malone, Julie Falk to the Citizen Review Committee advisory board to the Independent Police Review, a division of the City Auditor’s Office (Resolution introduced by Auditor Hull Caballero) 30 minutes requested (Y-5)	Disposition: 37342
108 TIME CERTAIN: 2:30 PM – Proclaim February 2018 to be Black History Month in Portland (Proclamation introduced by Mayor Wheeler) 30 minutes requested	PLACED ON FILE

At 3:10 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **1ST DAY OF FEBRUARY, 2018** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Jim Wood and John Paolazzi, Sergeants at Arms.

<p>109 TIME CERTAIN: 2:00 PM – Adopt the allocation methodology for the Local Transportation Infrastructure Charge; establish a maximum fee; amend Charge Required Code; and direct staff to develop additional components of Neighborhood Streets Program (Previous Agenda 1282; Ordinance introduced by Commissioner Saltzman; amend Code Section 17.88.090; amend Policy TRN-1.26) 1 hour requested</p> <p>December 6th motion was withdrawn by Commissioner Saltzman.</p> <p>1. Motion to accept Substitute Exhibit A, Code 17.88.090 amendment dated 2/1/2018: Moved by Saltzman and seconded by Fritz. (Y-4)</p> <p>2. Motion to accept Substitute C Administrative Rules TRN-1.26 dated 2/1/2018: Moved by Saltzman and seconded by Eudaly. (Y-4)</p> <p>3. Motion to amend Substitute Exhibit C Administrative Rules B, Low-income owner-occupants, page 14 last sentence, 50 percent to <u>80</u> percent: Moved by Fritz and seconded by Eudaly. (Y-4)</p>	<p>Disposition:</p> <p>PASSED TO SECOND READING FEBRUARY 28, 2018 AT 9:30 AM</p>
<p>*110 TIME CERTAIN: 3:00 PM – Amend the Building Demolition Code to implement Senate Bill 871 and add dust and site control requirements for residential demolitions; amend fee schedules (Ordinance introduced by Commissioner Eudaly; amend Code Chapter 24.55 and Policy ENB 14.01 and 14.10) 1 hour requested</p> <p>1. Motion to amend directives d and e to delete “effective date” and replace with “implementation date”; delete directive g and replace with emergency clause to state “This ordinance shall be implemented upon its passage by Council, and this ordinance shall be implemented no later than July 1, 2018”: Moved by Eudaly and seconded by Fritz. (Y-4)</p> <p>2. Motion to amend findings 8h and Exhibit A 24.55.200 D(2) to strike “150” feet and replace with “300” feet: Moved by Eudaly and seconded by Fritz. (Y-4) (Y-4)</p>	<p>188802 AS AMENDED</p>

At 4:30 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love

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Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

January 31 – February 1, 2018
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.

January 31, 2018 9:30 am

Wheeler: This is the Wednesday January 31, 2018 morning session of the Portland city council, Karla please call the roll.

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

Wheeler: The purpose of council meetings is to do the city's business, including hearing from the community on items of concern. In order for us to hear from everyone and give due consideration to matters before the council we must all endeavor to preserve the order and decorum of these meetings, to make sure the process is clear for everyone I want to review some of the basic guidelines which I hope will make everybody feel comfortable, welcomed, respected and safe at the meeting and to also ensure the decorum is maintained for all of us. There are two opportunities for public participation. First we have an opportunity for people to sign up for communication to briefly speak about any subjects that they wish to address. These items must be scheduled in advance with the clerk's office. Second people may sign up for public testimony on the first readings of resolutions and ordinances. If you sign up, your testimony must address the matter being considered at the time. Please state your name for the record, we do want need your address. If you are a lobbyist please disclose that, and if you are here representing an organization please identify the organization. Individuals have three minutes to testify unless otherwise stated. When you have 30 seconds left, the yellow light is going to light up and when the time is done the red light will come on. Conduct that disrupts the meeting, for example, shouting or interrupting other's testimony or interrupting during council deliberations is not allowed. People who disrupt the meeting face ejection from the meeting. If there is a disruption I will issue a warning, if there is any further disruption anyone who is disrupting the meeting will be subject to ejection for the remainder of the meeting. Anyone who fails to leave the meeting after being rejected will be subject to arrest or trespass. If folks would like to show their support for something, a simple thumbs up is good. If you don't like something thumb's down works as well. Please no shouting out. Thank you and let's get started. Karla with council communications. First item, please.

Item 85.

Wheeler: So Karla and I'll ask this of the presenters as I look at this, are you part of a group? Would you like to come up together or come up individually? Very good. Read all five.

Item 86.

Item 87.

Item 88.

Item 89.

Wheeler: Very good and a reminder, a name for the record, when the light comes on, the red light your time is up. Thank you.

Bridgid Blackburn: Good morning, I am Bridgid Blackburn, I'm the co-owner of cargo, a 20-year-old independent business that relocated into the central east side about 3.5 years ago. When we moved into the neighborhood we formed a small group of businesses with goals to promote our businesses and to create community standards. Three years later we

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are now a part of the merchants and makers committee which is a part of the east side industrial council. We work frequently with the city's crime prevention specialists and have formed a robust business watch program with numerous trainings led mostly by mark wells and terry popino. We hold regular quarterly district cleanups in the district. We partner with solv, the city of Portland's graffiti abatement task force, and your pick it up Portland initiative. We have also started regular cleanups with the central city concerns clean start program and we have funded in part with grants through venture Portland, both the first ever district-wide map and the new ceic website. We have seen a spike in the property damage, vandalism, deterrents to our customers coming to the area because of smash and grabs in cars rather than go through a list of all of those specific stories and hardships I would like to speak to a few possible challenges that I think that we might be able to come up with a partnership to come to some solutions to. One is we need a much more efficient way to work across the jurisdictions. We, for instance, when we have to clean up the garbage or graffiti from our area we have to identify ownership and get permission from all kinds of groups, like odot, the Multnomah county pbot for parking meters, bes for bio-swales, union pacific runs through our district and the city of Portland and private landowners as well. We have a short list of requests that we would like to make, from each of those departments that we result in much quicker response, so that we could have higher cleaning response and that would minimize the issues we're seeing on the streets. Our time is too valuable as volunteers to be caught in the red tape and we know the mayor's office has seen some of these issues especially in working with the departments like odot. Finally we also need to come up with a way to address the lack of public restrooms. During my time over the last three years with cleanups with solv I learned about public safety and keeping our volunteers safe from the contamination of human waste. In the central east side we're very connected to the river and its health from the 2nd avenue down the catchment flows right into the river. We need renovation around this problem and one idea might be to get camp toilets, the same thing that you are using when you are rafting on the rivers in Oregon, and have something like a waste collection site available for them. The solution in my experience as a camper cost \$18 and I can go to a waste collection site and we would like to discussion with you around solutions like this.

Wheeler: Thank you. Not sure who would like to go next.

Tamara Goldsmith: Okay. Good morning, my name is Tamara goldsmith. I've been a business owner of a retail shop in the central east side for the past 12 years. In recent years we faced incredible new challenges, break-ins are occurring more frequently, vandalism is rampant and shoplifting is a regular occurrence, drug paraphernalia, garbage, urine and feces are something shop owners have to clean up on their door steps on a regular basis, we are in contact with people exhibiting belligerent and erratic behavior who appear to be in opiate withdrawal or experiencing a mental health crisis. Not only am I concerned for the safety of myself and staff but also for my customers and our community at large. Historically we relied on the calling of 9-1-1 for help, but the response time is slow and reporting process is confusing and inadequate in addressing the roots of the bigger problems. About two years ago frustrated by these circumstances I started a closed Facebook group called pdx theft watch. As an online community of small business retailers and now 600 members strong we provide a support network to one another while addressing security and safety concerns. We circulate immediate warnings, ideas, stories, surveillance photos and subscriptions of perpetrators to one another we encourage others to file police reports which helps build interconnected cases using shared information, The biggest issues that we have are with known chronic thieves and people who repeatedly engage in violent behavior or enjoy creating a public nuisance, What I would ask is for a similarly coordinated method of communicating the issues, business owners have with an

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appointed liaison and local law enforcement. We need a single representative at the ppd who can return our calls, help us build cases against known chronic shoplifters and help us to create a network of better communication about incidents involving repeat offenders. Having a single appointed official to connect with would eliminate the confusion we have when trying to link multiple case numbers against a single chronic shoplifter. Our Facebook group has proven to be an incredible resource but lacks the experience, guidance and data base of the ppd. If we can utilize technology to communicate better through some sort of online systems that effectively circulates safety and security information and provides a simple platform to connect the business community with law enforcement I think that that would give us hope. A few more ideas that other theft watch group members have suggested online. Number one, public bathrooms, in and around downtown and the central east side. Number two, more security foot patrols day and night in high traffic shopping areas. Three more public campaigns and education about the availability of social services and programs like leed, central city concern and outside in. Four funding and approval of new programs like safer spaces which seeks to mitigate drug related issues by providing a supervised facility for users to use in private giving users access to immediate treatment options as a humane alternative to incarceration or overdose. Five, more direct access to addiction and mental health services not restricted to ppd referrals. Six, addressing the housing crisis with taxation of corporations and the wealthy to provide more emergency shelters, supportive transitional housing and subsidized affordable housing. Seven initiatives could be funded by increasing the property taxes on the vacant commercial space when a landlord leaves the building vacant consider increasing their tax rate and I have one more. Consider increasing the punishments of repeat offenders, the frustration of being a victim of violent acts of aggression, theft and vandalism only to have assailants released the same day is unacceptable. Thank you for hearing me out.

Wheeler: Thank you. Do you want to go ahead?

Brooke Cabatic: Sure. My name is Brooke cabatic. Thank you for allowing me to speak.

Moore-Love: Can you turn the microphone on.

Cabatic: I manage the logus building at 529 southeast grand, we're in the heart of the central east side. The logus is a mixed use building with three restaurants on the ground floor. My father's place restaurant, which has been there 40 years, slow bar 15 inside door 12, we are not new to the neighborhood. We are across the street from city team ministries and we share a wall with the Columbia shelter. City team ministries and our building have co-existed just fine for over 20 years. We have advocated for transition projects to remain in the building as long as possible. With that said over the last two years, and this last one in particular we experienced a level of increased crime that is tremendously affecting our businesses and the safety of the employees and our patrons. Over the last year we installed a door entry system at the logus so our main entrance is locked at all times. My father's place hired night security, u.s. bank installed gates around the parking lots and hired a security guard, the shell gas station now has a night security patrol and the barber and city team ministries have installed metal gates around their doors all in the last year. Regular patrons of my father's place no longer come because they have been harassed time and time again and don't feel it's safe. Employees of the restaurant have been threatened on numerous occasions and one was assaulted bad enough that he was knocked down and taken to the e.r. where he was treated for a concussion with stitches. Windows smashed, graffiti, sidewalks, defecating urine, needles found on the street corners, drug deals, shootings, assault, I could go on for hours about specific examples. Instead I took photos to document the ongoing issues we're dealing with around our building. Please take the time to go through each of these photos and the wording

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underneath it, it's really hard to capture these on photos. I am only at our building a few hours a day, and mostly I am in my office so you are only seeing a tiny snapshot of what's happening all day every day around our building. We are losing business because of crime. On numerous occasions the police officers responding have told me they normally work as special unit drug enforcement, and this is not their area of expertise. We are asking you the city for a public safety action committee in the central east side. We really need this. We're asking you the city for a district officer that knows us, knows us, knows our community and its challenges, we need this. We are asking the city to allow the police to enforce laws that are set in place. For example code 14a.50.10 no alcohol consumption on sidewalks or .020 prohibits camping on public right of ways or .030 and .035 leaving sidewalks clear for pedestrians and wheelchairs. I don't know why these are not enforced already. We have lost long term staff, we have lost long term customers, people that know the neighborhood but no longer feel it's safe. We need your help and I invite you on the first sunny day of spring to have lunch outside to see why. I would also like to know who we can follow up with at the city regarding the public safety action committee and a district officer. Thank you very much for your time.

Wheeler: Thank you.

Brett Parry: Brent Parry, president of Bremick Construction, we moved into the central east side in 2010. I don't know that I could say it better than what these three ladies have said. So I will just reiterate the same story. Central east side is a very important part of the city of Portland. It is the next growth area. I think that everybody sitting here would acknowledge that. Let's treat it that way. Let's start enforcing the basic laws to make it a safe place for people to want to come to work. That's all.

Wheeler: Thank you.

Kate Merrill: I am Kate Merrill I am with the east side industrial council and Emma Pelett couldn't come because of a family emergency so I would like to request permission.

Wheeler: I will allow it in this circumstance.

Merrill: Thank you. I want to start off by saying that we really appreciate the guidance the city has given us recently and the process of setting up an esd and also venture Portland who gave us a grant to pursue this endeavor. This is a major volunteer and staff effort with over 300 signatures for us to get. So we hope to achieve this by the end of spring and be here to talk to you about that. We would love to continue partnering with the city and finding solutions to these livability issues and I just have to say that oni has been invaluable in this. The graffiti abatement, crime prevention has been there when we need them and I really want you to consider really supporting these programs, and even expanding them, and having the communications budget to let everybody in the city know about these resources it's amazing. Also we would love to have the community policing. We did have a cpac committee which I think was kind of what you talked about. I recently have been getting business owners and some problem areas together with police to talk about these issues. It's very cathartic for the business owners and helps them to understand how to report things and what is going on with our police system. So I would like to really encourage more of that interaction with the police and the business owners. I also, as we start, we don't want to be pushing this out into the neighborhoods. All the problems and so we want to work with you to find ways to empower other neighborhoods to be able to move ahead on these livability issues, and one great example was a grant that we were able to get.

Wheeler: Excuse me this is a disruption in violation of council rules. I will remind you that if you disrupt the meeting you will be asked to leave. Continue please.

Merrill: Yeah. So one great example was a grant that the city was able to give us to have central city concern come in with a clean start program, in partnership with northeast

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coalition of neighborhoods. That was a great pilot, and we've been able to expand it, so starting February 1st we'll have central city concern going throughout the central east side thanks to funds through our transportation and parking advisory committee which is a great partnership with pbot. So with that said thank you very much for your support and let's keep working together.

Wheeler: Very good, does that cover all five of you? Thank you for your testimony. I appreciate it and I am compelled to say something. This is for the a counter to what you were saying just feel compelled to say something on this subject because it weighs heavily on me and on this community. I just got back from the u.s. conference of mayors this past weekend and I convened the west coast mayors, and we added Alaska and Hawaii to the mix as well because this is an issue that has filtered up not only as an important issue. It has become the issue and I want to first of all just say that the city of Portland is not the only city experiencing this issue, and while things are dire here, and I do not want to in any way suggest that this is not a serious situation. It is a very serious situation. It is, actually, worse in other areas, but I want people to be aware of what is happening here. There are large trends that the city of Portland does not control at work here. The first is the economy. We are seeing a rapid concentration of wealth that means people at the lower end of the economic spectrum are being the hardest hit and at the exact same time what's happening is the cost of housing is becoming increasingly affordable for lots of people. We have the ability to control that to a certain degree at the local level. That's what we are doing with the 2035 plan. I hope people will continue to support height and -- sorry, 2035 plan, thank you, height and density in the central core so we can have workforce and lower income housing. The second trend is opioid and heroin addiction and again this is a national issue and it is filtering down and we are seeing it here at the local level. We have to go upstream to effectively address these issues. Third and finally you are seeing more mental health issues here. This nation has not been successful at addressing community-based mental health services. There are a lot of good providers here, but there is so much more that we can do. So I just want to continue to have people to focus upstream. Now we have a responsibility here to do what we can do with the tools that we have at our disposal. I want to assure you that my administration is working very, very hard on this. We have been addressing livability issues, so public health issues, environmental issues, I remind you that is in violation of council rules, please do not do that again. We have increased our police presence. We have increased park ranger presence. We have increased funding for trash collection, biohazard collection, and other issues, we have worked with private sector and nonprofit partners to help encourage volunteers to participate both supporting the homeless population and addressing some of the livability issues that come with it. So what I am asking us to do is let's put our collective energy, no matter where we -- excuse me. You are in violation of the council rules. You have been asked

[disruption]

Wheeler: Excuse me for one moment. We are in recess. We will be right back. We are in recess.

At 9:51 a.m. council recessed.

At 9:56 a.m. council reconvened.

Wheeler: Karla have any items been pulled of the consent agenda?

Moore-Love: I have had no request.

Wheeler: I'm sorry I have to get us back in session, I apologize. We are back in session, Karla have any items been pulled?

Moore-Love: I have no pulls but we need four people.

Wheeler: That's true.

Eudaly: For the consent agenda?

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Wheeler: We do.

Fritz: Let's call venture Portland up and as soon as Dan gets here we'll adopt it.

Wheeler: We will just wait a minute.

Fish: Heather why don't you and your team come forward because you are the next time certain and make sure that the power point is working and everything you need. Sending the sergeant at arms to get Dan Saltzman.

Wheeler: Here he comes. Okay.

Fish: Okay.

Wheeler: Karla please call the roll on the consent agenda.

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

Wheeler: Aye, consent agenda adopted, item 90 please.

Item 90.

Fritz: I would like to vote yes on the consent agenda.

Wheeler: And one more yes on the consent.

Fish: Mayor and colleagues as council liaison to venture Portland I am proud to welcome today heather Hoell, executive director of venture Portland, Matthew Mecetic president of the venture Portland board and owner of red castle games on southeast foster. Brad forkner, dean Fredericks and Calvin hoff, who are district organizers for venture Portland. As you know venture Portland serves our 50 neighborhood businesses which represent over 19,000 individual businesses, and provide nearly 250,000 jobs in Portland alone. The average small business in our city employs three or fewer people and remember when we shop local 70% of every dollar stays in our local economy. Ventura Portland is completing the third year in a program designed to bring increased capacity and resources to business districts in north and east Portland. The so-called catalytic investment initiative is exceeding our expectations. The modest investment that we have made is making a huge difference in these traditionally underserved business districts, and I look forward to continuing to support this project in the future with that I will turn it over to Heather Hoell. Heather welcome.

Wheeler: Good morning.

Matthew Micetic: Good morning. Thank you for making the time for us today. Hopefully it's coming through okay. There we go. All right. As commissioner Fish, thank you for introducing me, I am Matthew Micetic the president of venture Portland as well as the owner of red castle games on southeast foster. Last year was a tremendous success for my business. We had a record-setting holiday sales and year over year sales growth was 18% over 2016 so business is strong in foster. We also had a tremendous achievement, and we purchased a commercial building on the foster corridor because much like people in housing there is a lot of displacement in businesses as well, and this will ensure our future, and my ten employees' future on foster forever so it's really exciting that we can put our roots deeper into the neighborhood. Finally I am also president of the foster area business association. One of Portland's 50 neighborhood business districts. As you may have heard our business district is getting a new shelter this year. While citing a shelter is never an easy task mayor wheeler I've been impressed by the responsiveness to the team to the questions raised by the foster businesses and particularly the hard work of your policy advisor sierra Allen.

Wheeler: Thank you and I will pass that on. She's here, very good. Thank you.

Micetic: I look forward to working with you and your staff, the joint office on homeless services to implement the innovative foster area shelter steering committee. I think that this will be a great new resource to help bring the neighborhood and the shelter provider as well as other interested parties together and make this as successful as possible in our district, but, we're here to talk about venture Portland today. 2017 was a big year for

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venture Portland. We launched new programs, expanded the catalytic investment initiative into north Portland and continued our partnership with you city council. As you know venture Portland is the support system for Portland's neighborhood business districts, which contain 19,200 individual neighborhood businesses and provide employment for 267,000 Portlanders. We are the only entity in Portland that works exclusively at the district level making us the best support system for all of the city's neighborhood business districts. In Portland, small really is big. Venture Portland promotes these critical commercial corridors and supports the dedicated volunteers that manage them with training, technical assistance and grants. In fact, over the last 21 years in partnership with the city venture Portland has invested more than \$1.5 million into business district growth, leveraging an additional \$4.9 million in private business district investment so more than 3-1 match. As president, I know that the strength of the organization has always come from our collective efforts. The beliefs that the business of Portland is about more than business. It's about the people, neighborhoods and the culture we have. It's about passion and dedication and starting something because you believe that you have a great idea to make your part of Portland a wonderful place. It's also about the vision of our city that business owners, residents, and elected officials share. A vision that celebrates the individualism and distinct flavor that makes Portland, Portland. There is no Chicago land deal, there's only been a Portlandia. The knowledge that our diverse neighborhoods unique views make up the very fabric that binds us and our city together is what creates this great cohesive place. Venture Portland means business and so do all of you. I will turn it over to heather to discuss the specifics of the 2017 achievements and our 2018 plans. Heather?

Heather Hoell: Thank you Matthew, and good morning mayor wheeler and commissioners. I am heather Hoell, the executive director of Ventura Portland. As Matthew said 2017 was a big year for Ventura Portland and the neighborhood business districts we supported. The following brief overview provide as snapshot of our work over the last 12 months. After seven years of sustained double-digit growth we once again expanded access to our capacity building services. We increased participation in our training and technical assistance program 11%. With almost 600 business district leaders attending one of 44 trainings. That covered everything from the legal responsibilities of nonprofit officers to the creation of an enhanced services district, to asset mapping in diverse and rapidly changing neighborhoods. And we addressed more than 600 district-specific requests from districts citywide, that's a 25% increase over the number that I reported to you last year. This in-depth personalized support helped districts navigate major leadership transitions and effectively manage business mix built forum and demographics changes in our rapidly growing city. Over the last year we provided 3,294 hours of training and technical assistance to district leaders from emerging an established district. That's a 41% increase over what I reported last year. To put this exponential growth in perspective in the first six months of this fiscal year, we have already roughly matched the entire number of training and technical assistance hours provided in fy 14/15. We significantly expanded access to our grants. Awarding more than \$100,000 to fund 42 projects that leveraged almost \$400,000 in additional business district investment, a nearly 4-1 match, making these some of the most efficient dollars the city spends. In addition two-thirds of our total grants went to underserved business districts, in east and north side Portland. The following are a few examples of how these catalytic funds have supported neighborhoods. After helping Beaumont, which is northeast Fremont, launch dash to doughnuts in conjunction with Portland hosting the 2016 world indoor track and field championships, we provided grant funding to expand this unique event that partners to unlikely district businesses, foot traffic and pips doughnuts to encourage a fun run and

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track and field style obstacle course hosted at individual businesses. The success of the family friendly event led the way for the district to launch a series of new events this year including Halloween and holiday promotions and significantly increase the business engagements. After two years of unrelenting district construction on Williams, including 11 new highrise buildings which brought more than 1,000 new apartments, about 100,000 square feet of retail space and plus a bike lane, that is the only one in the city on the left side of the street. Williams was concerned about losing the communities' history and identity. After adopting honoring history and embracing change as their manifesto the district used venture Portland grant funds to commission professional photographs of the district's diverse businesses, customers, and residents, for use online and in published collateral, including their district map, which this year also proudly features the black Williams project historic markers. Finally after receiving significant feedback from northwest industrial businesses and the industrial sanctuary and acknowledging that there were, in fact, no residents inside the industrial sanctuary, northwest industrial moved to operate exclusively as a business association. In partnership with oni and neighbors west, northwest venture Portland helped the volunteers navigate this transition and provided grant funding to launch an inaugural membership campaign that has generated first-time revenue for this important close in industrial community. The overwhelming majority of Portland businesses are neighborhood-based which means neighborhood businesses truly power Portland's economy. All year but especially during the holidays venture Portland helped cash registers ring citywide. In addition to launching six new business district events between Halloween and new years we promoted and I attended 50 retail events in 21 days including little boxes, which incentivized 15,000 store visits on black Friday and small business Saturday, and we continue to support Multnomah county villages, innovative golden ticket program, which is, which has generated \$6 million in retail sales in just Hillsdale and Multnomah village over the last six years, it's that kind of innovation that makes our economy hum. We also helped connect the neighborhood businesses with city commissioners and bureaus. For the fourth year in a row we worked with all permitting bureaus to ensure that 100% of the street fairs were permitted. This is a yeoman's effort. The 50 events attract 1 million visitors annually, so I would like to give extra thanks to pbot staff for continuing to make this process manageable and affordable for these associations. As I told you this fall I am very excited about councils newly adopted livable street strategy which I expect will make 2018 season of street fairs and festivals more successful. we continued our partnership with bes and pbot to mitigate the impact of construction and demonstration projects on neighborhood businesses, especially during the critical holiday retail period. By coordinating construction schedules, communicating with business district leaders while planning projects and adhering to the construction blackout between thanksgiving and Christmas, these bureaus have made the city that works, work better for business. Following council's unanimous vote last year business and neighborhood associations now receive the same city notifications for the first time as residential neighborhoods correcting a systemic inequity. Speaking of notifications, while land use and zoning are hot button issues, by providing equitable information to business districts about proposed changes in their communities, you are better able to leverage Portland's creative and thoughtful business owners and give them the opportunity to work with you to find solutions to some of the biggest challenges. In particular I want to note the examples recently set by Kenton, Lloyd, and foster. When given the opportunity to have a meaningful discussion with city leaders about the need to provide shelter for our most vulnerable citizens, all three districts rose to the challenge and have welcomed shelters and temporary housing. After negotiating a number of sustainability improvements with our landlord, we secured our sustainability at work certification. We also worked with bps and

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their economic planning team to design and develop an online database which is expected to launch this spring. It will provide critical business district demographics and economic trend information to district leaders citywide this is a very huge and exciting development. Last month we worked with public information officers from pbot, oni, emergency response bureaus and your offices to plan severe weather communications and as a member of the age friendly Portland and Multnomah county task force we maintained our age friendly business certification. Finally we were exceptionally proud to be one of the first partner organizations to sign onto commissioner Fish's all user restroom challenge and to help promote neighborhood businesses doing the right thing for their customers. Last but certainly not least I want to recognize venture Portland's dedicated volunteers, several of whom are with us here today. Our board made up of one representative from each business district contributed a whopping 1,386 volunteer hours last year. These volunteer hours, which are equal to .67, fte or 27 hours a week were in addition to each board member's work in their own business and volunteer work in their own business district. Our success would not be possible without this incredible commitment. Finally I want to acknowledge the exceptional community spirit of Portland's neighborhood business owners. In the face of 2017's unprecedented challenges they came together to weather a series of crises ranging from severe weather, to threats and violence, and opened their hearts and wallets to respond with their own unprecedented generosity. By leveraging their entrepreneurial creativity and promoting their shared values they have once again proven that the business of Portland is about much more than just business. Last year we transitioned our innovative east Portland pilot project into the catalytic investment initiative and expanded the effort into north Portland. This catalytic effort addresses disparity and gentrification in eight targeted districts, and has three short-term goals to increase the membership, volunteers, and revenue. I am thrilled to report that in the first two years of the work we have radically exceeded all of our goals. We increased membership 112% so that more than half of all of the business district members are now new in these districts. We also increased volunteerism 35%, while diversifying business district leadership and bringing it in line with the demographics population that they represent. And finally we generated almost \$200,000 in new revenue to help support the neighborhood businesses. That's private investments that is coming in as leverage for city dollars and that's not all. We have also made significant progress on our long-term goals to create a stronger support network that crosses business district boundaries, creates stronger ties between businesses and residents and improved business identity and positive public perception of east and north Portland. We helped districts launch two dozen events designed to connect residents with businesses and make cash registers ring in lagging parts of Portland, we improved the perception of east and north Portland with 56 positive media stories and a variety of publications, and we increased district capacity to help the city invest more than \$100 million in public infrastructure projects in these eight targeted districts. So how have we done? We started by hiring professional staff and placing them directly in business districts. We provided seed funding to help the districts experiment with new programs that better serve their diverse districts, and we provided innovative and personalized technical assistance to districts including helping them identify 49 geographic nodes of commercial clusters, analyzing almost 10,000 diversity points to help districts set diversity benchmarks, visiting more than 3,000 individual businesses and using their feedback to improve business district programming, and finally analyzing the diversity and skill sets of almost 75 business district volunteers to help them better recruit and develop new leaders. I could talk about the success of this all day but wanted to let you hear from the business district organizers who have implemented this work. Brad?

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Brad Forkner: Hi, my name is Brad Forkner, I am the organizer for 82nd Avenue of Roses business district. This last August we hosted our second annual Around the World in 82 Dishes, a month-long international food tour on 82nd Avenue. 73% of the 45 participating restaurants were minority-owned and one-third of them became brand-new association members because of the program. We produced a 5-language passport and generated 300 purchases during the campaign. Catalytic Investment Initiative funding enabled passport production and translation and without dedicated staffing to successfully address cultural and language barriers with these diverse businesses, this hugely successful district-wide event would not have happened. We are currently planning our third event for the next fall.

Wheeler: Thank you.

Dane Fredericks: My name is Dane Fredericks, I am the district organizer for Foster area. In November, we held our third annual Winter Tree Lighting on Foster Road, more than 300 kids and families braved the cold and donated over 250 pounds of food to the food bank in our district. We distributed 300 promotional bags including coupons to district businesses. This promotion helped to contribute to district-wide holiday sales success including Matthews record-setting sales as you heard earlier. Catalytic Investment Initiative funding enabled us to expand this event into a revenue-generating promotion for district businesses.

Wheeler: Thank you.

Calvin Hoff: My name is Calvin Hoff, I am the organizer for Gateway area. Earlier this year I represented Gateway in the City of Portland at People for Bikes National Conference with significant infrastructure investment occurring in Gateway including 13 new bike lanes and two new parks, having a seat at this conference was critical for the business district. Catalytic Investment Initiative funding will enable us to launch a new event this summer, Cruising Gateway that will promote our new infrastructure and connect Gateway Transit Center, Discovery Park and the Halsey-Weidler Couplet. I am also the district organizer for Kenton. This fall continues Catalytic Investment Initiative funding to launch the tall Paul celebration which resulted in the unveiling of the newly refurbished Paul Bunyan statue, our district's iconic landmark built in honor of the state's centennial anniversary had fallen into disrepair. Kenton came together and collectively raised more than \$80,000 for the renovation, Kenton also hosts the first street fair of the season and I hope you will join us in May where you can check out Paul.

Forkner: I am also the organizer for the Midway business district. Last spring Midway used Catalytic Investment Initiative funding to launch a first-time event at Powell Butte. After mapping the assets of our very large and diverse district we realized that we were not taking full advantage of a major regional destination. In partnership with the Water Bureau we hosted a business fair on the Butte, turned out community members for a service project, planting native species and sent them on a business scavenger hunt through the districts to grow Midway's economy. The event was such a success we are currently planning our second annual event this June. More than 50 businesses, and 20 partnering organizations will be involved and I hope that you will join us.

Fredericks: I am also the district organizer for Parkrose. In October Parkrose held its third annual Trunk or Treat at Parkrose High School. This innovative event gathers the businesses in our non-pedestrian-friendly district in a safe and walkable space to provide candy to kids and coupons to adults. After launching the event in 2015 in record-setting rain we more than doubled the participation this year with 2000 kids and families attending. District businesses and local partners like the team from PPB's North Precinct dress up and have a great time giving back to our hugely diverse community. We are also using Catalytic Investment Initiative funding to promote the businesses that contribute to Parkrose Business Association's college scholarship program. In the school district that speaks more

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than 24 languages, district businesses have raised more than \$80,000 over the last several years to make college attainable for Parkrose's best and brightest.

Fritz: Why is it called trunk treat.

Fredericks: I'm sorry?

Fritz: Why is this trunk or treat rather than trick or treat.

Fredericks: Because it take place in the Parkrose parking lot. If there's a lack of walkable neighborhoods for the kids.

Hoell: So businesses bring a car or a truck and they decorate their trunk, which is where they have candy so that kids can be in one safe contained area instead of going door-to-door because it's not a walkable neighborhood.

Fritz: I was hoping it might be a tree planting thing as well.

Hoell: Maybe next year.

Forkner: As you may have noticed, the Williams district is undergoing a massive transformation, with 11 new high-rise buildings, more than 1,000 new apartments and over 100,000 square feet are ground floor retail space. We have been under construction for the last three solid years. To remind people that Williams is not just a difficult construction site, we used catalytic investment initiative funding to launch walk Williams. A six-month program featuring late business hours, discounts, deals, and the opportunity to win prizes just by visiting businesses. To combat the previous displacement of Williams african-american population, and ongoing gentrification pressures in this vibrant district, we're honoring our history and embracing our change. I hope to see many of you walking Williams when we kick off our second year on May 9.

Hoell: Thank you brad, Calvin and Dane. This program is working exactly as we had anticipated. Although we launched this effort as a 12-month demonstration project we knew that for a catalytic investment of this magnitude to succeed long-term it would require a three to five-year effort per district. At the mid point of year three I am pleased to report that it is, in fact, working. On December 31, Montevilla the east tabor business district graduated from the catalytic investment initiative following 30 months of record-breaking growth due to Venture Portland's high touch personalized assistance. Recently ranked one of the top 10 neighborhoods in the united states by lonely planet on January 1, montevilla hired its own first-time executive director. They were able to use city funding to catalyze their own growth, build their capacity, and ensure their financial stability. They have graduated from the program into their own success and were now able to transition these resources for the newest, the newest formal business district in the city of Portland, Lents. I am also excited to tell you that using privately generated funds we have expanded the successful model to additional business districts citywide and including northeast Broadway which hired its own first-time staffer in late 2017, and using that organizer's time, uncovered a 33% increase in businesses and in their district. Following the explosion in knob hill last year we also helped that district to hire a first-time staff person to bring the community together, plan recovery and help ensure ongoing district resilience. In 2018 we are expanding even further, we are helping six districts invest in first-time staffing. This is fully privately paid, leveraging the great resources that the city has invested in venture Portland, it's bringing an additional 64 hours a week of employment and more than \$100,000 in new payroll to our city. Our ongoing partnership drives Portland's economy, Last year the neighborhood businesses contributed more than \$100 million in taxes to help to funds essential city services like first responders and parks, and now it's your turn. We're hoping that as you design the fy 18/19 budget in a resource constrained environment that you transition our catalytic investment initiative to ongoing funding to ensure it will continue. It is a pleasure and a privilege to get to work with you and your bureaus, together we are growing business and connecting neighborhoods. Thank you.

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Wheeler: Thank you. So commissioner Fish it's my understanding that this is a presentation only. Is that correct?

Fish: That's right, we can just informally accept the report or formally accept the report. It's their annual report.

Fritz: Move to accept the report.

Eudaly: Second.

Wheeler: We have a motion and a second commissioner Fritz and Eudaly respectively please call the roll.

Fritz: I wanted to congratulate you, have an opportunity to make a longer speech because I really appreciated this presentation. Thank you commissioner Fish for your leadership and support of venture Portland. I remember when it was fewer than 39 neighborhoods, and so I got a bit dizzy when you were doing the logo because not only are there more neighborhoods but they have their own branding so it's exciting to see the expansion I've been able to do. Especially I got to hear at the ends about the private money and the graduating of montevilla, that's exciting. On a personal note the Portland cacophony society started the handing out of doughnuts at races at the shamrock run so might need to, they do it in gorilla suites so I think maybe it's a killer way of doing it is safe or they will have to think of something more Portlandish to make the mark. So thank you very much for all that you have done and I very much appreciate you taking the time to come in for this report, aye.

Fish: I can't tell you how proud I am of the work of the venture Portland and the leadership team. I think that the request to heather that you make, that we convert a portion of the catalytic investment program to ongoing I think is compelling. We have tough choices to make in this budget, but thank you for flagging that, that's an issue that we can track with the prosper Portland budge. I want to thank you for really framing over the holidays the whole buy local campaign. We know what the benefits are of buying local, but I think it was very important that you got the word out about how 70 cents of every dollar stays home. That you can save a buck on amazon but at what cost? Amazon doesn't pay taxes here. Amazon doesn't invest in little league. They don't support -- have volunteers working to keep the neighborhood looking nice. So we have a choice and I took the pledge, and I did all my shopping mostly actually at Matthew's toy store, game shop but he solved one family problem which is that my son has been winning all the games we play, so Matthew introduced me to a new kind of game where it's not my son against the rest of us, but all of us against some plague, so thank you I think it brought some peace over the holidays. I also appreciated that you called out the work of pbot in coordinating the capital construction projects and I want to say that under Dan's leadership he's really taken that to the next level and for people just to, who followed this, once upon a time the Portland bureau of transportation, the bureau of environmental services would plan big capital construction projects, and they would not necessarily consult with the impacted business district to find out you know if that was going to be intrusive. Now it's just baked into the system that the work will not be done during the signature events, we're not tearing up St. John's during the St. John's parade, things of that nature, but it took change in culture and took advocacy and now it takes good coordination and communication between infrastructure bureaus to make sure that we work around the signature events that the neighborhoods plan, and you had an important role in that. I am very proud of the fact that the voice is at the table with our neighborhoods helping to make good policy, and it took a change where we had to mandate you got the same notice that the neighborhood associations have but I think that we believe when we have more people at the table, in good faith, we often get better outcomes. It has been important to have the small business community at the table. And finally, we don't always get it right and we are continuing to

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learn from experience heather was a little aggrieved a couple years ago during our winter storm, I think part of the winter storm I was in charge as the president of the council and the mayor being out of town in which our message to people was stay home is not safe so that is true, we did not want people getting their cars driving on the roads but it missed a nuance, which is stay home don't drive but frequent the small business. It is okay to go out and walk a few blocks and in fact, we must do that because neighborhoods, small businesses often get hammered during the snowstorms and so our message is now evolved where we are counseling safe behavior like not getting behind the wheel of a car, but also taking advantage during those snow days of shopping locally and supporting our neighborhood businesses, and venture Portland was emphatic about the need to change our messaging in that regard. So it is a tremendous partnership, the record speaks for itself in terms of how you leverage public resources and I will work with my colleagues to see if we can convert some of that catalytic investment money to ongoing. So thank you all for your good work. Aye.

Saltzman: As always, very impressive report and I am very really tangible results, I think that the investment, I think it was 12 hours a week of staff with each neighborhood association or business association, is really evident in the presentation you just provided. For all of the neighborhoods that you've been working in. Really remarkable identities being associated and events that get people excited and help to create revenue for the small businesses, so excellent job and heather you have done a great job as the head of venture Portland. This is a remarkable report as always. Please to support it. Aye.

Eudaly: Thank you for the report. I enjoyed working with venture Portland back when I was vice president of the historic Mississippi business association. I thought it was a great time to get out of retail last January. Now I have to reconsider that decision because those numbers are impressive and of course I am a big supporter of our local small businesses. I would love to see more collaboration between neighborhood associations and business associations because I think that there is a lot of missed opportunities there to work on shared priorities, and so I would be happy to help facilitate that one and I am also a supporter of the catalytic investment initiative and I will continue to do that. Aye.

Wheeler: I want to thank you on a couple of counts. First you took a very principled and courageous stand with regard to the shelter that we opened in southeast Portland or that we are in the process of standing up. I want to thank you for the shuttle diplomacy you engaged in on that issue and you provided what I thought was a very informed and rationale voice during that discussion all appreciate it. I know sarafee continually reported back to me the conversations were productive and meaningful. So I want to personally thank you for that while I have got you here. I want to acknowledge that we are, in fact, a small business city. Most people in this city are employed by small businesses, so it's important you be successful. Your success is the city's success. As you mentioned heather it's more than just a bottom line proposition or economic prosperity proposition, small businesses actually helped to define in really important ways the look and the feel of this community. If there is anything that I have learned about the work that my colleagues here have done and city staff has done around the 2035 central city plan, it's that people want to live in complete communities. If you see the polling data in the news this morning, it absolutely underscores the point. People want to be able to live close to where their kids go to school, close to where they work, close to where there are amenities, and those are, of course, provided by small business owners and operators in the community. So again your success is integral to the kind of long-term vision that we have for this city that is supported by polling in terms of what the public says that they want and expect from their governments. So I appreciate that. Finally I want to thank you for being community leaders. In a time where it seems that it is almost epidemic that we think about the worst

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case scenarios, and we think about what is going wrong, rather than being appreciative or grateful for what is actually going right, you are an organization that brings people together in the community, helps to encourage people to be proud of their neighborhoods in the community, and you have never lost sight of what I think is the single most important missing ingredient in today's society, which is you bring fun to the neighborhood, and it's great. I just loved watching the photos of kids and parents and older adults coming together and meeting their neighbors and sharing, sharing a good time, and we need a lot more of that, particularly right now in our society and you guys are providing the leadership to do that. You are espousing a positive vision of what this community is and what this community can be and what it will be and so I just want to thank you as individual leaders for that. Obviously I vote aye and the report is adopted. Thank you. Next time certain please. 91.

Item 91.

Wheeler: Colleagues speaking of fun. The technology oversight committee provides citizen oversight on significant city technology projects especially those that are high-risk or high-cost. This gives us early and continued technology oversight by the independent five-member committee for the purpose of increased transparency and accountability. The technology oversight committee sends quarterly reports to the chief administrative officer who then forwards the reports here to the Portland city council. The quarterly reports include information from each project's independent quality assurance consultant and toc's assessment of the project's status. I want to thank our staff for taking the input of the technology oversight committee seriously. The pop's project will help to reduce the delays in permitting and our bureau staff have made changes to help ensure that this project is successful. I would like to add that next week commissioner Eudaly and I have an item coming to the city council that will address some of the issues and upgrade our permitting system to continue to make the kind of progress that we want to see moving forward. To discuss today's report further is the city of Portland's chief technology officer Jeff Baer and technology oversight committee member Josh Mitchell, and I don't know who would like to kick this off.

Jen Clodius, Office of Management and Finance: Good morning my name is Jen Clodius and I am the senior management analyst with the office of management and finance, and I am staff for the technology oversight committee. As you mentioned with me are Jeff Baer, the director of bts.

Wheeler: Can I interrupt? I keep forgetting to do something. It's really important. Colleagues can we suspended the rules for one moment. Ben Walters sitting right over there in the legal box, and I learned yesterday that is what they call it, the box. This is his last day as an employee after 32 years of dedicated service. Can we give him a round of applause? [applause] I hope he will someday teach me how to tie a bow tie, that well, thank you, ben. There, there. I have watched the video. It's the magic right there where it disappears that's the part that I am struggling with.

Ben Walters, Chief Deputy City Attorney: Finding the loop in the back.

Wheeler: Yeah. You can describe it all you want but my ability to do it is limited. Thank you, sorry Jen to interrupt.

Clodius: No worries that was a worthwhile interruption. I am glad that ben got the acknowledgment, its been great working with him. Also with me is Josh Mitchell who is the tsa member that is doing, helping Jeff out today, I have to say this is Josh's last day as a toc member, he is now working with bts on the new website refresh project.

Wheeler: Thanks Josh.

Clodius: So we will be contacting your office, commissioner Eudaly for a new number. The other four members of the toc are Ken Neubauer, Dr. Will Penfold, Diana Garcia, and

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mike lynch. As you mentioned the toc advises the chief administrative officer tom Reinhardt, we are here to present the information from toc's quarterly report from Mr. Reinhardt to you. This is information from October through December, so it's five weeks out of date, information at this point. So josh and Jeff will be updating the information for you. We have two dashboards to show you. The first one is for pops.

Jeff Baer, Director, Bureau of Technology Services: Good morning mayor wheeler members of the city council, Jeff Baer for the bureau of technology services, and here to talk about a number of different updates since the quarterly report was filed, covering the months of October through December will say year in 2017, since that time we have had a lot of different activities to establish the platform for which we're going to be moving forward with. We brought this.

Fritz: Just start by giving an overview of what the Portland online permitting system is.

Baer: Thank you. So pops is known as the Portland online permitting system. The previous project, which we undertook over a course of several years is referred to as itap. That is no longer the case. We evolved it into the Portland online permitting system. What that is going to do and provide an electronic permitting system different than what we have today at the bureau of development services and one of the key pieces we're working on you will hear about more in detail next week is the combination of electronic plan reviews, so completely electronic way to view the plans and submittals, it's a project called bent project docs, so we'll hold that aside for now, and that covers that. In terms of the reporting, you will notice that although the two reporting periods for November and December are marked yellow from the external quality assurance assessment. This was just a new engagement with a new consultant for external q.a. services and you will notice that the technology oversight committee members did not weigh in, and assess the project because we are starting to get the foundation of which we are building on for an implementation approach for the Amanda 7 product in combination with the electronic plan review. I will hold off, we have done a lot of different work on the ground in terms of getting the right pieces in place to do a formal launch, but turn it over to josh for his comments.

Josh Mitchell, Bureau of Technology Services: Definitely. So the accomplishments that they reported to us for this quarter were scoping and doing an approach meeting with the vendor that they are going to be working with. I was able to attend part of that, and I was very impressed with the general approach that the vendor was taking, the structure of it. They were looking for quick wins and looking for ways to break it up so that they could continually deliver value to the city rather than having a large delivery two years into the future and I think that that's an important part of what we have seen in an ongoing basis with the project. They are creating a high level architecture to make sure that they understands what they need in place to implement the system. They are creating business dysfunctional requirements and modifying over what they had previously documented because again that previous approach would be this large delivery of something that was going to take a long time. So they are really trying to hone in on the requirements that allow them to deliver something sooner. Project doc is a good example of that where they can do online review, get rid of paper documents and try to reduce the time it takes to review those things, those projects can be done in a smaller fashion. They are working on the scope schedule and budget, and that's one of the reasons why the toc requested that we not put a red, yellow, green on it yet until we know what the scope, schedule and budget are, it's hard to say that the project is or is not on track and so we did not want to prematurely say that it is going to fail or that it is going to be great because we really don't have enough information to provide that back to the city. Upcoming milestones planned right now. Definitely getting the contracting in place to continue with the vendor. Having that complete solution design put out by the vendor and by the teams implementing it.

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Deciding whether the implementation should be hosted here at the city or hosted in a managed hosting environment where the vendor takes care of it for the city, there is pros and cons to each. We still have additional staffing that they want to bring on and in general one of the risks and concerns that we had going into the end of last year was the requested proposal for reorganization. One of the things that we see is a key success, is a key way to achieve success in this project is to make it really clear who is responsible for the delivery. Make it really clear who is responsible for managing that product, and as of the December meeting we were definitely hesitation within the toc as a whole in terms of what that approach was looking like, There have been steps taken to address that, and I am sure that that would be coming in the upcoming presentations as well.

Wheeler: Very good. Thank you, josh.

Baer: The data center project, this is one where a project you probably don't hear a lot about, it was one that we completed last December, and fully taking and decommissioning the old data center, pulled the migration out to the new location off highway 26 in Hillsboro, and we are currently and actually we were the last ones out of the Portland building before the construction started over there, so we are completely out of the building, the data center is moved, everything has been decommissioned and now we are in the secondary phase of the project which is setting up the disaster recovery backup site in Denver, Colorado so it's one of those projects that was completed on-time and on schedule.

Mitchell: I will add the toc was impressed with that project throughout. Excellent job by the city staff and putting out a budget and also a schedule and a scope and beating it on every level, and that's really impressive whenever you can see a project like that happen. Large data center moves are complicated and they performed there.

Baer: That's all that we have. Unless there is questions.

Wheeler: Very good, Josh could I get a clarification? I think that you answered this sufficiently. The pops went from green in our last report to yellow today. Is that reflective of the fact we are bringing back the software upgrade?

Mitchell: It's more related to the progress made on the discovery project during that time period and specifically how the qa had been brought in felt that it had changed as a result of some uncertainty around the reporting structure of who is going to be responsible for what and what features we're going to be in the time line. I think that they are beginning to address it, definitely from a, from a position of looking at it from the outside, and also having had an opportunity to attend a couple of those meetings where they were doing the planning for the next version, they are really working hard to break it apart. It continues to be a concern, like how are you going to structure the responsibility for that delivery so that it can get done in a timely fashion, and that's, that's ongoing, and that's the qa's biggest concern, that they see a lot of risk in that uncertainty. Again until the scope and budget are really put in place, and that schedule is put in place, the toc felt it was not necessarily appropriate to read it because it's not a started project until that point.

Wheeler: Very good, and you seemed like you are shaking your head yes so it sounds like you are in agreement.

Baer: Yes.

Wheeler: with the basic hypothesis here?

Baer: I am, and one of the things that we've been working on, and this is during the reporting period so it's not reflective in this report here, is I've been working directly with the development services director Rebecca Esau, her and I have been jointly focused on how do we ensure that we have got the right platform or right foundation for where we're going to go forward. We've made a lot of those decisions already in this time frame, and the fact that a lot of the decisions were made over the past month, in where are we going

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to be at in the summer, where are we going to be at in 2019. So we have a clear plan, and that's what we are going to be presenting back to next week.

Wheeler: Colleagues, any further questions? I'll accept a motion.

Fish: Motion to accept the report.

Fritz: Second.

Wheeler: Commissioner Fish moves, commissioner Fritz seconds. Call the roll.

Fritz: Thank you for the report. Thank you especially Mr. Mitchell for your service on the committee. I am pleased to hear that you invited to be part of the consultant conversation early on because that's absolutely the intent of the technology oversight committee is to be involved very early so we get the initial steps right which hopefully will then result in the good outcomes, and I know a lot of people in the bureau are working hard and thank you director Esau and it's a complicated project, and we need all the help that we can get to make sure it gets done right. Aye.

Fish: Thank you for an excellent report, aye.

Saltzman: Yeah, thank you for your work, Mr. Mitchell your service on the committee and best of luck with the city and thank you all forgiving us is a great report. Aye.

Wheeler: Well done. Thank you. Aye. Report is accepted. Next item, 99 please.

Item 99.

Wheeler: Colleagues today I have the pleasure of reappointing jenny Kim and appointing tomirene hettman to the home forward board of commissioners, jenny graduated from the university of California with a degree in microbiology and molecular genetics, has served on the national Korean American coalition and the American cancer society boards. She believes anyone regardless of their education level, race, gender or religious beliefs deserves the American dream of a happy and stable life tomirene served on the home forward resident advisory committee, she has a list of experiences serving Hollywood farmers market, the lean on me program and humane society. TomiRene feels an opportunity like this will expand her heart and soul. With us today to discuss the great work of the home forward board of commissioners, the work that the home forward board of commissioners is doing is Ian Davie the chief operating officer of home forward and home forward board of commissioners chair mickey Herman, jenny Kim, and tomirene hettman.

Ian Davie: Good morning commissioners and mayor, thank you very much. At home forward we always strive to fulfill our primary goal.

Wheeler: Could you state your name for the record?

Davie: Yes, my name is Ian Davie, chief operating officer at home forward we strive to achieve our goal, excuse me providing affordable housing to the Portland and Multnomah county community. As part of that it's important for us to always remain connected with the community and with our residents. As the mayor explained tomirene hettman has been a valued member of the home forward community for many years, she has resided in our housing for nearly nine years, and has resided in Multnomah county and Portland for nearly two decades, and has served not only on our resident advisory committee but also on various interview committees, hiring staff within the agency. She's very connected and to the agency and as you heard connected to the community, and we are excited to have her joining our board of commissioners. Jenny Kim has been introduced to this body before sometime in the last year, you have heard of her accolades, and the commitment that she maintains with the community and we are also very excited to have her reappointed to the board of commissioners. At this point I will hand it to tomirene hettman for any comments that she has.

TomiRene Hettman: I am so humbled and honored to be coming into this commissionership. I realize it's not about me. I am going to be the voice of many, many, many residents of home forward, and back in December I was struck by this couple of

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quick paragraphs from my mentoring [inaudible]. A society that is has sacrificed so much material wealth, that it is forgotten the human heart and the better human aspirations to degenerates into something compassionate, ignorant, and ultra conservative. When this happens fundamental solutions to calamities become impossible. If we protect the truth and are resolute we are capable of creating peace and prosperity, and the truth we must protect ought to be high and great. Our great truth, the truth that we must protect to the utmost, involves ethics and the best of human nature. More basic than anything else is our duty to guard the truth of life, the truth that we in the universe are one, and that a single ordinary human thought contains the entirety of the universal life. I am so happy to be here this morning. Thank you.

Wheeler: We are appreciative of your service, thank you.

Jenny Kim: I don't know if I can follow that. I don't have a quote like that, but thank you again for allowing me this opportunity to be reappointed and I know a lot of people have come before me in this role to do the right thing by our citizens. Yeah, I am honored to be part of this wonderful organization, and I do have to give a lot of credit and kudos for the staff that we have at home forward. We have an amazing leadership team and fellow commissioners who have a lot of passion and genuine interest in the wellbeing of people, so thank you again for this opportunity.

Wheeler: Thank you. Colleagues, any questions?

Fish: I move the report.

Fritz: Second.

Moore-Love: This is a resolution.

Wheeler: Resolution. Is there any public testimony on this item?

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

Wheeler: Very good close the list. Go ahead.

Shedrick Wilkins: I am shedrick Wilkins, and I do believe and I will tie this conversation to the next issue is prostitution, I do believe that low cost housing allows women to not have to sell themselves for rent money. Over the holiday I love a movie called, it's a wonderful life, with jimmy Stewart, and there is this Pottersville where everybody is renting, and he wants people to own their own home. In a parallel universe created by the angel or whatever violet bick, who is kind of flurriest is forced into prostitution, and she is handcuffed, and I like this scene, and it's really weird, and the issue is if you really want to get women off prostitution you must provide them with low cost housing.

Wheeler: Thank you. Appreciate it. Good morning.

Lightning: Good morning, my name is lightning I represent lightning super justice watchdog. Absolutely agree with the two people being reappointed and appointed. Again on my position is that I am hoping that the group would also focus again on the metro housing bond that is currently moving forward. Provide your input on how you would like to see the possibly \$500 million up to possibly a billion dollars be distributed and through the housing community, and also to the people again, I found it interesting if I heard correct, molecular genetics. I am a watchdog of calico on the expanding your life expectancy the years, and if you begin to really understand providing the proper housing to people that are currently homeless, you can also be providing them additional years of their life, and you have to start calculating this out on the research that is being done from such as Larry page at calico on what you can actually do for the homeless communities on expanding their life as far as adding more years from housing to health to safety, and understanding that when the communities or the commissioners or anyone thinks that people living on the streets is going to add more years to their life, you have to start understanding that it is traumatic to them. It is stressful to them. It is unsafe to them. It is unhealthy to them. It is not having a concern for them if you think that living outdoors is good for them and the

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longevity of their lives, so just again I find it, I think you are both great people to have on this. Again just focus on the \$500 million bond, and focus on getting more housing projects out for the people currently out there and to build new and to create new jobs and buy local and focus on that, and don't buy existing or current inventory which I do disagree with that because we want to add more supply, more jobs, and more inventory out in the marketplace that is what I want to see happen. So anyway, great selections, and I look forward to seeing what you are going to do. Thank you.

Wheeler: Thank you, call the roll.

Fritz: Well Ms. Hettman and Ms. Kim each of you have come a long way in different ways and so I really appreciate your willingness to serve as commissioners. This says a very important board that home forward relies on and we rely on. You each provide a perspective that is not currently on the board which is always important so thank you to home forward for making these selections and wish you all the best. It's truly a task that needs all of us engaging constructively rather than adversary-like. Thank you very much aye.

Fish: I want to thank both of our candidates for being willing to serve, when I first came to Portland the great Gretchen Kafoury urged me to consider serving on the board of what have then called home forward, or the housing authority of Portland. It was an amazing experience, and it was really the training that helped me to be more effective when I later became the housing commissioner for the city of Portland. It is a fiduciary board where critical decisions are made about how we spend particularly the federal funds, so it's enormously important assignment and I want to acknowledge that the resident commissioner plays a unique role because most of the people we serve are people that have very busy lives, struggling to survive. Meet all their responsibilities. So it's the resident commissioner bringing the voice of folks that we serve into the decision-making process that's so important. And then I would be remiss if I did not acknowledge that there's probably never been a period where the relationship between this local housing authority and the federal partner that provides the bulk of the funding has been more strained. And unfortunately not only are there these headwinds but there is an active debate about the role of the federal government in providing funding for this important cause. Let's be clear, housing authorities, house the poorest people in the community. They serve people who have nothing up to about 30% of median family income, they manage our public housing and our affordable housing targeted to the neediest in our community. We can not do it if the federal government keeps scaling back, we can't maintain our assets, we can't continue to serve, we can't stretch the dollar on the vouchers. I hope we come to our senses on this, but unfortunately we're going through a period of real retrenchment that at hud and it's going to make your job harder. So I would say I'm even more appreciative that in these tough times you're willing to step up and serve the community because your services really matters, thank you, aye.

Saltzman: Thank you both for your willingness to serve, aye.

Eudaly: Well thank you for your services and your continued willingness to work with us one this vital issue. Aye.

Wheeler: Thanks to Tomirene Hettman for stepping up and being willing to do this important work, I'm always happy to see new people join a board particularly on an issue as important as this and Jenny Kim what can I say, I'm impressed as always and so appreciative that we have people of your caliber who are not only willing to step up and serve, but are willing to do it on a long term basis. So thank you for that I'm grateful, I know that the city council is and the community is as well, thanks, I vote aye the resolution is adopted. Thank you, next item 100.

Item 100.

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Wheeler: Good afternoon gentlemen are you going to kick us off today?

Brian Parman, Portland Police Bureau: Good morning Mr. mayor, commissioners. My name is Brian Parman I'm the commander of the east precinct and so I'm here to today with my team who are finding their seats, I want to present an overview of our sex buyers accountability and diversion program. At its core the goal of this program is to use this moment of police contact as a chance to intervene provide education and change future behavior. This program is administered through an intergovernmental agreement between Multnomah county and lifeworks northwest and so we would like to provide an overview of the program and we're seeking your approval to extend our existing iga for an additional year. I'm here with sergeant mark georgioff who oversees the day-to-day operation of our sex trafficking unit and Kristin Williams from lifeworks northwest.

Wheeler: Thank you.

Mark Georgioff, Portland Police Bureau: Thank you. Good morning, council members. As commander Parman stated my name is mark georgioff, I'm a sergeant with the Portland police bureau currently assigned to the sex trafficking unit. The sex trafficking unit is a team that works to combat crimes and victimization caused by sex trafficking by bringing accountability to sex buyers and working with victims of the sex industry by collaborating to assist those who can not escape this personally devastating industry on their own and often need accountability and resources to survive and thrive in life. One key component in the effort to combat sex trafficking in the Portland area is the sexual buyer's accountability and diversion program more commonly known as sbad. I'm here today with Kristin Williams from lifeworks northwest, the organization that operates a new options for women program and designed for women attempting to transition out of the sex industry lifestyle and work cooperatively with ppb runs the sbad program. Kristin and I both firmly believe that continued funding of this program agreement is essential to reduce the frequency and impact of the sex buyers have in supporting this victimization industry in the city of Portland. The sbad program has operated successfully since 2011 and has been attended by several hundred sex buyers during that time. The purpose of this course is to reduce demand by interrupting the frequency that buyers attempt to purchase sex. This is done by educating persons arrested for the solicitation of prostitution through a classroom setting where they learn about legal, social and health ramifications of the commercial sex trade. The sbad program is designed to represent a paradigm shift from solely prosecution to early prevention, rehabilitation of those who solicit prostitution. The program is generally offered for first time arrested offenders and will suffice for any court ordered accountability otherwise. As the sex trafficking sergeant I'm the designated program manager for the sbad program. This program is based on an intergovernmental agreement with Multnomah county and the city of Portland. The county subsequently contracts with life works northwest for program coordination and administration and is taught by members from life works, the ppb sex trafficking unit and other community and social service partners as well as a very powerful presentation from a survivor of the sex trafficking industry. Fees generated are shared between life works north northwest, ppb, and the Multnomah county district attorney's office. The impact of the program consistently has shown over the years has been immense in the lives of many sex buyers who participated in the program. This is reflected in comments made by participants in the follow-up conducted at the end of each course. While not all participants feel the punishment fits the crime, a large percentage feel the class changed their views dramatically about prostitution and commercial sex solicitation and never realized the victimization it creates. Some reflections as follows. This is a very informative class. It's a chance for people to actually learn from their mistakes, it is a great opportunity to think about behaviors and values. If I had access to classes in my community I do not believe I would have made the choice that I made. This was a great

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experience. Another, I appreciate each speaker's tone and how they did not come across like I was garbage. The law enforcement aspect was very informative and interesting, the sarc piece made me sick to my stomach and was very powerful and the survivor piece was heartfelt, emotional and powerful as well overall a good class. Finally, it was a very well and laid out and presented class. It changed my view of prostitution and left me with some soul-searching to do. I believe this class is very beneficial. As you can see by just a small sampling of the many comments received the impact is immeasurable. The content and context of the course is one that certainly requires sex buyers to think, reflect, evaluate and oftentimes change their views about prostitution and the victimization it creates for so many. As the process takes place we strongly believe it prevents buyers from becoming repeat offenders which ultimately reduces the demand for commercial sexual solicitation creating less victimization of those prone to working in the sex industry. It also serves to increase the participants risk awareness through self-responsibility and motivated change in behaviors. The partnership developed over the years between lifeworks northwest and ppb has grown to be an efficient and consistent source of information sharing. The frequent contact about collaborating serving victims, discussions of changing trends in the industry and dialogue on the best way to create an impactful sbad program over continual busy interview is the framework for this successful program and the foundation it's founded upon. The partnership between ppb and life works is also reflected in other ways. This is illustrated in a nice note officer mike Gallagher of the sex trafficking unit received just this past week from a long-term sex trafficking victim whose life he has had a dramatic impact on and conjunction of services from the now program. I presented you today a copy of the note for review and highlighted a portion from this victim. "I would still be lost, lonely and surviving day-to-day without the now program and the efforts of the police department". This type of impact cannot be made up or replaced if the relationships are lost. These words speak for themselves in our true testament of the importance of having programs that positively impact both victims and sex buyers. We know that if allowed to continue the sbad program will positively impact the lives of many more sex buyers for years to come.

Kristin Williams: Good morning, Kristin Williams with Life works northwest. Good to be with you all again. Just want to highlight a couple of things. The sbad program is an eight hour diversion class as mentioned and a couple of other highlights is we only offer this six times a year. In fiscal year 2017 we served 165 sex buyers. Already this fiscal year we served 102. There's a wait list every class. We're full every class and so the demand is there. So to combat the issue of sex trafficking we need to look at demand and that is what this class does and it has evolved over the years. We have taken feedback over the years from participants and from community partners involved and we really adapted and made it from a punitive class, speaking on this before, more of a punitive class and now more of an educational collaborative experience for these sex purchasers as a diversion to educate as a prevention tool so they don't recidivate and do this again. I also gave you a packet of some feedback that's all of 2017 and current 18 feedback. some of it is not positive but we review all of it. Another component of this partnership is after every diversion class we all meet and debrief and talk about what went well, what could have improved. The feedback. We look at how to continually adapt and mold this program to enrich and be an educational experience. Not only that but another thing I wanted to point out is a few years ago I was able to help to collaborate and start the first ever national johns school conference and we had contact with over 37 programs nationally that we were able to identify and of that so many of the programs are 30-minute videos, hour videos while they are in handcuffs in the back of the police car or in custody detained in handcuffs, a video or it's a class couple of hours taught by maybe a police officer or maybe a single lens. One thing to really celebrate again is in Portland we have this fabulous, rich collaborative where we're able to

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have a survivor come and speak at the end of the day to bring together everything we teach the police officers do a fabulous presentation. We have presentations from the therapeutic lens, a male community partner, to kind of have that man-to-man conversation. We brought in sexaholics anonymous to reach out to any man who may identify that need. We've really enriched this program and having been able to get a greater national lens on that and help other programs enrich their program from what we do. I'm really proud of the work we do with these sex buyers. You'll notice I won't say johns because I like to call them what they are, sex buyers that's my personal lens. The other component I think that I just wanted to also say this really helps us to focus on the demand. If we're going to end sex trafficking we need to focus on demand so I'm proud to be able to partner with Portland police and be able to put on this fabulous program. I don't know if I'm allowed to do this, but we invite you to sit in one day if you would like.

Wheeler: Commissioner Fritz.

Fritz: I'm interested to hear you say there's a waiting list. My understanding is this program is paid for by those taking the class so what's the limitation on adding more space?

Williams: So we could probably have -- I mean 40, 50 people per class but that kind of discussion safe environment, that educational environment kind of is lost. So I'm stepping back into this role a little over a month I have been back and before we capped it because of actual physical space in the classroom and now it's mostly because of space.

Fritz: Is that because we couldn't put on more classes? Is it partly due to the officers' time and the survivors' time?

Williams: I think it's a little bit of all of that. Scheduling and also just the financial resource it is takes to put this class on every second Saturday of the month.

Georgioff: We ran an extra class this last fiscal year, 2017. We added at least one, maybe two classes to the normal rotation just because of the demand.

Fritz: I'm glad that we're increasing the agreement or continuing it if there are things we can do to help in funding or looking at city facilities for physical spaces please let me know. The other question I have is about recidivism. Do we have data on whether people who have taken this training are less likely to reoffend and get rearrested?

Parman: Yes. We talked about that leading up to this presentation and we're only aware of one person who had been to the class who has been rearrested.

Wheeler: Could I second that? Because I loved your testimony, by the way. Fantastic testimony. The only thing that made me cringe a little bit was to say the success of this program is immeasurable. It's absolutely measurable. What you can do is you can screen for recidivism and compare that to the population at large. I would hope that we would do that and make the case that this is actually a best practice that works. That's the first thing is just to underscore what commissioner Fritz already raised. The second question is really more of one around is this something that is now nationally done or is this something unique to our community? You mentioned that you go to conferences and it seems like there's more of a punitive tone in some of the other programs. Why did we choose to go in a different direction?

Williams: So I know that I previously stepped out of this role in 2016 and then I came back. There was one conference and actually it never got any claws in anything. So I know that about a fourth of the programs that were there were just starting, they had never had a program, they were done basically solely through law enforcement or a survivor agency. So it was a really siloed lens of how to approach this issue. I would say that we're still really at the beginning nationally with approaching this and I would say Portland is ahead of the game in regards to this. The diversion program I believe we really do it the way we do so that we are not just telling them, you know, they are bad, but we're really getting to the why of the issue, educating them around the buyers and like the how, what, why we

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focus on the why. It's not just, you know, them. It affects their relationships, their family, their friends. We have a lot of data on that, and it also affects how they view the world. We really believe that the diversion component is important addressing all these things.

Wheeler: Very good. What happens if somebody and I assume this is voluntary. Is it voluntary first of all?

Georgioff: Yes and no. What happens if you're familiar within the court system there's a dui diversion program, if you're a first offender you have the opportunity to participate. Similar to that, if a first time arrested offense they are offered this opportunity for a diversion program.

Wheeler: Is it the judge who offers it?

Georgioff: Yes through the court process. Their defense attorney would negotiate this with the prosecution and gets authorized by the judges and the court system. Okay, you have x number of months to complete this program and then receive the certificate and come back to the courts and show that you were a success.

Wheeler: If not this what's the other track? What does that look like?

Williams: They are able to have a charge.

Georgioff: In addition to having a charge of commercial sexual solicitation they would also have a financial responsibility of the conviction as well.

Wheeler: Got it.

Georgioff: If I may get back to just the program, this program originated it was modeled the city of San Francisco had a sexual diversion program, and very similar in its functions and form and kind of was the example that the city of Portland followed at that time. It really has not expanded beyond a lot with other programs being similar although there's a lot of interest in it. I have had a lot of discussions with Washington county. As we have helped them in developing their sex trafficking program out there and working with their district attorney's office who is connected with Multnomah county's district attorney's office in how this program is modeled and creating a diversion program in an adjoining county for the same type of a thing. Very interested in that. There are several other folks who have contacted me over the last course of a few months and said what are you doing and how does this work. I think it's a good model and something the city can be proud of.

Wheeler: Very good. Any further questions? Commissioner Saltzman.

Saltzman: I'm curious, are the sex buyers primarily street level solicitations or do we -- are we going after online solicitations?

Georgioff: Well -- in today's generation, the majority of the purchasing of sex is done online or relationship contacts developed online. There certainly is a level and element of street level prostitution that is not what this addresses particularly although it could, but the majority of our efforts are to combat those that are done online through dating apps and text messaging and all that. The majority of our custody's are related to online.

Saltzman: Majority now.

Georgioff: Absolutely.

Saltzman: Thanks.

Georgioff: It's a lot more secret than on the street.

Saltzman: Yeah.

Wheeler: Do we have public testimony?

Moore-Love: We have one person. Shedrick J. Wilkins.

Wheeler: Thanks, gentlemen and ladies.

Shedrick Wilkins: I'm Shedrick Wilkins. When I was in the army I was stationed in Germany in which prostitution is legal. I understand it's legal also in Israel. I found I didn't like it. It's wrong. I do not think prostitution should be legal in the United States. I think that in a diversion program the people who are chiefly responsible are the people we call the

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pimps or the mafia or whoever are people setting up these online websites they are responsible for prostitution. It's not the people who on a low level, people that make it easy. It's the lawyers that defends people who are accused of being the sellers or sex buyers setting things up. You get these people and put them in jail you can stop prostitution. Okay? And again, I think too that time is ripe where we're seeing things like Harvey Weinstein's not a pimp well, yes he is. Even women who benefit from his ability to get them acting jobs, whether they did get jobs or didn't they don't like the guy and they didn't like being forced to stand in one spot while they were harassed because they wanted the money. Enough said.

Wheeler: Thank you, sir. Good morning.

Lightning: Good morning. My name is lightning I represent lightning super justice watchdog. Just on my position that you have this diversion program and in my opinion, without the actual data on recidivism it's really difficult to have an understanding really how effective it is. In my opinion, if we're going kind of use the term a little bit easy on the perpetrators, per se, that concerns me. In my opinion there should be an excessive fine. That is a deterrent to people that possibly might be doing this and I don't see that. I see a diversion plan, go off to the side and again, from my position is that are these names of these people made public? So people in the community can see that they have been charged with this? Is that put on any type of website? I know when you arrest individuals for other crimes it's put on a website or the people are able to see their pictures. Is there that possibility that that is happening or are you actually on this diversion program saying we won't even post your picture with this being charged against you? And again, just from my position, when you're talking being real what I call easy on the per se buyers is that on the quote "victims" that fine should be going toward the victims is my position. That sends a real clear message and if you're just allowing people with kind of a go watch a video, feel free to go out the back door, we'll make sure your picture is not posted, have a good day, I don't think that's the right way to do it. So again, I'm looking at more harsh treatment, more you're a scumbag, okay? You got caught, that's your problem right now, that's why you're here. We're going to make it very clear to you there's going to be extensive fines. It's not going to be comfortable for you. You're going to be posted on websites. You're going to be known in your neighborhoods and if you don't like that then don't do it. That's my position. I think this is too soft. It's too easy. I really hope that's not what the whole point of this diversion plan is. Again, more harsh treatment. That's my position. Thank you.

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

Fritz: Well, thanks for another excellent presentation. Thanks, sergeant Georgioff and Kristin Williams for your write-up in the impact statement which says life works retains 10% or \$1,400 for each session conducted whichever is greatest as reimbursement for administrative and direct costs and the remainder is split between Multnomah county district attorney, Portland police bureau and life works. I think all of those and the police bureau uses their portion to fund further missions and investigation, so it's a wonderful program. Thanks for being here, officer Gallagher, and for educating me last time that part of the value of this is having the buyers in the room where both with the survivors and with each other as was brought out. This has become a very much online and anonymous thing and by forcing people to be face to face with each other and with the survivors, that makes it much more real and I appreciate that. Aye.

Fish: Thank you for an excellent report. Aye.

Saltzman: Thank you. Aye.

Eudaly: Thank you. Aye.

Wheeler: I would like to see us strengthen the measurement of the success of the program. I think you've given us very, very good anecdotal evidence and the letter we

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received presumably you said from a young woman is very compelling, the statements made by the folks who have participated in this program are compelling but I would also like to see us take the lead on measuring success of this program and see if there really is an effect of best practice here that could potentially help address this issue. I vote aye. The ordinance is adopted. Commissioner Fritz.

Fritz: Just add something on to that I think also I would like next time to have the presentation have data on the demographics of the people who choose this program versus the people -- overall arrest rate for this charge. Thank you.

Wheeler: Next item. 101.

Item 101.

Wheeler: Colleagues this fuel purchasing contract is aligned with the city's carbon reduction goals. The resulting contract will decrease the city's total energy use. Portland has been using high blends of renewable fuels in our fleet vehicles for over a decade this and this contract enables continued and increased use of those renewable fuels going forward. City fleet has been a national leader and early adopter of sustainability practices, for example city fleet won the green fleet award in 2010. There are many transportation fuel options that will bring us closer to our 100% renewable goals such as electricity, biofuels and renewable natural gas. In the last fiscal year, 76% of city fleet's diesel fuel use was from renewable sources. Thanks to city fleet 20% of Portland's sedan fleet is already electric and we have a goal of getting to 30% in the next three years. City fleet has also been an important partner with the city's bureau of environmental services to recover methane from the Columbia boulevard wastewater treatment plant to generate renewable natural gas, rmg, as a transportation fuel for city vehicles starting next year in 2019. Put another way, as commissioner Fish put it so well we're turning poop into power. This new fueling contract will cover the remainder of the city's fleet that has not been converted to electric or renewable natural gas and will allow city fleet to continue efforts to invest in sustainability through the purchase of renewable and low carbon fuels. We have a unique opportunity to transform the transportation sector in the region to reduce carbon emissions, enhance public health and stimulate economic development. Portland's city fleet is leading this charge. Interim chief procurement officer Larry Pelatt and vehicle maintenance superintendent Don DePiero are here to discuss this item in further details. Gentlemen, welcome and thank you for being here.

Larry Pelatt, Procurement Services: Good morning thank you Mr. mayor, commissioners I'm Larry Pelatt, procurement services. Procurement services posted the itb for this project on October 25, 2017. Which publicly notified the vending community including firm certified as disadvantaged minority women and emerging small business enterprises that the goods contract for supplying fuel to the city fleet was open for bids. Ten bids were received and opened on November 28, 2017. All bids received were determined to be responsive to the solicitation requirements including a composition of fuels and fuel blends that meet the city's climate action plan to minimize to the extent possible the city's carbon footprint. On December 5, 2017, the city issued a notice of intent to award price agreements to associated petroleum products, inc., and seco, inc., no protests were received. The contracts have been negotiated in the amount of \$32 million to associated petroleum and \$500,000 to seco. The city's intent as was made clear to vendors is to use associated petroleum contractors as the primary source of fuel and seco as the backup source. The city's fleet division is in the bureau of internal business services working to meet concerns of affected bureaus and concerns of city commissioners. The successful bidders have available for delivery the necessary range of fuels and fuel blends to meet city's requirements at the most advantageous price to the city's operations. Purchasing fuel based on these contracts represents a savings of millions per year over buying fuel at lot

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standard gas station prices. The primary contract holder associated petroleum is located within the city limits at 9270 northeast glisan, both vendors are in compliance with all city contracting requirements including business, tax, registration and payment. If they city council has any questions concerning the solicitation of resulting contract I'm happy to answer those. If not, don Depiero is here from city fleet to answer specific questions relative to the fuel.

Wheeler: Colleagues? Only one. The number to me was staggering and my staff picked me up off the floor and put me in the chair then went through the economics of this and convinced me this is a substantial savings over previous years, but as I look at this given the magnitude of the number, there's an opportunity to change that number dramatically even through small changes or incentivization programs to further reduce our overall fuel usage in the city fleet. Is there further opportunity for example savings sharing's with bureaus, 50/50 split for example? Are there other ways to get the cost of our fuel usage down further than this? I realize what you're presenting is a huge win over previous years in terms of reduction. The question is there a way to push even harder?

Pelatt: The contract itself is designed, the pricing is tied to an index and there's a published index so pricing is specifically tied to that. As markets go up or down, it's usually tied to spot pricing for fuel coming out, it's not specifically tied to the price of oil coming out of opec countries, it's tied specifically to a gas index. So if prices go up and down our prices will go up and down. To the extent that specific bureaus can reduce their need, we could -- there could be constructed between city fleet and the bureaus some i.a., internal agreement, that would share savings or share differences in overall budget amounts --

Wheeler: The reason I mention this, is this is a tough budget session. We're about to be teed up for it. If we could reduce the costs and further our climate action goals at the same time that's the kind of reduction I would like to see in the budget. Could we think on this could you strategize a little bit to see if there is a way to even get a 2.5% reduction? That would make it a meaningful difference. If we could just think on that.

Pelatt: 2.5% of \$32 million is a lot of money.

Wheeler: Yes, sir. Is there any further questions? I'll accept a motion.

Saltzman: So moved.

Eudaly: Second.

Wheeler: We have a motion from commissioner Saltzman and a second from commissioner Eudaly please call the roll.

Fritz: Thank you for your work, aye.

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

Wheeler: Aye reports accepted, thanks gentlemen. 102.

Item 102.

Wheeler: Colleagues, I was absent last week on city business and I have reviewed the record for this item. My understanding is that this was pulled off the consent agenda last week for further discussion. The Asian pacific American network of Oregon apano provides culturally specific services and was selected as provider of these services by the Portlanders united against hate selection committee, a process run through the office of neighborhood involvement. In the fall bump, our fall budget process, council authorized funding. What is before us is the grant agreement which ensures grantees are compliant with city values to receive funding. While this grant agreement is generally a standard grant agreement there's additional language that considers the recent allegations against apano. To be clear, the city takes these allegations regarding workplace equity and fairness incredibly seriously. That's why there is this additional language which acknowledge the audit report being performed on the organization. The city reserves the right to terminate the grant agreement. If the findings in the report are found to be out of

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compliance with the city's values as stated in the grant agreement. Here to further discuss and answer any questions are Kari from the office of neighborhood involvement and grant manager Sheila Craig. You don't look like two people.

Kari Koch, Office of Neighborhood Involvement: I'm not. I'm just the one Sheila is here and my name is Kari Koch, with office of neighborhood involvement and the Portland united against hate grant program. I'm just here to answer any questions that you might have about this grant.

Wheeler: Any questions?

Saltzman: If I might interject I was the one that would not vote for this last week, so it's why it's here today. This issue was unknown to me until you raised it, mayor, during the fall bump when apano was here receiving a major capital grant from us. I simply believe that somewhere, somehow, some very brave people stepped forward and brought these allegations to the light of day. As one thing we have learned in this nation over the last six, seven months it takes very brave people to produce some very profound changes in the way we interact with each other and the way we treat each other. I feel that it's no longer a business as usual with respect to allegations of gender, sex, or sexual orientation discrimination and for us to approve this grant today is the business as usual approach. A, we hear the allegations, we're going to investigate them but go on funding you just like we always do. Apano gets a lot of funds from us as do many other organizations and I think this council needs to set an example here that until we get this report, until we know whether these allegations have any substance to them, we should withhold our funding to apano, to any other organization of which allegations of gender, sexual orientation or sex discrimination are made. We need to hold people to a higher standard, that's one thing we have learned and that's why I will be voting no on this. I urge my colleagues to do so as well.

Wheeler: So you see the position we are in. I'll give you your best shot here because it's my understanding the way the contract has been negotiated, I'll just call it the innocent until proven guilty scenario, but it puts a significant financial burden both on you and asks this council to take commensurate risk. As I understand it, what it would require you to do is in the event that the allegations are proven to be true, we would both terminate the contract and you would be obligated to pay back any funds that have already been deployed. My question to you based on commissioner Saltzman's I think very important values-based statement is this. Why should we not just wait as commissioner Saltzman suggests until this is cleared up as opposed to forwarding the contract today. Give us your best case.

Koch: Great. I'm glad to hear that council is taking this seriously. I think that we at the office of neighborhood involvement takes it very seriously as well which is why in part it's built into the contract and we have been working with apano to figure out how to move forward. So the piece of the grant that I think is important to bring to this conversation is the fact that, one, they have -- apano has told us they are on track to bring this report as indicated in the contract that they will have it to us by the end of February, which is what was requested of them and second of all, this as you all probably know is the reimbursement grant. So actually funds are not automatically distributed once you approve this contract and actually it takes a significant amount of time for the reimbursement to process through the city. So the time that we have to figure this out is substantial once we move this forward and they can start doing the work.

Wheeler: Why not just hold this off and pass it later on an emergency basis?

Fritz: This is about getting money to the community in response to an unidentified community concern. It says in the ordinance apano and irco co-hosted a listening session in the jade district in April to engage with Asian and pacific islanders on how they are

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responding to the new political climate. The take away was the immigrants are deeply concerned about their personal safety. A few Chinese restaurants had their windows broken after the white supremacist rally and march down 82nd avenue. Personal safety has risen to the top of apano's list of priorities. Apano members' kids are being called japs in the Muslim community of Oregon many of whom identify as Asian. The number of bigotry is so high that several Muslim owned restaurants had to shut down during the month of Ramadan because they are afraid of being targeted. To me it's urgent we get this money to the community and it's not really benefiting apano. They are going to be supporting the community and reporting hate crimes and that is urgent, here and now, life safety.

Koch: Thank you commissioner Fritz. I would agree apano has been active in working with Portland united against hate. They have been a part of the coalition, they've been bringing the issues to the forefront of how folks in the jade district are being directly impacted by this and doing the work on the ground to help folks from that community to be a part of building their own capacity to take action and support the community's work and also bring that perspective to the wider community about what's really happening out there east of 82nd.

Wheeler: I want to be clear. I have long supported apano and the issue around immigration and protection and services, that's not in dispute for me at all. My preference would be definitely to approve this contract, get the resources out into the community and go forward. I'm just trying to figure out the logic chain here. You yourself just said we don't really need the resources right now. If we don't really need the resources right now, what's the big hurry? Give me an answer that I can take home.

Koch: The logic is that we want to keep the resources moving out the door as soon as we can. So they have until the end of February to submit their report. We want to be able to offer them their grant money as soon as we are able because they have already been approved for this grant. This is for this fiscal year, so really we are like more than halfway through the amount of time that they should have already been able to get reimbursed for their grant.

Wheeler: This is for the current fiscal year.

Koch: Yes. We want to keep things moving because we want to respect the fact that they are already out there doing this work and we have been working with them --

Fish: I have a question I'm going to pose to our council. This is now a nonemergency ordinance. So if we passed it today, it would not kick in for 30 days. Is that correct?

Ben Walters, Chief Deputy City Attorney: That's correct.

Fish: It's contemplated under the contract that we're adopting that the apano will provide a report to council within that 30-day period. Correct?

Walters: I believe that's the calculation. Yes.

Fish: What is the recourse, lets say the council gets the report. I'm following the logic of Dan's argument and the report is deemed by the council to be nonresponsive or inadequate or raises other questions. What recourse does the council have at that point?

Walters: Well, the way that the ordinance is drafted the authority is given to the mayor to execute the grant and agreement so if the mayor -- if it was the sense of council that the mayor should not execute because the report came back with information that was of concern to the council then the mayor, the council could as a sense of the council today ask the mayor not to execute it under that scenario.

Fish: Here's the other challenge. We don't actually have a clear standard of how we would evaluate this. I don't want to go too far afield here but I'm guessing we regulate approve distributions of funds to entities with pending lawsuits, h.r. complaints, challenges before administrative bodies and the like and generally we don't require all that to be disclosed.

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There's a process for that to be evaluated. There's a process for someone that brings a complaint against an employer, which I used to do this law so there's many ways you can get recourse. The council has, however, said that we want to report to better understand how the agency is dealing with this matter, which by the way the agency has been transparent, they have sent out communications to the council explaining the nature of the complaints and what they are doing. I might suggest this as a compromise. I don't think there's a significant disagreement here on values. Let me make this suggestion to commissioner Saltzman and the mayor. Why don't we just make either sense of the council or friendly amendment that says in the next 30 days the mayor will only sign this agreement upon being provided the report and has been furnished and has been reviewed by each council member and the mayor is satisfied that that provision of the contract has been honored and that this money can be disbursed. It doesn't mean there may not be another opportunity down the road if other information comes out, but I think what Dan is saying don't put the cart before the horse. By effectively delaying this by 30 days because this is nonemergency I would be comfortable delegate to the mayor to review the report with his colleagues and make a sense about whether he should sign the agreement.

Wheeler: Clarifying question, commissioner Fish. Thank you for offering up an alternative here that I think is responsive. Would it be your intention, then, to make an amendment but add an emergency clause to that so that the 30 days is already commencing?

Fish: I think whether we do that, mayor, or just slide it to next week, in any event it's going to take 30 days because the emergency clause has been removed..

Wheeler: That's correct.

Eudaly: I have a few things to add if I could as commissioner in charge of oni, and the program being impacted. Unfortunately I wasn't here when this conversation originally happened and the language was added to the ordinance around receiving the report. My support of this ordinance has no bearing on my feelings about the allegations. I strongly disagree that this -- these funds should be held hostage and that this program should be further delayed pending this report. I have confidence that apano is going to take the appropriate action based on the report. It has taken an extraordinarily long time to get Portland united against hate officially launched. Apano is providing critical support to the program. It's really not kind of an optional -- I believe they are doing data collection and can you elaborate on what apano will be providing us?

Koch: Yes. They are planning to be a point of contact, which is what we're calling the data collection and tracking mechanism. Then they are planning on doing work with irco and other folks in the jade district to do community capacity building around dealing with hate in their community.

Eudaly: This money is for the program. It's not paying for the e.d.'s salary. I just certainly appreciate how serious these allegations are being taken. I appreciate the conversation as a woman and as someone who has experienced sexual harassment. I feel this is really off base.

Fish: Can I make one comment? We have already voted to authorize the \$33,000 grant. We're simply giving the mayor the authority to execute this agreement, but there is one -- I'm just going to gently push back on one thing my colleague just said because we do not have the actual luxury of separating out the issues because the standard grant language that we operate in at page 5, which goes into every agreement, says in carrying out the activities under this agreement grantee, in this case apano, shall not discriminate against any employee or applicant and it goes on to explain the duty. That is a standard that we impose on every contract. That is a standard that at any time can form the basis for revocation of the contract. Now, we don't -- so it puts me in a bit of a quandary. I have great confidence in apano, I've already supported the grant, I would like to see the money

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go out the door, I support the program. We're literally talking about a 30-day timing issue. A report will be issued within 30 days and presumably will say apano has taken affirmative action. It may be enough for everyone to say that satisfies their requirements. The money will be distributed because it's no longer an emergency matter all I'm suggesting is that we give the mayor the chance to review the report before he puts his signature on the agreement and on the assumption that apano gives us the information we seek we should go forward but we have the luxury of 30 days to do that. That's why I think we should take advantage of it.

Fritz: Commissioner Fish, I hate to argue with a lawyer. Seems to me the language on page 5 is about the employment under this grant, that they will not discriminate. I totally agree with everything commissioner Eudaly said. I think this is a very urgent issue that as I said is life safety for people in this community. I would be very upset, mayor, the report will come, I have every confidence in that. It shows action needs to be taken that's a separate thing from getting the money out to the community for this purpose. I would be very upset if the contract was not signed in 30 days.

Eudaly: That was my question. Thank you for highlighting that particular language, but at what point does that come into play? Are we going to -- going to look back? How far do we look back if the charges are unsubstantiated -- I wasn't here when we changed the terms of this grant. Now we're changing them again. That's really what I'm taking issue with.

Fish: What makes this case in my view unique is the level of transparency from the grantee and others about what the issues are. So it's not my desire to put obstacles to putting money out the door for community-based projects. Again, that's why whether we do this formally or informally, if the mayor just acknowledges that he will review the report and if he has any concerns based on the report get back to us, otherwise execute the agreement, that's the insurance policy that I would need. I don't need an amendment if the mayor is comfortable with that.

Saltzman: I'm comfortable with commissioner Fish's amendment as long as we get the report. There's still a possibility that somebody at some point, probably an attorney, depending on what they find in this investigation, is going to say we need more time or we can't give you this report because it exposes us to a liability. We have served on this body long enough to know we hear those lines every day in this job, but I'm comfortable supporting commissioner Fish's amendment as long as it would be clear if the report doesn't come within 30 days the mayor will not execute within that 30-day period.

Fritz: Are you seconding commissioner Fish's motion?

Saltzman: Yes.

Wheeler: We have a motion and a second, commissioner Fritz and Saltzman respectively. I'm sorry Fish and Saltzman.

Fish: May I be clear? It's my goal and I have been a long-standing supporter of apano and their work, the intent of this amendment is within the 30-day period that would otherwise have to elapse before the effective date of this ordinance, you would be able to review any report furnished by apano and as long as you have no concerns based on that report and advice from council you would proceed to sign the agreement. Which seems to be me to be a very modest compromise that captures Dan's concerns about setting a precedent but also ensures the money goes out the door within 30 days. The only question is whether apano, which has previously made a commitment to giving us that report, that's their responsibility.

Wheeler: Let's do this we have several options on the table. Why don't we take public testimony. Let this sink in and let's have a conversation after the testimony.

Fritz: Public testimony on the amendment?

Wheeler: Public testimony on the amendment. That is correct. How many people do we

have signed up?

Moore-Love: We didn't set up a signup sheet because this was a continuing item, but I know Mary sipe would like to testify.

Wheeler: Come on up.

Mary Sipe: Hi I'm Mary Sipe.

Wheeler: Then lightening, then the list is closed.

Sipe: I really appreciate the conversation and the deliberation around this. I think what you're trying to do, I really appreciate because you don't want to throw the baby out with the bath water. If an individual person is misbehaving or treating an employee in a discriminatory manner that's one thing. What if that -- how does that reflect on the entire program? The good that this program does? I think, commissioner Fish's proposed amendment is a really good not just a compromise but a way to get to what you're really trying to do here and yet it's not holding the money hostage, it's not with holding the money. It's just saying, we have this 30-day window, let's use that window because you're not -- the money, nothing is going to happen with that money in the next 30 days. It's not going to be distributed and I think this is a good deliberation because like I say, I don't think we want to throw the baby out with the bath water but we also don't want this swept under the rug. You're doing a very good job of finding a good balance between addressing those issues.

Wheeler: Thank you.

Lightning: My name is lightning, I represent lightning super justice watchdog. I absolutely agree with commissioner Fish on his position on this amendment. Why it's important is that this also allows apano again to provide the report, the mayor to review the report, everything looks good. Everything moves forward. It has to be done like that because in the grant agreement these terms are very important to follow. If something looks out of place it has to be reviewed and adjusted and that's what's being taken care of right here. It's not a long time frame out they are not asking to extend this out a couple months, they're just saying get the report, reviewed by the mayor. So absolutely agree with commissioner Fish and feel that's the proper way to move forward on this. Thank you.

Wheeler: Thank you, sir. Colleagues, any further questions before we call the roll on the amendment?

Walters: Point of order, mayor?

Wheeler: Yes, sir, on your last day. Point of order excellent.

Walters: To the extent that I'll be working with the council clerk on incorporating the change, I just would like to clarify that what we're doing is adding some language to the ordinance, not to the contract, and it would follow the directive a, and be inserted as a new b, so that it would authorize the mayor and then there would be the following paragraph that would incorporate the language offered by the commissioner.

Wheeler: Commissioners Fish and Saltzman –

Walters: That's how I would draft that up if the motion passes.

Fish: Yes, keep it very simple. The intent of this is that the mayor has the opportunity to review the report with council prior to putting a signature on the grant agreement within the 30-day period. So there would be no delay. I do not intend this to be precedential and it simply addresses what commissioner Saltzman has raised as a timing question and I think we should give the mayor the opportunity to review the report before we require him to affix his signature. That's the intent.

Wheeler: Colleagues? Call the roll.

Fritz: This amendment does if it passes further delay getting the money out because we wouldn't vote until next week then it wouldn't go into effect for another 30 days. I don't believe we need an amendment to direct the mayor to use his good judgment. There was

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a process to allocate these grants and the purpose of this grant is to get the aid to people in the community. I concur with my colleague commissioner Eudaly, I try not to speak on behalf of impacted communities. I have not heard from anybody in the Asian American community, pacific islander community that they don't want us to give this grant. We have heard they do want us to be very mindful of the investigation and the report but I have not heard anyone speaking against the purpose of this grant. No.

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

Eudaly: I have also not heard from a single community member up until today so we have two, who was concerned about us allocating these dollars. I again appreciate the seriousness with which these allegations are being treated. If this grant was going towards apano's general fund I may be more apt to support it but it's not. It's going toward a very specific program or service that is a vital part of a program that we need to move forward on and I don't support it. No.

Wheeler: Aye. The amendment is adopted. Any further conversations before I move this on? This is a first reading. It moves to second reading. 104, please. I'm sorry, 103.

Item 103.

Wheeler: This proposed ordinance authorizes issuance of sewer revenue bonds in an amount sufficient to provide up to \$250 million in proceeds for costs of sewer system improvements. These bonds were expected to fund bes's capital needs over the next 12 to 18 months. The ordinance also authorized issuance of bonds to refinance outstanding debt. I'm sorry?

Fritz: Second reading.

Wheeler: You're right. Call the roll.

Fritz: Aye.

Fish: Colleagues, we got an email yesterday from our debt manager that Moody's had just issued a credit opinion and they have determined that the bureau of environmental services rating should be elevated what they call one notch from aa2 to aa1 on approximately \$1.4 billion of rated debt and they have shifted the outlook on our debt from stable to positive. In the analysis, Moody's cites prudent financial practices, capital plans driven by system integrity and addressing deferred maintenance, and a strong management team. The net effect of this is the bureau of environmental services will now rank among the top 25 rated sewer utilities in the country based on their credit rating and as we know, the water bureau currently has the highest possible credit rating. The effect of this since we're now poised to vote on issuance of new debt is that we will be eligible for more favorable interest rates which means the cost of providing a service will be reduced. I want to compliment our debt service team, all the people in our finance team, who have direct interface with the Moody's and other services that rate us. I want to thank director Jordan and his team and all the finance people and I'm very proud that we have achieved this milestone which is good news for our ratepayers. Aye.

Saltzman: Aye.

Eudaly: Well, congratulations, commissioner Fish, and bes. Aye.

Wheeler: So I was not here for the first reading. I have reviewed the record and been briefed by staff. I want to thank commissioner Fish again for his exceptional leadership of this system and the staff who worked so hard on the revenue bonds to finance these sewer system capital improvements. I vote aye. The ordinance is adopted. 104.

Item 104.

Wheeler: This ordinance provides an additional \$100,000 for inhabit to help reduce costs of flood hazard insurance in southeast Portland homeowners. The Portland housing bureau received a special appropriation of \$50,000 in general fund resources to address needs in the community and initiated a sub recipient contract with clean energy works,

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incorporated, dba inhabit, to create a pilot flood insurance savings program. In 2017 Portland housing bureau piloted a flood insurance savings program to property owners in FEMA's Johnson Creek flood plan which provided financial relief to 33 low income homeowners, many of whom were seniors or from diverse backgrounds. This success prompted expansion of the program to serve at least 50 more vulnerable homeowners in southeast Portland, Lents and Powell Hurst Gilbert neighborhoods. Portland housing bureau's flood insurance savings program is another example of how the city is developing innovative approaches to addressing what is a national problem. To discuss this further, we have housing program coordinator Jacob Sherman and neighborhood housing program manager Andrea Matthiesen. Come on up. Good afternoon.

Andrea Matthiesen, Portland Housing Bureau: Good afternoon. Mayor, commissioners, thank you for your time. Andrea Matthiesen, Portland housing bureau. So the flood insurance savings program that you have in front of you today is nested under the great work of the Lents stabilization collaborative. Oregon Governor Kate Brown has designated that collaborative as an Oregon Solutions project. It involves the commitment and passion and great work of not only the housing bureau but the bureau of environmental services, the office of management and finance, Prosper Portland and other community organizations and government organizations all working to address the impacts of flooding on families and businesses in the Johnson Creek flood plain. As part of the collaborative, the housing bureau is really focusing on stabilizing the low income vulnerable homeowners in the flood plain. Lents has historically been an affordable neighborhood but now gentrification pressures threaten to displace the area's low income and very diverse homeowners. As the mayor indicated previously, the flood insurance savings program was initially funded with a special appropriation allocation of general fund resources in 2016. The ordinance in front of you includes a general fund allocation provided in the fall bump. The housing bureau and all of our Lents stabilization collaborative partners appreciate the council's support of this great work and the resources that you have committed to this project. Thank you very much and with that I want to turn this over to Jacob Sherman, program manager, to provide you just a few high level highlights of the pilot program's success and out comes we would anticipate with additional resources being considered today.

Wheeler: Thank you.

Jacob Sherman, Portland Housing Bureau: Good morning, mayor, commissioners, my name is Jacob Sherman I work at the Portland housing bureau. Our flood insurance savings program was inspired by a very successful program that was launched in the aftermath of Superstorm Sandy in New York City. You may not have firsthand experience with flood insurance but trust me when I say that for the average household, flood insurance is confusing, it's expensive and incredibly frustrating. In addition for low income homeowners in particular rising flood insurance costs threaten to destabilize members of our community. With that our flood insurance savings program, which was codeveloped with inhabit, really does what the name suggests. Helps people save money on their flood insurance and reduce their household expenses. The program, the pilot program was highly effective. Some program results for you, for the 33 participants in our pilot, the average premium was \$1195. After the intervention through our program most people got their average premium down to 450. For an average savings of \$745 a year. We had one client who saved an astonishing \$5800 a year in her flood insurance. We have been focused on targeting households at risk of displacement. The average area median income of the homeowners served in our pilot was 66%. 39% of the people served in our pilot were communities of color, 18% were seniors. As we look forward to expanding this program, we're eager to be serving more community members, we're getting ready to

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commence outreach with this ordinance going into effect and we're happy to answer any questions that you might have.

Wheeler: Colleagues?

Saltzman: I'm kind of curious, what are people doing to reduce the premiums so much?

Sherman: The program is kind of a three-step process and to be brief it involves hiring a professional land surveyor to come out and take detailed measurements of a home then compare those to the estimated height of a 100 year flood. Inhabit then sends a home advisor through the home to determine flood resiliency measures. Then both of those items are followed up with a targeted one on one counseling session with a flood insurance expert. Together that package results in those savings.

Saltzman: Thanks.

Wheeler: Any further discussion? Public testimony?

Moore-Love: No one signed up.

Wheeler: Very good. Please call the roll.

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

Saltzman: Very impressive results being obtained. Aye.

Wheeler: Good work. Thank you. Aye. The ordinance is adopted. Next item 105.

Item 105.

Wheeler: Commissioner Fritz.

Fritz: Colleagues often when we have increases in contract amounts that's not necessarily a good thing because it means something has gone wrong. In this case it means something has gone very right and I'm happy to bring this forward. It's a huge interest in contract cost because of huge increase in funding available through the upper leach project. Leach Botanical Garden a treasure in Portland with a wonderful support group, with the friend of leach gardens. In December of 2016 I offered a challenge to the friends that if they could raise a total of \$1.26 million over all then I would dedicate \$4.9 million in funding from Portland parks and recreation's system development charge which are impact fees developers pay to see the project to completion. I'm happy to announce the friends group and partners have surpassed that goal. That is why we can increase the contract. I want commissioner Fish to also have an opportunity to introduce this because it was his leadership when he was in charge of parks that got prosper Portland to start investing in leach botanical gardens and it's really his vision to see this could be an economic driver as well as a wonderful amenity in east Portland.

Fish: Thank you, commissioner Fritz. Let me begin by saying that your stewardship of system development charge dollars, the fees developers pay, and your focus on investing in east Portland is going to transform the park system for 40% of the population in a place where so many kids and families live. I want to compliment you and I think it will be the cornerstone of your legacy as commissioner in charge of the parks bureau. As to leach botanical garden, each of us who have had a chance to visit the garden and manor house have fallen in love with it. It's a crown jewel in east Portland. It is in my view the most developed and most important park in east Portland and someday it will be competing with lots of other amenities. I am particularly pleased that the way this was structured this was a public-private partnership. Substantial developer fees, substantial commitment by prosper Portland, a metro grant and then the generosity of donors who have invested in the future of leach. We're really talking about taking a local gem and turning it into a world class attraction and we're very proud of what David and his team are doing and grateful. So Thank you commissioner Fritz for your leadership.

Fritz: Thank you for your partnership, now I turn it over to Ross Swanson of Portland parks and recreation and David Portland of Leach Botanical Gardens.

Ross Swanson, Portland Parks & Recreation: Commissioner, mayor, council members,

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my name is ross Swanson, I'm capital project manager for Portland parks and recreation, with me is David Porter the executive director of leach. They are a nonprofit partner that oversees the garden on a daily basis and all the programming that takes place at the garden. We are here to amend a professional technical expert contract in this case a design and engineering contract with land Morphology it's in the amount of \$674,000. It will provide additional design and construction administration services for the leach upper garden project. Approval of this council agenda item will advance design of the first phase project for garden expansion, is a project exciting for east Portland and for the garden. We're here as a result of four concentrated years of effort around design work and capital fund-raising part. David will address the success of the fund-raising part in a moment in which is important for our ability to move forward today. Back in 2014 leach garden friends and Portland parks and recreation entered into a master plan and capital project for the garden it was catalyzed by acquisition of a property just north of the garden formerly called the Davis property. At that time the project hired a nationally recognized a garden team of land morphology and the architecture firm of Olson Kundig the are out of Seattle but nationally known. Their job to master plan and create a development strategy. The goals of this contract are to connect the upper garden with the lower garden and the manor house, we all know create community open space for east Portland, provide a regional draw and nationally recognized garden for east Portland currently most of our recognized gardens are either in central city or west hills. Strategically balancing operations, revenue and growth for the garden in other words as we expand we want to ensure our staff as well as David's staff are able to program at a reasonable rate. The slide you see is a grand vision completed in 2015. In addition to the physical planning efforts a prioritization exercise was undertaken with garden staff, parks and rec to determine what would be the first phase of construction. What you see here is the prioritized elements of the master plan and they were determined by the last three years of work, advance through further design of these elements and has gone through a required type 3 land use, in other words we do now know what all the other bureaus are looking for from us. With the addition of improved infrastructure that runs the garden on a day-to-day busy we have key elements to highlight. The first one is an aerial tree lock that allows access to the forest. Community open spaces which includes a fireplace, terrace and gathering green. Finally a beautiful habitat and pollinator garden with new plantings along the floor. Those are some of the highlights we feel will create an east Portland icon for us, with that I'm going to turn it over to David porter to explain the success of the fundraising for the project.

David Porter: Thank you, Ross. Mayor, commissioners, it's a pleasure to be here again today to talk about project that increasingly looks successful. As ross mentioned in 2014 we had a schematic design for upper garden and about \$2.15 million in funding from mostly Portland parks and recreation and what was then Portland development commission. We believe that that fund, that amount was insufficient to build the botanical garden that would do justice to the expectations of the city and to the residents of eats portland nor did we think it sufficiently honored the legacy of Lilla and John leach the benefactors who gave the property to Portland parks and recreation years ago. In December of 2016 as commissioner Fritz mentioned, she responded to this dilemma by challenging leach garden friends and our wider circle of friends to raise \$1.26 million from private sources. If we succeeded she said she committed to match our money with \$4.9 million in additional system development funds. Just before thanksgiving 2017, a day I think I will not forget for quite some time, leach garden friends announced we had exceeded our target activating the match, we actually hit \$1.27 million there are people sometime sending money. It was very moving. Additionally, metro grant committed \$188,000 to the project and prosper Portland added another \$1.8 million, so the visionary

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challenge offered by commissioner Fritz increased the resources available for this project 363% for a total project of \$9.9 million.

Wheeler: That's amazing. That's great.

Swanson: With expanded revenue the project is on solid footing to move forward with the expanded scope of work. This contract amendment moves us forward under the nationally recognized garden design team that has been involved for three years. The amendment will increase design services contract to \$1.2 million from the original \$433,000. Utilization of the same design team will provide consistency and will help expedite construction. This contract amendment does represent 180% increase in consultant services. It requires council approval. Our proposal is supported by procurement services. We anticipate construction next winter with plans for opening this long awaited project in summer of 2019. This time is critical as leach garden friends relies heavily on the summer garden program for its operational revenue. With that thank you and we're here for questions.

Wheeler: Any questions?

Saltzman: The total budget now is \$9.9 million? That is sufficient to do the job?

Porter: It's sufficient for phase 1 improvements that our schedule have been approved. Yes.

Saltzman: That's the tree walk and all those things?

Porter: The tree walk, habitat and pollinator garden, the aerial.

Porter: The gathering spaces.

Swanson: Improvement of utilities.

Saltzman: Everything you showed us. Phase 1.

Swanson: Yes.

Fritz: That implies there's going to be more.

Porter: This is a project we'll be working on for some time to come. Rome wasn't built in a day and neither was leach botanical gardens.

Wheeler: Any public testimony? Call the roll.

Fritz: Thank you David and the leach board you did an amazing job of fund-raising and it's an honor to partner with you. Thank you to ross and the team at Portland parks and recreation Cristina Nieves and Pooja Bhat on my team have been involved. It's exciting to do something that's going to be I think an international draw, not just even a national or regional draw. It's something that east Portland richly deserves. Aye.

Fish: In addition to all the thanks that Amanda has given I want to shout out to the leaches. They were very public spirited. Hopefully someday Mr. Leach's old pharmacy will be restored. It's quite an interesting building. A shout out to Charles Jordan who saw an opportunity and convinced the council to acquire the site so we didn't lose it. Then to commissioner Fritz who is continuing on a legacy of parks of supporting this and now taking leach botanical garden to a next level. Very proud day. Congratulations to all. Aye.

Saltzman: Very impressive work and fundraising. Aye.

Eudaly: I'm looking forward to visiting. Aye.

Wheeler: Well, this is really impressive. As I was watching your power point presentation, I was leaning over the commissioner Fritz saying, wow, it's a great vision. It's not -- least we can do vision for an iconic space in east Portland. It is I think commissioner Fritz hit the nail on the head. I think it will be a national draw. If it lives up to the current plan I think it will be fantastic. What a great thing for the community. Thank you for commissioner Fritz for pushing and pushing and pushing to make sure this vision comes to fruition and your entire team. Obviously the folks, the many, many people at the garden and volunteers and people who put their blood, sweat and tears into it over many years in the parks bureau and everyone who had a role in this. Further proof that Portland can come together and do amazing things. Thank you to all of you who provided leadership on this. I vote aye. The

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ordinance is adopted. I'm with commissioner Eudaly. We're going to the grand opening together. We'll rent a bus.

Fish: Pretty good gift shop there too. [laughter]

Wheeler: Very good. Next and last item. Item 106, a second reading. It's already been read. It's had testimony. Please read it.

Item 106.

Wheeler: Please call the roll.

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

Wheeler: Again I was absent for this but I had the opportunity to review the record and be briefed by staff. Thanks, commissioner Fish. I vote aye. The ordinance is adopted. We're adjourned until 2:00 p.m.

At 12:21 p.m. council recessed.

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Key: *** means unidentified speaker.**

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Wheeler: Good afternoon everybody this is the Wednesday pm session January 31, 2018 of the Portland city council. Karla, please call the roll.

[roll call taken]

Wheeler: The purpose of council meetings is to do the city's business including hearing from the community on issues of concern. In order to hear from everyone and give due consideration to matters before the council we must all endeavor to preserve order and decorum of the meetings. To make sure the process is clear for everyone I'll review some of the basic guidelines which I hope will help everyone feel comfortable, welcome, respected and safe at the meeting and also ensure that decorum is maintained for everyone. If you are called upon to give public testimony please state your name for the record, we do not need your address. If you're a lobbyist please disclose that and if you're here representing an organization please identify the organization. There will be an opportunity for people to testify and if you want to do so you need to sign up with the clerk. Individuals have three minutes to testify unless otherwise stated. When you have 30 seconds left the yellow light will light up and when your time is done the red light will come on. Conduct that disrupts the meeting for example shouting or interrupting others' testimony or interrupting during council deliberations is not allowed. People who disrupt the meeting face ejection from the meeting. If there's a disruption I'll issue a warning that is any further disruption occurs anyone who is disrupting the meeting will be subject to ejection for the remainder of the meeting. Anyone who fails to leave the meeting after being ejected is subject to arrest or trespass. If you want to show support for something thumbs up is good. If you don't, thumbs down. Please don't shout out. With that we will get to our first item. Item 107, please read the item Karla.

Item 107.

Wheeler: Director Severe.

Constantin Severe, Director, Independent Police Review: Good afternoon, mayor. Members of council, Constantine severe, director of the city of Portland's independent police review and it's my honor to bring before you four very qualified individuals to serve three-year term on the citizen review committee. Two members will be new to the committee. Albert lee and Vadim mozyrsky. Just briefly Mr. Lee is a graduate of cragin university and received his law degree from George Washington university. He is currently dean of business and computing at Portland community college. Mr. Mozyrsky is a graduate of the university of Texas and has served as a clerk at the Texas court of appeals, united states district court for the southern district of Texas and the supreme court of the republic of Palau. He works as administrative law judge with the social security administration. Ms. Malone received her bachelor of art's degree in liberal arts from Sarah Lawrence and her law degree from the university of Texas and served as judicial clerk for john rogers at u.s. court of appeals for the 6th circuit. Ms. Folks is a graduate of Swarthmore and the university -- I'm sorry, Swarthmore college, I should definitely get that right. She serves as executive director at bitch media. She is from Kentucky and moved to Portland in 2006. The applicants that we have before you are --

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Fritz: I think that's the first time that word has been uttered by a staff person in my time in office.

Severe: That's where she works, ma'am. Actually, we have said it before. I remember the first time we were slightly transgressive about that. The applicants that we have before you are highly qualified and that is a testament to the hard work of the ipr staff, particularly Irene Konev. As you know getting community members to volunteer their time to serve their time on the citizen review committee which serves a very important tasks which hears appeals of policemen's conduct cases, makes policy recommendations to the mayor, the police bureau, chief of police as well as city auditor is an incredibly important task. It cuts into a lot of people's spare time and is very difficult for us to get qualified applicants and for us to have the level of skill and professional experience with the current applicants is absolutely outstanding and I would like to thank Irene for her hard work. So at this point that is just my recommendation to you for you to appoint these people to serve a three-year term on the citizen review committee.

Wheeler: Any questions for director Severe? Commissioner Fish?

Fish: Are we going to hear from the candidates?

Severe: I forewarned them that council may want to hear from them so they are prepared to speak if you would like to hear from them.

Fish: I don't want to change up the order. Would it be appropriate for each candidate just to say a couple words?

Wheeler: Why don't we invite them? They made the effort to be here, I would like to give them that opportunity.

Severe: Sure. Come on up.

Wheeler: Thank you.

Kristin Malone: Hi, everyone. I think all of you know me. I'm Kristin Malone I just completed or am about to complete my first three-year term on the committee. I have been the chair for almost two years. It is as director severe said challenging and time-consuming, but I do believe we're doing excellent work. I'm excited to have these new people joining us. We have had a couple new members in the past six months who have really brought a new energy and excitement to what we're doing and I think that in the next yearish hopefully you'll be hearing more about how we can improve our practices and increase transparency. I think that's one of the most valuable things we have been doing and I'm excited to continue the work.

Wheeler: Thanks, Kristin. I want to personally thank you for the time you have spent with me and members of my team to help coordinate and understand the work of your committee and the needs of your committee. So thank you for that I really appreciate it.

Malone: Thank you for your time.

Wheeler: Thank you, good afternoon.

Albert Lee: Good afternoon members of city council my name is albert lee I'm currently the dean for business and computing at Portland community college. I consider this a high honor to be a member of the citizens review committee and I should hope to be installed. I believe this is a great civic duty and one that I feel is very important to have oversight over the police bureau.

Wheeler: Thank you. Delighted to have you. Good afternoon.

Vadim Mozyrsky: Good afternoon. My name is Vadim mozyrsky mayor Wheeler and commissioners. Some of you I have met before and some I look forward to meeting in the future. I moved to Portland several years ago and was welcomed here and I feel it's important as a citizen of the city to give back and I hope to do that to the best of my ability. I'm working with tremendous individuals and great staff at ipr, who I have had training with

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recently and have been educated on a lot of the issues that are before us and once again look forward to serving. Thank you.

Wheeler: Excellent thanks.

Fish: Just want to observe something about the university of Texas law school. I don't know what. My step-brother went there and went on to become a white collar criminal defense attorney doing fisa court work and he had a great experience there. Sir, I notice that your resume, Mr. Mozyrsky, says you're on the steering committee for project search. We're currently doing a pilot with project search at one of our utility's with the hope of making it a permanent program here at the city. What drew you to that work? Project search places people with intellectual disabilities in full-time employment opportunities.

Mozyrsky: My background working for the social security administration has intersected with people who face various adversities in life including disabilities and challenges. It's always I think to the benefit of individuals to find employment that coincides with the difficulties that they face and allows them to be able to be productive citizens. So project search I think is a great foundation for that and helping people find those jobs through internships and it's my understanding that the current individuals that are going through those internship projects here in Portland are doing a very good job and as I understand it will be able to find work in the near future and I think that's a great opportunity for individuals. I think anyone that can participate in that process should.

Fish: Thank you for your service.

Wheeler: Thank you. Colleagues, any further questions? Excuse me. Very good. Public testimony?

Moore-Love: We have four people signed up.

Wheeler: Come on up. Dan, would you like to go first?

Dan Handelman: I'm just handing out these sheets.

Wheeler: Absolutely thank you.

Regina Hannon: Mayor Wheeler and members of the council, my name is Regina Hannon and I am a member of Portland cop watch. With few exceptions I have been attending the citizen review committee meetings for years, and I understand you're going to be appointing the two new members and the two returning members. However, I am concerned that the CRC is not truly representative of our whole community. It is made up mainly of professionals, and I am particularly concerned about the houseless community. In my many contacts with that community, I have found they are particularly treated poorly by the Portland police. They are subject to sweeps, they have their belongings confiscated and they are frequently stopped and asked to produce their i.d. yet there's no one from that community or from any agency that assists them that are members of the CRC, and I believe this is an issue that needs to be addressed and worked on. I'm also concerned about the committee which interviewed and ultimately selected the new members of CRC. It is possible that not one of them on the current selection committee had even attended a CRC meeting. I find that unacceptable and astounding and that absolutely needs to be remedied before the next round of applications begins. Thank you.

Wheeler: Thank you.

Dan Handelman: Good morning or good afternoon, mayor, council, I'm Dan Handelman with Portland cop watch. We don't have any serious concerns about the individuals being reappointed to the citizen review committee or the appointment of Mr. Mozyrsky. However, we are concerned about the comment made by Mr. Lee and his life long friend in the St. Lewis police department. I'll quote from the application "on special assignments including Ferguson and riot control after difficult judicial decisions, as a black officer he has faced ire and discontent from some parts of the black community. He is an excellent officer and one I am personally trying to recruit to Portland". This statement appears to indicate

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Mr. Lee doesn't understand why community might be upset with an officer of color who participates in violent crack downs against protests which are dubbed "riots" by those in charge when only a few people are causing property damage or other potentially criminal acts. That he wants to recruit his friend to the Portland police indicates he may have hidden bias in favor of the police point of view which make him not neutral candidate we want from the crc. However, or more over rather, these two men are filling seats vacated by african-american women Julie Ramos and Kiosha Ford a former of whom resigned without comment in October and the latter chose not to reapply. There should be due diligence about why that happened. There's potential that crc will be going to a less diverse group that had two Latinas on it before, three african-american women and seven of the 11 members were female. These appointments will make crc evenly split at five men, five women. Latina member Ciara Rivera resigned about a month ago and her replacement will be presented to you on February 21. We have also repeatedly brought up the concern that crc went from a group with too many retirees to one that's attempting to exclude older members at this point Mr. Mozrisky who is under 50 will be the eldest member of crc. In a group that requires a lot of time from volunteers it would behoove ipr to send more retirees to council for confirmation. It's very hard to get their work groups together to meet even these days. I remind you here that Portland cop watch warned council last April about reappointing Mr. Jim young who missed kore meetings then he attended. The mayor requested that Mr. Young promise to attend meetings by phone when he couldn't be there in person and he agreed but resigned three months later. We understand the need for the auditor to be independent and we don't want city council stacking crc with political appointees but you are given the statutory authority to approve or reject these appointments for a reason. There's a check and balance of the auditor's office which has perhaps lost perspective in some way, we respectfully submit this may be the case at this point. The auditor is asking you to add two people who are or were lawyers, also being a concern too much in that direction. Chairman alone is an attorney, Mr Young and Ms. Ford were also former attorney's and just had noted that there are no houseless people being chosen. This analysis coming to you from a group that's attended every meeting since inception, it's a lot more than the members of the selection committee have done. The crc used to bundle the applications with the council paperwork and for some reason it wasn't included this time. I noticed last year they included them in April and September but not in august, so its inconsistent. I got one more -- since ipr has wised up and set aside four applications for other people to step in if anyone should resign or be disqualified we urge council to consider delaying Mr. Lee's appointment until the February 21 session and have the auditor bring forward the two most neutral candidates at the time, perhaps he is one of those two.

Wheeler: Thank you, good afternoon.

Robert West: Good afternoon my name is Robert west with film the police 911 and I do have the same concerns as Portland cop watch about lee. I do like the idea that the group has representatives of all the different racial groups. I don't think there are any Asians on it though, but these meetings need to be set up so that people of all groups are represented and that's one concern I have is that there's no or very little Asians on it. I haven't attended within the last six months, but one thing I notice is it's mostly white and few blacks and I didn't like that then and I don't like that and I don't like the idea I think that it should be split up amongst the different groups. Not necessarily nationalities but racial groups, whites, blacks, Hispanics, Asians, stuff like that Indians. Whatever groups there are in the city of Portland I'm sure you can find people that are willing to sit on that board and listen to what the public has to say about their police officers and listen to the complaints and that's what I wanted to bring up.

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

Eli Richey: My name is Eli Richey. I was born and raised in the city of Portland. As a matter of fact, I was not really prepared to testify today I'm really here more with questions. For one, has to do to make sure we stay on topic, the independent police review, which at this point video my encounters with ipr. I have lost absolute faith for accountability of any individuals that are filling the police in the city of Portland and I refer everyone to my YouTube channel which is son of HighTower, police academy inspired from the 1980s. The character HighTower I thought it would be a funny solution and offered the city an opportunity to see cop watch in a different perspective but unfortunately the city seems to have buried their head in the sand further and further. My first interview ever scheduled with ipr was scheduled with an individual named Eric berry. He's an investigator with ipr, and it was scheduled by a Portland police officer. In fact, the desk sergeant I believe at Portland police I have not identified the individual I got on my way to that and I am still seeking answers from the city. I have reported -- I'm not sure if that's procedure or not. When I asked that question on camera I was asked not to film anymore. Since I have been banned from actually going into ipr, and the reason being I guess that it was because I was filming from the public sidewalk and I had asked the security guards about the public notice that's on the window out front and that was used to ban me from ipr. I'm in the process of appealing that right now, but I really have no faith in the new people coming in. I really have no faith at this point. I really want to have faith. I really want these questions -- I would like some answers to these questions and you know, until then I would just recommend that the people of Portland really take this independent police review idea and really embody it for themselves. So I consider myself an independent police review person and that's because again I haven't seen very much independence and public review board here in the city. So with that thank you for your time.

Wheeler: Appreciate it. Colleagues any further questions or thoughts before I call the roll? Please call the roll. Commissioner Fish?

Fish: No.

Wheeler: Please call the roll Karla.

Fritz: Thank you very much for your willingness to serve. Thank you Ms. Malone for being willing to serve again. I look forward to hearing about the changes, the policy changes that council will be considering. I want to thank Julie Ramos who is my liaison to the crc and who I met with as she was telling me she was leaving the committee. I very much appreciate her monthly updates to me and letting me know what's going on. Appreciate her service. Aye.

Fish: These are four outstanding candidates. Two new members and two being reappointed. I'm grateful to both for someone to step up and take this on as a new assignment this is very challenging work and we're looking for great people and I think we have four outstanding candidates. Too the two individuals being reappointed we have a special thanks that you're continuing to prioritize this service because we know you have a very busy life and we're grateful for your service. So thank you all. Aye.

Saltzman: Yes, thank you for your willingness to serve and to serve again. Appreciate it very much. Aye.

Eudaly: Thank you for your service. Aye.

Wheeler: I appreciate Mr. Handelman noting that there is a bit of a back and forth here. The independent police review process is intended to be separate from the city council, separate from the police bureau, and certainly separate from me as the police commissioner. So I want to call that out and acknowledge what was said and it's for that reason that I'm very reluctant to micromanage manage the selection process. That being said I think the candidates that have been put forward are outstanding and I appreciate the

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willingness of people of this caliber to step forward and be able to volunteer on what is obviously a very, very challenging but extremely important commission. So thank you for your service. I vote aye. The resolution is adopted. Colleagues, we're going take a five-minute break as the next item is a time certain at 2:30. We'll reconvene at 2:30 and we will take up the proclamation on black history month. We're in recess.

At 2:26 p.m. council recessed.

At 2:30 p.m. council reconvened.

Wheeler: We are in the rules here, we are now reconvened. Please read the next item.
Item 108.

Wheeler: Welcome and thank you for being here today and thank you for your patience. Portland has been greatly enriched by the collective ingenuity, creativity, contributions, culture, sacrifices, achievements and traditions of black Americans. A significant part of that contribution has come from the sacrifices black families made in times of war and specifically by our veteran's. There's a lot to know about the approximately 31,000 veteran's in Portland. Are veteran's finding prosperous employment or businesses? Are they getting access to the healthcare and to the housing that they need and that they deserve? Of the approximately 225 veteran's employed by the city of Portland, 22 are black. Today we are honored to hear black veteran's from Portland in the city of Portland work force as they offer us some insights and personal experience. I encourage all public officials and city staff to engage the public with black history to better understand the needs and concerns of our black veteran's. I would like to take this opportunity on behalf of the city council to read the proclamation that we are celebrating today. Whereas in 1915, dr. Carter Goodwin Woodson, noted black scholar and son of former slaves, founded the association for the study of african-american life and history and initiated black history week on February 12, 1926.; And whereas during black history month, all Americans are encouraged to reflect on past successes and challenges of black Americans and continue to uphold and live up to the ideals of freedom, equality and justice. We celebrate the many achievements and contributions made by black Americans to Portland's economic, cultural, spiritual and political development; And whereas the 2018 national black history month theme is African-Americans in times of war, a resilient spirit; And whereas reflection on the black American experience in times of war helps us to remember the significant contributions and sacrifices black Americans made for our nation, Oregon, and Portland; And whereas in Portland world war II is a significant marker for migration of black families to Portland and Vanport to build and serve on ships for that war effort; And whereas as black veteran's experienced opportunities for advancement during the war, they also witnessed repression, lack of memorialization of their contribution and systematic withdrawal of benefits ranging from housing to health care; And whereas the housing crisis and politics of gentrification, black veteran's and families faced after the Vanport floods is still very much felt in Portland; And whereas we recognize the contributions of black community organizations, nonprofit organizations and advocates who continue to uplift the black community in Portland and call for racial justice and an end to economic and social inequities. Now, therefore, I, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim February 1 through 28, 2018, to be black history month in Portland and encourage all residents to observe this month. I would like to take the opportunity now to pass this on to Kim McCarty, she is the program coordinator for the Portland housing bureau. Welcome. Thanks for being here. [applause] we'll hear some testimony from some invited veteran's and then if it's okay we would like to take a picture with the whole city council down front.

Kim McCarty, Portland Housing Bureau: We would like that very much. Thank you. I'm Kim McCarty from the city of Portland housing bureau. Good afternoon. Thank you, mayor

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wheeler, council, commissioners. Today on behalf of the city african-american network we're kicking off city events for black history month. I'm proud to introduce our black veteran's who will share black history, which is also America's history, from their perspective. We have three speakers today. Our first is Frazier Raymond, Jr., u.s. Army retired. He will be followed by jonathan ross, who served in the u.s. Marine corps and Javarr Requena, who served with the u.s. Army with the 82nd airborne division. I'll say more about each one before they present and in the presentation by inviting everyone to the atrium for dessert and to see the historic black Williams project. So first, our speaker, Frazier Raymond, Jr., u.s. Army is retired, he is president of the buffalo soldiers pacific northwest moss Williams chapter. He's joined by T sharp, sergeant of arms. The moss William chapter is committed to preserving and recognizing the contributions and commitment of the buffalo soldiers. The buffalo soldiers of the moss William pacific northwest chapter are involved in various community service activities including flag bearing ceremonies, mounted calvary, units in the rose festival and the Hollywood parades, camping trips, lunch event for inner city youth and the chapter is also developing plans to create a housing program that would offer shelter to young adults and families.

Frazier Raymond Jr: Thank you. Well, as she said my name is Frazier Raymond, jr. I come out of Louisiana in 1950 and I joined the military at 18. I'm kind of nervous, though. Anyway, I went in at 18. Combat veteran at 20 and I spent 22 years, ten months and 17 days on active duty. I didn't think I was going to get this emotional, but -- I married, the father of three children their all grown, I have a stepdaughter she's about to graduate from college after three years. My wife and I live in northeast Portland. I have been in Portland roughly I guess 17 years. I came here 2001 and I attended Portland state where I studied urban planning and community development where I learned just enough to go home and stay out of everybody's way. [laughter] I Fished for a while. I just -- you know. When you come out of a regimental life-style and then you go into one where for me, you know, in civilian world, half the time nobody is in charge. I understand that's the mechanism in place, whatever, but when you come from a structured environment to one that's not as structured, you have to find your place all over. I went into the military at 18, I came out at 40 I knew that structure. I served the government in various capacities. I have serve served around the world. I have been in some places and traveled with a two-person team, but I did what I had to do for my country. Anyway I retired here and I recently joined the buffalo soldiers and there's a man by the name of bill Morehouse, he just recently passed away and I was still running errands for that guy today. He was a world war II veteran and he served the Vancouver barracks, he lived the Vancouver barracks. They are going to honor him with a plaque and a bench and a tree in front of the barracks he lived in, but Mr. Morehouse served in the segregated army. He would guard the Italian and German prisoners of war. They were allowed to go places in Vancouver where he had to stand outside and watch them, but he did his duty and that's one reason I'm still at the buffalo soldiers, I'm still serving today. We're a small outfit but we're united states army sanctioned and as far as the buffalo soldiers go they served from the time of Crispus Attucks until now. The buffalo soldier, even though the designation has been changed, the 10th cavalry still exists so therefore the spirit of buffalo soldier exists and as long as there's an American and armed forces the buffalo soldiers will continue to serve. They served in the Philippines, the unit stationed at Vancouver barracks 24th infantry was the same unit that went to the Philippines. Teddy Roosevelt went up San Juans hills 10th infantry cavalry that led him up that hill, history bears that out. Moses Williams is buried in Vancouver cemetery, national cemetery, Vancouver. Moses became an ordnance, one of the first African-Americans to obtain that position because the ordnance was a position not a rank because he was assigned to the installation, not a unit. Make a long story short fort

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Stephens they took the garrison from fort Stephens and sent them to nearby fort Canby because that was under repair. Since the army promoted Moses Williams to an ordnance it's like what do we do with him now? Let's send him to fort Stephens where he can serve by himself for two years, which he did. At the end of his two year assignment fort Canby repairs were completed and history tells us that the old soldier retired after 37 years of faithful service to his country, but he was forced out. He came back to Vancouver, died a year and a half later. Like I said, this chapter is named for him and as long as the buffalo soldiers are around bears his life this chapter will live. Thank you.

McCarty: Thank you so much.

Wheeler: Thank you so much. We appreciate that.

McCarty: Thank you. Our next speaker is jonathan ross. Come on up, jonathan. Jonathan is a united states marine corps veteran. Part of his six years of service include responsibility for ensuring the successful operation of food services, recreation facilities, employee services and administration of funds acquired by the association totaling over \$2 million. Now he's a full-time student and does work study for the public affairs office for the veteran's' health care system at ohsu.

Wheeler: Thank you. Welcome.

Jonathan Ross: Thank you for having me. Like she said my name is jonathan ross. First and foremost I would like to thank everyone who made this opportunity possible for me. It's an honor to have the spotlight and share a bit of my perspective with you all. I grew up not far from here and I have lived in multiple parts of the city. Originally I saw this world very different as we all would surmise. I saw the city as a child with minimal understandings. Depending on people around me, my peers and role models, like we all naturally do, I began to take root and grasp some of the concepts of ones I admired, respected and looked up to. Along with this admiration naturally came a responsibility to protect, which led me to where I am today. I remember walking down the hallway in my high school and seeing military branches organizing pushup challenges and you know what I did, kind of -- I did those pushups and to be honest I had no idea the difference between the branches. I had actually joined the army debt program before the marines and saw the marines work a little bit harder so switched teams. My recruiter didn't lie when he told me it's not going to be easy and that much sacrifice will be required. At a young age when we signed such a daunting contract, none of us really realized the true commitment that we were about to take. Two months after graduating high school, I was going through a very thankful process, marine corps boot camp. Nowadays I tell people my horror stories and I get responses like, oh, that's terrible. How could you do that? People always perceive the experience as terrible, extremely difficult, but what I find that it's most funny is nobody ever asked how did all 80 of us live in one barracks for three whole months. We were all different, all from different states, different colors, came from different cultures and had different beliefs. From all walks of life, but you see the hardest part within the marine corps is to recognize that we're all equal. It only took a few months for us to grasp this, it's taken the country a little bit longer but we're getting there slowly. So after boot camp comes marine corps combat training then primary jobs as it all it, and to my knowledge at that point we had worked for some time but, no, you get thrown into the fire pretty quickly. Had about three months to learn my job and endured about six months in a combat zone using those skills. 19 years old in Afghanistan really puts a perspective on young minds. I spent many nights wondering where my friends were at college and war is sufficient a nasty business I would rather not bore you with timeless delusions of grandeur. After my combat deployment I felt compelled to start to continue serving my brothers at a higher capacity. I wanted to make monumental changes in the world that I lived in. In Afghanistan I started the process of becoming a marine security guard, one of the most prestige special duties

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in the marine corps. My first application was denied, no matter, I tried again, try harder and through perseverance I made that job my job. Long story short, extreme training conditions, they were so subtle it was almost poetic. Nonetheless I was persistent, I didn't see failure as an option, no marine sees failure as option. At this point in life failure was foreign to me, they became more like speed bumps, they slowed us down like they do all people but they never meant to stop us. I continued to do that on my first post in Bogota, Columbia, where I lived for two years. I became a defensive tactic instructor for the ambassadors private detail, I provided security for notable VIP's like Mr. Joe Biden and many others. I had opportunity to gather knowledge and insight from gentlemen like Eric holder and secretary of defense and many other esteemed men and women and still may I remind you as a young black man no more than 22 years old doing all this work, being a marine 24/7, seven days a week, is no easy task. There's a sacrifice needed in every choice and with sacrifices come opportunity. After south America I went back to Islamabad, Pakistan, where I continued my duties and also became marine corps martial arts black belt instructor. That consisted of a lot more training and pain and I think we can safely assume you all know what I did. I got through that school with a lot of style and perseverance. Later that year came even more great opportunity. I was elected by the embassy to take the responsibility of vice chairman for a multimillion-dollar association. I can't get into the details of a monster of a job that was but as a 24-year-old marine the only thing I knew was failure was not an option. I held that position until I left Pakistan where I was given plaques and letters of recommendation I'm very grateful for that experience I had. I have always been a man of extreme focus and as I started to transition out of the marine corps, which is always an incredibly agonizing process, which I plan to do something about in the near future, I received several overseas job opportunities, jobs that paid a heck of a lot more than jobs I would get back home as a 24-year-old black kid. I had an amazing skill set but still had to compete with the education factor and our education is extremely important. So naturally I chose contracting for a while, avoiding the inevitable process of coming home and trying to blend in. What most people don't realize about the military is there's a shared pain that acts like a social glue, it fosters cohesion and solidarity within groups. Between those shared painful experiences and as a black marine it made no difference what color I was nor as a societal biased we are also equal. I returned feeling like a completely different person more or less, more confident. I had a sense of self and a sense of purpose and at that point I didn't realize the preconceived ideas and preconceptions that society was putting on me before I got off the plane and I think a lot of us struggle with that reality. When I return to Portland I realized the hard truth, I left the city with one mind set and when I came back my perspective had changed based off my experiences in other countries and I no longer felt at home. The society that I grew up in no longer felt familiar. I'm not going to lie, the transition from marine to student is difficult. From active duty marine to veteran is challenging. Nonetheless we persist. I'm not just another entitled millennial, which is loosely thrown around. I'm not just a 26-year-old black kid that grew up in northeast Portland. Society assumes a lot of things about us. I'm a proud marine. A dedicated college student, and a resilient black man. I have been to six of seven content continents, 22 countries, and I'll end with this. The framework in which we structure our societal norms is the same framework I believe causes such a platform disconnect and tension. Its more than I have seen in any other country and the solution is simply put in our everyday lives. I truly believe Portland, which is why I love Portland, is going to be a frontrunner for changing this. Thank you.

Wheeler: Thank you. [applause]

Ross: That's maverick. He's my companion.

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McCarty: Thank you. Our next speaker is Javarr Requena come on up. Javarr Requena a member of the city african-american network. He's been with the city for five years as finance staff person in the office of management and finance. He spent eight years in the u.s. Army with the 82nd airborne division, he has multiple tours in Iraq and Afghanistan, he wants people to know as a vet everyday life sometimes has a difficult task for issues ranging from ptsd to injuries sustained within the time of service.

Wheeler: Thank you.

Javarr Requena, Office of Management and Finance: Mic check? Mic check? Okay I'm originally from Nassau, Bahamas. Where I was born. From there I moved to Miami I was one or two and I spent 10 years in Miami. Then moved to Atlanta, Georgia, I'm a Georgia boy, I'm a big fan of boiled peanuts, you should enjoy it. I played sports in high school I was a track and football star. I thought I'd a couple scholarships but they kind of failed out. I was supposed to go to the university of Florida and run track but I got in trouble with the ncaap, so I didn't go run track for them. I ended up two years of community college in Atlanta, just didn't have enough money to go to school, as most kids in the inner city money is kind of an issue. So, I joined the military to get out of Atlanta, try to do something different, see if I could actually do it, really. I went there, you meet your recruiter, you find out what your job is going to be. Ended up getting a job as combat engineer and ended up getting an airborne slot. What is a this? So you jump out of airplanes for a living. I said "that sounds awesome so let's do that" I signed up for that. Not a really good choice my body feels it now. End up going to fort Leonard wood, Missouri, spent a harsh winter summer there, crazy, mosquitoes big as our bodies, but it was great. Ended up doing that, going to ait, its where you learn how to do your job and stuff like that. End up taking a bus ride from Missouri back to Georgia, fort Benning Georgia, to go to airborne school, which is great, kind of scary when you figure out you're getting ready to jump out of an airplane for a living. That's kind of what you do. Seen a lot of injuries, people's shute don't open, people landing in trees because of the wind, kind of land on their face when they try to get out of their shute, one girl I feel bad for her didn't graduate because of that. Ended up going to the 82nd airborne division to my surprise I was told don't make any big purchases we're getting deployed in three months. Ended up going to Afghanistan in '03 as a 21-year-old whole new world. When you're on the plane going through Germany, it was like "ok we're going to war, we don't know what that is because its kind of all new to us". Ended up opened the airplane once we got to Afghanistan it was real. When you open that door you feel the heat, yeah, you at war. Everybody got serious, it was time to go to battle. So in Afghanistan 30' this is the beginning of the war almost there was not a lot of things there. So when we went there definitely lot of sand storms never been used to that, especially being from the south I didn't know what that was until it hits you and you can't see in front of you. There's no stars on that side of the country, so it's pitch black dark at night, so its really hard to see so you have to carry a flashlight with you at all times. Ended up going to Kandahar doing missions out of there and ended up going to Bagram airfield up north in Afghanistan. Doing missions out of there I became part of a qrf force, it was my job was to protect the president of Kabul. So, if he ever got engaged, there ever was an issue my team would take care of those guys. As well as other groups like special forces, army rangers, marines, anyone who went down it was our job to help them get out of the situation. That was crazy, plus my helicopter almost crashed nine times while doing those kind of missions. Oh, yeah, nine times, one time the engine actually stopped propelling in midair. As we're falling down, everyone buckling their chin straps it was like this is how we go, so everybody kind of holds onto one another, then the helicopter almost crashed the wind helped the propellers repel again and we continued our mission like "okay guys false alarm" so everybody kind of relaxed again that's army guys, that's how we are. We're a

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little off. So over there I spent 13 months in Afghanistan and that was my first deployment, going to Iraq a couple of times. So my last year in Iraq was in Ramadi that was west of Baghdad, so like Fallujah everybody knows about Fallujah, but Ramadi was the next city over which was pretty bad. When we got there, it was pretty much dark there were no lights on at night and our patrols would come through, people with flash their lights to let the enemy know we were coming and we had on all the lights you could probably see us from miles and miles away. It was like please, shoot at me we kind of want bullets to ricochet off the vehicle so we can feel alive in some instances. There were a ton of missions out of there. There was a good book called extreme ownership written by a navy seal who was deployed the same time I was I noticed this navy seal as well and it's a pretty good depiction of what was going on in Ramadi at the time. It was a pretty bad area pushing out al Qaeda, Taliban, whoever it was and it was a lot of ambushed. We got ambushed a lot there and in some instances, some foreign operation bases you see bullets flying over your head, a daily occurrence like it was nothing new to see bullets fly over your head or bullets getting rpg'd or grenades launched from rooftops that was kind of the norm. It got to the point where you could hear certain sounds like an ak-47, m-4 and 240 bravo, mortars and you know exactly what it is or like vehicle bomb ieds or and ied because of the explosion because you hear it so commonly you know exactly what it is. In some instances where we got bombed in the base a couple mortars landed, some were duds and we actually walked right past it like "oh, a dud, didn't go off today" and that was a daily norm for us especially in Iraq. From there I took a 3 level powered ied to the face and survived, it was a bomb of a whole 8 feet wide 6 feet deep, so ied's pretty much a road roadside bomb, its pretty major. I should be dead honestly it was a big blast but I had a brain bleed, I was blind for 24 hours, had internal bleeding, had to get medivacked out and that's when I knew I was done, I was done with the military at that point cause I almost died a thousand times I think that was my last life in a sense, I used about 50 kind of crazy, but yet that was it for me. After that deployment we came home, demobilized and found out this is what happens when you come back from overseas, you come back from pretty much hitting the gas hard, it's a okay, now you're back don't kill people goodbye. That's all we got it was no, here's counseling, here's a chiropractor to go to none of that. I had an issue with my spine I didn't know about and had to go to the chiropractor to fixed and the military doesn't have any chiropractors I'm not sure anybody really knows that. When you carry 80 pounds of gear plus a backpack that weighs 120 pounds it compresses your spine and the military doesn't do anything for our backs at all. So, no issues with the concussion, I had when I came all the way back if I had a brain bleed cause I couldn't remember anything. So, I would go to school I finally ended up going to school, I would read something and I couldn't remember the information because I had a brain bleed in the left hemisphere of my brain that I didn't know about. So, I had to go to a cat scan, I had to get about nine of them because of they were the size of a dime that I would suffer from overseas, so I had traumatic brain injury. On top of that going to school with ptsd is a totally different monster, it pretty much turns you a 180 of your true self. So if you're a confident go lucky guy it makes you 180 of that the total opposite of you. So, I was second guessing myself, I was not confident, I wasn't happy, I wasn't anything, I was pretty much a sad shell of myself in a sense. That took about two, three years to get out of that. Going to counseling, getting on medication and the medication they give you because I could only sleep 45 minutes a night, I couldn't sleep longer than that, my mind and my body would not allow me to do that. The medication they give you it puts you right out, you have to sleep eight hours, you have no dreams, you don't remember anything, you don't do anything, you sleep, you're like a rock, but if you don't sleep the eight hours off you're groggy it's pretty bad. That's all they give you, the counseling, the v.a., they don't do enough for

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veteran's and its not just African Americans, but veteran's period. We're suffering as a whole 22 veteran's kill themselves a day. The trouble we go through, I have seen the whole human body exposed to oxygen. Whole human body and that's something I have to deal with the rest of my life. If I didn't have counseling, if I never talked to anyone, if I never did anything with that I would always reliving my dreams over and over and over again, it's not a good feeling, its not at all. So the v.a. doesn't do anything for us in that instance, they are trying their best but it's not enough. We need more, the city could help out the veteran's with that that would be great and it's a tall task, there's a lot of us out here but we are hurting. We definite could use some help. So, after that ended up going to school, finished my bachelor, master's degree, try to get a job. That was a difficult task period, veteran, not veteran's it's hard trying to get a job. I interned for a whole year to finally get a job with the city, I interviewed 13 times, my interview skills were poor. As a military we're short so you ask questions we pretty much say blah, blah, blah that's it. We would never go into detail of what's one, two, three, four, five, because we're not used to that our stuff is short. If you say this is who you are, affirmative, that's it or continue a mission it's simple stuff. We just need more especially in the job market. Maybe there's way you can reach out to the v.a., maybe look at some veteran's who are looking for a job but don't have the skills, maybe you can do something to assist those veteran's, with ptsd, people that are hurting who don't know where to go or what to do. That would be grandiose for us. Trying to think what else. That's about it. I worked for the city for a while and it's been great for me, especially being a veteran, helping other veteran's around the city. There's some great ones in the city, people you all have recruited to work in the city are great. There's a ton of us that are in the city and we're happy to be here, happy to help out, happy to be part of whatever you need us to be a part of. The thing about veteran's, we're positive people, we have been through hell and back and we have seen it all. There's pretty much nothing you can do to us that will make us feel bad because we will push our body to the brink and return, so we know what the bottom is, but we just need help. We need you all to do you your job as the city and give us a leg up because we could definitely use it. All right. Thank you. [applause]

Wheeler: Thank you.

McCarty: Come on up, please. Eileen, are you here? Okay. Just a few more comments. Sholanda, are you here? No? Okay. Thank you. First and foremost I want to thank our co-organizer tosin and Irene from pbot. Thank you. You may have noticed that most of our presenters were men and of course women are also serving. I did ask some of the women to present today and unfortunately they could not but they asked me to share a few comments from them. So let's not overlook the black women veteran's in Portland. The women that could not be here today want to say there's a lot that the city can do for veteran's that veteran's cannot do for themselves. For example, the veteran's administration health care system is failing black women. For reasons systemic to the veteran's administration and for reasons of sexism and racism. Health issues for female veteran's include being vulnerable to more violence after initial military service injuries. I was also asked to remind all staff to understand and use the veteran's preference system at the city of Portland when hiring and when recruiting black veteran's and recognize the skills that veteran's learn during service translate into skills that we seek at the city and they make for a very skilled work force. So thank you for listening. We're going to invite you all to take a photo with our presenters today, and then to join us downstairs in the atrium. We have an exhibit of the black Williams history project and then we also have some additional speakers specifically one of the organizers from the first black history -- help me festival. It's going to be one of many in the coming years. Thank you.

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Wheeler: Colleagues, I would invite you to say something at this point if you would like. Commissioner Fish, did you want to start?

Fish: I just want to make one comment and first I want to thank everybody for joining us and thank our heroes for testifying and sharing their stories. Yes, we do have a veteran's preference and we have to be scrupulous in applying it and we need to do a better job of outreach. I just want to share one quick story, I watched the state of the union last night and I couldn't help but think about Barack Obama and I remember his state of the union and how it lifted us. We all have our own views of last night's state of the union which I felt was a very divisive speech, but I have only been invited to the white house once in my life and it was because senator Wyden arranged a visit. I went with Bernie foster from the scanner and I went with George hocker, who works at the county. The ceremony was the president of the united states awarding the medal of honor to henry Johnson and there was an undercurrent in some of the presentations today about how the military in the last 100 years has treated the black soldier and the extra burdens faced by the black soldier. Henry Johnson was a member of the 369th, the Harlem hell fighters and he was considered one of the bravest men of his generation. He ended up dying a pauper on the streets of Albany, forgotten, but it turns out he was a very, very brave man but there was no way for America to officially recognize his service because in the Jim crow army he was not allowed to wear the uniform of the united states so he fought wearing the French uniform, not the American uniform. Even though he was fighting the same war on our behalf. Because the French government acknowledged him to be the bravest soldier who had ever worn their uniform, and they awarded him croix de guerre with palm, it took 100 years for this country to recognize this man's service and bravery. It took the first african-american president, Barack Obama, to actually insist that he get the medal of honor, our highest award. I want to acknowledge also the fact that Bernie foster, who was the publisher of the scanner, wrote an award-winning series of stories about henry Johnson and it was our senior senator who then got involved to make sure this wrong was righted. That's 100 years ago and he fought to defend our freedoms but wasn't allowed to wear the united states uniform and did not fly the united states flag. Flew the flag of his state. We have come a long way and we have a long way to go, but the stories we have heard today of african-american leaders in our community serving is very inspiring. Our city would be foolhardy not to find ways to hire more veteran's because obviously they would bring distinction to our city. So thank you. [applause]

Fritz: I'm glad you came back up because your story reminded me of the first director of the office of equity and human rights, Dante James, and African American who was military security and did security for first lady Hillary Clinton and then did a phenomenal job over five years at the office of equity and human rights. We would not be where we are as the city of Portland without his leadership and so I hope that you are looking for leadership opportunities with the city and in our community because you're certainly well qualified as was Dante. Thank you. I'm also wondering, are there other veteran's in the audience today? Would you please raise your hand? And other city employees who are part of the african-american network, please raise your hands. [applause] thank you for this presentation today. It reminds us the important work that we all do. Thank you.

Wheeler: I'll just say this because I can't add anything to the stories that were shared here today except my thanks and my gratitude. As we heard up here at the microphone, these veteran's went to hell and back, and they did it for us and now we owe them and so thank you for the concrete suggestions also made around the veteran's administration and health care services and what we can do to encourage the employment and economic prosperity of veteran's in our community and thank you for the courage that you exhibited by sharing your stories here today. I can't tell you how important it is that you did that, so thank you all

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of you. Why don't we -- could we reconvene in front of the mikes and get a photo? That would be great. Thank you for your time. I really appreciate it. We are adjourned.

At 3:10 p.m. council recessed.

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Closed Caption File of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

February 1, 2018 2pm

Wheeler: Good afternoon everybody this is the Thursday, February 1, 2018 session of the Portland city council. Please call the roll.

[roll call taken]

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 due consideration to matters before the council we must all endeavor to preserve the order and decorum of these meetings. To make sure the process is clear for everyone I want to review guidelines which I hope will help everyone feel comfortable, welcome, respected and safe at the meeting and also ensure decorum is maintained for all of us. Today there's one opportunity for public participation. If you want to sign up, please do so outside there's a little table otherwise let Karla know that you would like to testify. Please state your name for the record we don't need your address. If you're a lobbyist please disclose that. If you're representing an organization please identify the organization. Individuals have three minutes to testify unless otherwise stated. When you have 30 seconds left the yellow light will light up. When your time is gone the red light will come on. Conduct that disrupts the meeting for example shouting or interrupting others testimony or interrupting during council deliberations is not allowed. People who disrupt the meeting face ejection from the meeting. If there is a disruption I'll issue a warning that any further disruption occurs anyone disrupting the meeting will be subject to ejection for the remainder of the meeting. Anyone who fails to leave the meeting after being ejected will be subject to arrest for trespass. If you want to show support, thumbs up. If you don't like something, thumbs down. In this chamber we do not cat call people. We don't hiss or make comments about them behind their backs. We assume when people come to the microphone not everybody has the same opinion, so let's all just be respectful of other people and give them the opportunity that they have earned to speak their opinion. So with that cheerful note, please read the first item.

Item 109.

Wheeler: Commissioner Saltzman.

Saltzman: Thank you mayor, since we last met on this topic in early December staff has been meeting with council and making updates to the original amendments, original exhibits, excuse me. I would like to withdraw the amendment from December 6th and offer the substitute exhibit a, and the substitute exhibit c, in front of you.

Wheeler: Any objection? Not seeing any objection, the substitute is accepted.

Saltzman: Thank you.

Fritz: Have we had that prior to today.

Saltzman: Have what?

Fritz: The substitute has that been circulated prior to just now?

Saltzman: Yes, it has. Additionally I would like to add to the record a letter of intent dated January 24, 2018, and that's also before you and staff will now review the updates and additions, so please introduce yourselves and take it away.

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Anne Hill, Portland Bureau of Transportation: Mayor wheeler, the rest of city council, my name is Anne hill and I work for the Portland bureau of transportation as a program manager in the development permitting and transit section. I'm here with my colleague Kurt Krueger.

Kurt Krueger, Portland Bureau of Transportation: Kurt Krueger, transportation division manager for development services.

Hill: He's going to be in charge of the slide show and answer questions. Today we'll review highlights from the December hearing presentation including providing background, reviewing the Itic maximum, the allocation methodology and the additional code updates we have made since then. I will then close the presentation and open it up for questions. So really quick, we did go over this in December but how big is this problem? Again, it's been decades in the making resulting from annexation. While Portland has had these 250 miles of unimproved residential side streets for decades the cost of the city's backlog of transportation projects is far greater than the city's available transportation funding. This requires the city to prioritize our transportation investments and the city has done so with grants and opportunities that prioritize projects that carry more people, shift modes and achieve the goals of vision zero. The Itic was developed to specifically address one aspect of the city's problem with unimproved residential streets. The fact that infill development was occurring throughout the city and in many situations was not contributing anything to solve the city's infrastructure problem other than signing waivers of remonstrance. The Itic guaranteed all new development would contribute to solving the problem through paying a fee, unless frontage improvements were made on site. The Itic is not an in lieu fee, its not a tax and its not an sdc, instead the Itic is a transaction fee. So just as a refresher applied to single dwelling zones on local service streets, the charge is \$600 per linear foot based on the total linear frontage of the property adjacent to the local service traffic street. As of July 2017, \$1.8 million has been collected, this map before you shows the collections by neighborhood coalition. The estimated cost to improve all 250 miles of unimproved local residential streets city-wide is \$1.5 billion. That calculates to \$6.3 million a mile. Thus the Itic revenue by itself will only be sufficient to address a very small fraction of the city's unimproved local service streets. When the city adopted the Itic, city council directed that all Itic revenue would not be spent until council approved an allocation methodology specifically how decisions will be made in the future on expending the Itic. So today what we are asking support for is the Itic maximum then several updates will go through with you that are code amendment. So the low income ohe owner occupied exemption, appeals process and finance option, the Itic allocation methodology and code amendments. As we discussed in December pbot found that Itic to pose a financial impediment to residential development for a small subset of properties with abnormally large frontages on unimproved streets especially corner lots. The Itic maximum establishes zone specific per lot maximum numbers to the Itic. While it's anticipated that revenue could be impacted by 25% because many projects are on hold as a result of this fee, we anticipate some of those projects being implemented thereby neutralizing the impact of the maximum. Staff has spent the past two months addressing several equity concerns of the Itic charge through changes in code and I believe in your exhibits the highlighted sections are the ones we added since December. The first code and rule update is owner occupied low income exemption to complement the affordable housing exemption under consideration. In this case, a low income applicant intending to live in the house or on the property may request an exemption for development of a property on which their primary residence is located if the applicant has a gross income of less than 50% of area median income as established by hud. This process and its requirements are consistent with the bureau of development services administrative rules for low income fee waivers for land use review

applications. The second code and rule update is to allow Itic exemptions to be appealed to the pbot administrative review committee. Notice will be provided pursuant to city code chapter 3.130.

Fritz: What is the pbot administrative review committee?

Krueger: Commissioner Fritz, when we did the colocation reforms in 2009 we created two appeal processes I think you're familiar with. The appeal panel which includes members of the public, then the appeal board, with chief engineers. After about two years of working with those two groups decided there needed to be administrative level of review composed of section managers from transportation, water and bes. So we vet most appeals today through that group and only a small segment work their way up through that. We propose that administrative review group to be the review in this exemption process.

Fritz: That's within transportation. Is it staff only or are citizens on it?

Krueger: Staff only.

Hill: Finally the code will allow staff to promulgate rules to establish a financing mechanism for Itic applicants to consider. So now we have covered the Itic maximum, which we talked about in December and the code and rule updates that we have made since the hearing. Now we're going to turn to the neighborhood streets framework specifically the blue section on your screen, the Itic financed improvements. Quickly moving clockwise from the blue section the remaining three elements of this chart, the maintenance of 50 miles of dirt and gravel streets, pedestrian improvements for underimproved residential collectors, and residential local improvement district or lid enhancements will not be funded using Itic funds. Instead pbot is committed to working towards identifying different revenue sources for these elements in the future.

Fritz: What was the rationale for not allowing Itic to be used for the neighborhood collective pedestrian improvements?

Hill: We can use the Itic funds for the neighborhood collectors, but there are so many neighborhood collectors that we also feel we need to continue to work on specifically addressing those. They absolutely are allowed to, we can use Itic funds but there's not enough funds to address that issue and we wanted to keep that issue at a forefront.

Fritz: Thank you.

Hills: So moving on to the Itic allocation strategy as reviewed in December the team used the outreach process to answer a series of questions before you related to finance and budgeting of the funds, what types of streets these residents wanted to live on so sidewalks, pedestrian improvements, storm water and how to select the projects. This feedback was used to develop a set of clear and equitable principles to guide future decisions on funding allocations, street standards along with allocation methodology for project selection. I did want to remind you of the bureau of environmental services partnership with pbot on Itic funded projects because of recognition of storm water volume that originates from streets. The portion of capital costs for local street improvements related to storm water management and limited availability of Itic funding. Any bes funding contributions would be directed towards storm water system benefits. This partnership will include a financing structure to accelerate project timing and provide long term program certainty by combining resources city-wide rather than geographically segregating pots of money. So the city may be able to improve 1.5 to three miles of streets every ten years leveraging the Itic funds. The second area of program development related to types of streets the city would complete. Since council has adopted alternate transportation and storm water standards to be used on select streets, and community feedback supported a desired flexibility when addressing safety, mobility and feasibility, Itic funded projects will use a standard strategy adopted from the Tryon Stevens neighborhood plan to match the best option to the street segment reviewed. After all not every street needs two sidewalks

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and a traditional street standard, however storm water, pedestrian improvements and traffic calming elements are the priority with the financing model and street standards matrix in place, the third leg of the design of the allocation methodology for project selection. Again, this methodology is intended to be repeatable anticipating recurring rounds every ten years of capital investment. So the slide before you shows the allocation methodology does stay consistent with the city's equity goals, ada requirements and adopted neighborhood transportation and storm water plans. It responds to public input, seeks to leverage other available funding sources and uses the best available data and methods for identifying high priority transportation and storm water improvements. The Itic allocation methodology establishes three fundamental criteria to determine a short list of the highest priority unimproved local residential streets projects to be funded with Itic. The first criteria is equity to prioritize improvements that are in areas with high concentrations of underserved populations to ensure that everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being and achieve their full potential this was reinforced by results of the online community survey and was especially true for Portlanders who responded to the survey in languages other than English. The second criteria is effectiveness. To prioritize projects that support connectivity and fill critical gaps in the city's transportation and storm water infrastructure. Effectiveness for transportation emphasizes roadways that can serve as safe, ada-accessible, multi-modal connections to neighborhood parks, schools, transit and nearby amenities. Residents on unimproved streets that participated in focus groups placed a high priority on projects that will make the most positive impact on the transportation and storm water systems. The final criteria is efficiency, so to prioritize projects that are consistent with adopted plans informed by the results of robust community involvement efforts cognizant of other related cip improvements occurring in the city and that make efficient use of limited city resources by leveraging other funds. The allocation methodology establishes these three long term guiding principles for project selection, driving database decision and city need. What does the allocation methodology look like for the 2018-2028 funding cycle? Beginning with equity we will use three of the factors from the transportation system plan or tsp process, the percentage of low income households, the percentage of communities of color and the percentage of renters. The areas were scored with three factors being the darkest gray if you have three and zero for factors if you had zero factors. To better identify where these communities are we used block level versus census tract data because it's more granular. Addressing effectiveness the connectivity factors we considered include safe routes to schools, bike routes, pedestrian routes and proximity to transit. So these streets were scored and projects must score a four or five to be considered. It should be noted that the metrics for determining storm water priorities are yet to be determined awaiting refinement of the new spatial data sets for storm water infrastructure on residential side streets. Finally, efficiency. After we looked at the first and the second criteria, we still have too many streets, there's far too many streets than there is funding. So the third thing we looked at was efficiency. Together with the neighborhoods, three neighborhood street plans, cully, division midway and Tryon Stevens were developed focusing on quiet residential streets. These plans developed strategies for gravel local traffic streets in single family neighborhoods. These three neighborhood street plan areas contain multiple miles of unimproved residential side streets that are also high priorities for transportation connectivity and with high concentrations of underserved populations. Finally, before you in your packet is a letter of intent the commissioner referenced in his introduction. In response to commissioner Fritz's questions during the December hearing regarding the areas in southwest under consideration for the 2018-2028 allocation for project selection, staff reviewed the findings of the equity analysis and will extend the Itic target area in

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southwest Portland slightly south to include the neighborhood with the highest equity score. So when you're looking at the map in front of you, it's the bottom darkest blue section. For purposes of this map we did include the blue are the Itic eligible streets, those are the streets where currently the fund are being collected and you can also see the orange streets which are the neighborhood collectors. These would also be streets that would be considered when we were looking at how we would allocate the money. As a quick reminder, for 2018 to 2028 round of Itic project selection pbot and bes staff will first identify appropriate funded projects in southwest Portland within the expanded boundary by including the consideration of eligible neighborhood collectors without curbs, the use of alternate street standards and coordinating with other city capital projects. Once staff apply the same process within the cully and midway boundaries those proposals will be reviewed with the respective neighborhood coalitions and associations to solicit feedback before coming to council with the financing package. In closing we ask for your consideration and approval of this Itic maximum, associated code amendments and the allocation methodology for the purpose of expending Itic revenues. We ask your consideration and direction to further develop the neighborhood streets program specifically the development of a maintenance program for ongoing grading and gravel of gravel streets a proposal and development of a 2018-19 budget and support for the letter the intent to expand the Tryon Stevens project area for consideration of the allocation. This concludes this afternoon's presentation. Pbot staff Christine Leon, Kurt and myself, Jodi yates are here along with bes staff ivy dunlap and tiberias solutions principal Nick popanuck are here and available for questions. Thank you.

Wheeler: Thank you. Commissioner Fritz.

Fritz: Could you please go back to the map of the whole city with the equity scoring?

Hill: Sure.

Fritz: After that one. No its like three from the end of the presentation.

Hill: So you want the one of Tryon Stevens?

Fritz: The one before that please, so that's one before that. So I appreciate that you've added the most vulnerable area in southwest Portland. The map also clearly shows there are three -- the number 3 most vulnerable neighborhoods in north Portland are left off and several of them in mid east Portland and outer east Portland, so that remains a concern. If you could go to the next slide of the Tryon Stevens plan, so there we're seeing we added the area with the factor 3 but we was still left on areas with zero vulnerability factors. I would suggest if we are going to start looking at equity start with looking at equity and start with the purple area and the blue but also potentially look at other areas of the city start with looking at the most vulnerable streets rather than necessarily where we have done a planning project, so there's that piece. We got another letter from the ombudsman and the office of equity and human rights addressing continuing concerns. Would you like to outline those concerns and your response? There's still a concern about the very low income definition and how it's scored.

Hill: For?

Fritz: The exemption for individuals considered very low income.

Hill: I'm sorry, commissioner Fritz, as stated, we as staff looked at just for continuity what the bureau of development services is doing in relation to the administrative rules for low income fee waivers to for liners to review applications. That's how we arrived at the 50% of the area median income as established by hud.

Fritz: You disagree with the letter from oehr?

Hill: That's just our explanation for why we settled on 50%. If there's a desire for us to go higher we're absolutely will do so. Just at that point is it 60, is it 80 where would we like to.

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Fritz: I think we want to be encouraging low income folks or lower income folks to be able to become homeowners and residents of properties there so I think there's some work to do there. I'm also wondering about the provision of loans and where would the money come from for those loans for people who qualify.

Hill: For the financing?

Fritz: Yes.

Hill: The financing would be similar to what happens with lids currently. It would be placed on a title.

Fritz: Okay.

Hill: We just didn't have time before the hearing today to actually come up with a complete financing model and so we are committed to putting that in place. We just need the time to work with the auditor and staff to figure out which makes the most sense. Bes has some models we could look at, but for much less money, like \$3,000. So we just need to some of them we can't use because there are state regulations. We just need to do a little more homework on what would make the most sense.

Fritz: Yeah. Then the three factors in that office of equity and human rights and ombudsman's letter, they do call out about the appeals should go to the hearings officer rather than the internal pbob committee. What's your response to that?

Krueger: The appeal is really a review of exemption and it's to make sure that somebody filled out an exemption form appropriately and to verify the numbers. It's a relatively simple exercise. This is an appeal whether or not you agree with the charge being assessed to the property. Its did you complete the form and do you have documentation to support the exemption being requested. I don't think that warrants a hearings officer review.

Fritz: It still seems like it's the people who made the decision are then going to rule on the appeal. If there's a way to have citizens involved in one of these committees I think that would be helpful. Then that goes to the third point, which is a technical did you fill out the form correctly. They are suggesting that we need a process for other individual circumstances or other hardships for pbob to be able to make determinations which then would have criteria which a hearings officer could evaluate as well.

Krueger: Our intent was to make sure council was supportive of the proposal before you today. After that we were going to start working on administrative rules and that exemption documentation to be filled out. We intend to include a hardship provision in that exemption process similar to what bds uses for hardship exemptions and model it that way. So that's our next step provided council supports the action today.

Fritz: Would that come back to council for approval?

Krueger: It wasn't intended to. It was intended to be adopted as an administrative rule. We can certainly route the proposal to council office before we adopt that rule.

Fritz: I'm sure we'll get some testimony, there was just one other thing that I noticed in the original code in section – 17.88.090, section c, we say payments of a local transportation infrastructure charge will exempt the subject property to the application from future local transportation infrastructure charges. Is a local improvement district defined as a local transportation infrastructure charge?

Krueger: It is not. The intent was if we charge an applicant today and they were to raise the structure 20 years from now that we don't charge them the same ltic again in the future.

Fritz: How did we deal with the issue that they are paying into this fund now and then maybe they've got a waiver of remonstrance and have to pay against to have the street fully improved.

Krueger: I don't think we fully put a proposal in front of council I think we're going to wrestle with that when we bring an lid that might also include properties that have paid the

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Itic. I don't want to solve that problem here, but one solution would be to credit those properties for what has been paid, but accounting for the fact that interest and cost of doing construction increases over time, if we collected money today and 10 years from now that project expense goes up by 15% do we want to have the ability to capture the delta between what was collected today and that project cost. That's a conversation that we can have today, but I think could be had during an lid formation hearing.

Fritz: I remember it was either in December or the previous December when we had that concern raised. I'm concerned we don't seem to have solved that.

Krueger: If I can capture I think your intent from when we adopted this a year and a half almost two years ago the direction to us was to continue to collect the waivers of remonstrance to give us the future ability to form lids even if we're still collecting funds today.

Fritz: I'm going to look into that. There will be questions I'm sure after public testimony. Those are mine for now. Thank you.

Krueger: You're welcome.

Wheeler: Very good. Public testimony, please.

Moore-Love: Three people signed up.

Wheeler: Three minutes, please. State your name for the record. When the light comes on your three minutes is up.

Robert Evenson: My name is Robert Evenson I would like to read a shore narrative into the record calling this fair share or unfair share. Southwest Fairmont boulevard is a well-known residential street used by hikers, bikers, runners, walkers and homeowners. Fairmont boulevard is largely fully developed in that there are very few undeveloped lots left to build on much like southwest Portland streets that are fully developed and functioning without curbs and sidewalks. My wife and I bought our lot on Fairmont boulevard about 40 years to build our future retirement home on. During that 40 years we gladly paid our fair share of real estate taxes on that lot to pay for city services. That time has come and we are planning to build a modest 2600 square foot home on Fairmont boulevard hopefully next year. Based on a street frontage width of 84 feet the proposed pbot charge of \$600 per foot will come to over \$50,000 for our lot. This transportation charge is in addition to all of the other systems development charges that are required to build a new home in Portland. Since Fairmont boulevard is one of the many streets that are fully developed without curbs and sidewalks all of the other existing homes on Fairmont boulevard as well as other fully developed streets will not have to pay a penny towards this proposed transportation infrastructure charge. Although they will continue to use the streets. In addition this \$50,000 charge to us will go to pay for street improvements in another part of the city, not improvements on Fairmont boulevard. I have here a copy of my current real estate property statement which shows that everyone's real estate taxes go to fund 19 separate city and county entities. In addition we all pay separate monthly water and sewer charges to the city. Conclusion: Pbot and the city of Portland need to fund street improvements as part of every citizen's real property taxes in a manner that is fair and equitable to all users. This charge can be viewed as a legal taking on a few. No one should pay our fair share of street. We should all pay our fair share of street maintenance. No one should pay an unfair share.

Wheeler: Thank you, sir. Good afternoon.

Marianne Fitzgerald: Good afternoon. I'm Marianne Fitzgerald and I submitted written testimony on Monday, the 29th I'm assuming you've had that. I'm going to stick to that for my comments today. The first thing I want to say is to please direct staff to remove the stakeholder working group roster from the rules. The stakeholder working group had no input into the rules, the public had no input into the rules and I'm offended that my name is

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on there looking like I was part of this proposal when I disagreed with it for a very long time. The second thing is to oppose the Itic fee. It's already artificially too low. I oppose the maximum. I don't think there should be a lid. The \$600 per linear foot was based on lids mostly from the east side and according to staff documents did not include any storm water improvements. I have talked with many people who are now looking at lids and the southwest Portland is close to \$15,000 per linear foot, not \$600 a linear foot. This gentleman has the choice of improving his street. He could pay for street improvements. There's a development going in there that will be paying for half street improvements on an Itic eligible street. They can pay it but by making it artificially low you have less money and 25% less revenue in the fund. I'm sorry I get so upset about building ½ to 3 miles of street improvements every ten years. That's nothing when the city has offered like 15,000 waivers of remonstrance. I have a folder of pictures of all of the improvements in the last two years where most of the staff behind me were staffing these reviews and no infrastructure. No storm water and now the bureau of environmental services is using our ratepayer and taxpayer dollars to deal with the storm water issues at basin 3 off capital highway. You're kicking the can from the builder or the developer of the property to the homeowners who can't afford the improvements in the future and while this document before you did not say anything about local improvement districts, the city of Portland's budget request that just came out this week says that lid projects often rely on public subsidies to make the project affordable for benefiting property owners however there's no funding available to subsidize new lids. Without a new public funding source, the lid program for local streets will likely be very limited to commercial or developer requested lids. That gives me little hope that lids will solve this humongous problem that's been going on for years and continues. In the documents before you the bes says they would only participate if there was citywide benefit. I don't know what that means but it doesn't show a lot of commitment. I'm out of time. I have more I would like to say.

Wheeler: We don't have a ton of people signed up. Why don't you take 30 more seconds and wrap up your thoughts.

Fitzgerald: Regarding public participation, some of what Ann showed today about the new southwest Portland boundaries is news to me. She came to southwest neighborhoods in October said what do you think? We hadn't seen the details. Now every time I have talked to her since then she is surprised that we don't love this program. So there's no public notice about the appeals bureau or the administrative review. There's no public participation in which streets get selected. As far as we are on capitol highway project which needs every penny that it could get to make it whole, we should be spending these scarce Itic funds to leverage the capitol highway project rather than some obscure street on their map. Because half the money was raised in southwest I'm glad that we will see some in the first allocation, but there's no guarantee because all of this stuff is done behind closed doors without any public participation through public notice. Finally, the fiscal impact statement only talks about the fiscal impact to the developers or the property owners. Not to the people living in the neighborhood who are stuck with these potholed storm watery flooded streets that they are expected to fix.

Wheeler: Very good. Thank you. Other than that you love it, though. [laughter] thank you. Commissioner Fritz.

Fritz: I'm seeing in your written testimony that you are concerned about the lid issue, in 2016 we were going to look into how do local improvement districts fit in with this.

Fitzgerald: There's language in here that says we looked at it but I don't know what they did. You can ask staff what they did to look into lids. It doesn't sound like much but they are expensive.

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Fritz: So I thought when we discussed it in 2016 there was going to be community input into out of all the choices even with the money raised under the maximum there's not nearly enough to do all of the streets even in the most needy areas.

Fitzgerald: That's right.

Fritz: What is your understanding of how or whether the community will be involved in making these choices as the money is allocated?

Fitzgerald: Well, so far the amount of dialogue has been through the Sweeney transportation committee and that would be nice if we would know ahead of time that this was going to be discussed and we could through our neighborhood channels to get the word out. When Ann came in October we had three other things on the agenda and didn't have a lot of time to talk about it so it wasn't as meaningful as it should have been.

Fritz: Moving forward if there's a certain amount of money, I know is the southwest motion plan still moving forward?

Fitzgerald: 4:30 this afternoon is our fourth meeting.

Fritz: That's designed to prioritize some of the communities.

Fitzgerald: Yes.

Fritz: Like east Portland.

Fitzgerald: Yes, and there's an online survey right now as we speak.

Fritz: Okay. That's potentially a way for community involvement in directing these funds.

Fitzgerald: Yes. Actually, there's no one here officially representing Sweeney but there was a motion approved by the Sweeney board last week that specifically requests that the Itic funds be prioritized using the swim criteria but the swim criteria has not been developed yet.

Fritz: Another point is this money should stay in the area in which it was raised. Can you see any deviation from that? We saw on the maps that east Portland has a lot of need but not much money.

Fitzgerald: Right. Southeast uplift would start with whatever neighborhoods, Brentwood Darlington, where they raised fees there. I feel bad they won't see improvements for at least ten years. The areas that are experiencing infill without infrastructure are not necessarily the ones that see the improvements. Actually if you look at the city of Portland street surface data the street surfaces of southwest Portland are far worse than the street surfaces in east Portland. The difference is people are getting killed in east Portland as recently as yesterday and that's intolerable.

Fritz: Thank you.

Wheeler: Thank you for your testimony. Good afternoon.

Jon Cohen: Good afternoon. My name is John Cohen and I am a real estate broker. I came across this issue recently on doing some research on behalf of one of my clients who wishes to split off a quarter acre parcel of their property in order to possibly sell it off. It's an estate situation. It's a triangular piece of property that borders one unimproved street and one underimproved street in southwest Portland and to give you an example, 264 feet and 134 feet of frontage and the charge under the existing fee system would be \$236,000, which by most estimates is perhaps what the property is worth, but even capped at \$60,000, that charge is going to be a third to a quarter of the value of the property. That would be borne by the property owner, an estate that has no cash and in order to divide it off they would have to pay the fee in order to get it finalized. My concern is there a mechanism to assess the fee at the development stage down the road the sale of the property could build that in. Build in that cost so the developer pays less, but then has the money to pay the charge whether its upon approval of building permits or sale of the property once it's completed, but to put that burden on the homeowner like the gentleman said earlier is onerous. Especially in that situation. A lot of my comments also mirror what

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he was saying earlier about basically 20% of the property owners on unimproved streets are paying for 100% of the improvements in the city where years and years ago the city paid as it went along and there's that unfairness that applies that's just too difficult for a lot of people to understand when they are facing these huge numbers to pay for the whole system. I think that's -- and the piece that there's no assurance that this property in the outer southwest hills would ever see any improvements even though \$60,000 or \$230,000 goes into the fund and that's just not equitable at all. So those are my thoughts and I apologize if a lot of these have been taken up and I came into this very late in the game.

Wheeler: Good testimony both of you. Appreciate it. Does that complete our testimony?

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

Wheeler: Could we have staff come back up and maybe respond to a couple of things? There were a few very specific questions that were interesting to me first the stakeholder working group has been included in the rules and you heard one person testify that they prefer that be left out. Why does that need to be included or does it?

Hill: So when the rules for the Itic were established in I believe it was 2015 or 2016, the rules had that list in front of it. So actually what we did if you look at exhibit c, we did establish because that was a concern I raised how would you know when the amendments were made in subsequent years. So there's a history section on the front that says adopted on May 20, 2016 and then what we have done now is this is the -- we'll add to that history that they were then amended. We can certainly remove that cover page but these were the rules that were adopted by the assistant director in May 2016 with that list in front and that list does say May 2016 at the top of the list. So we can certainly remove the names.

Fritz: Is that normal for your administrative rules to have the committee's names on it?

Hill: No. It just that's what had been adopted. I think it was probably done with the project. That was how we instead of removing it altogether, that was our remedy was to establish the history on the front.

Fritz: This is an administrative rule so the council doesn't have to put anything into the ordinance you can just take it out.

Hill: Right. We brought this to you when we could have just posted this on the outer, but because we were adding language to the rules and not just the code we wanted you to see everything we were adding which is why it's here as an exhibit.

Wheeler: I personally don't feel strongly that it be included. I don't know how other people feel. I guess it's an add administrative decision.

Fritz: It's unusual I have never seen any other ones. I would prefer to take it out.

Hill: We would be happy to. We can also make it an appendix in the back if there's a need to keep the names.

Wheeler: The second question was just the question raised about the lid on the Itic. Could you explain the logic of that for all of us?

Hill: The Itic maximum?

Wheeler: Yes.

Hill: When we looked at the Itic maximum, there's been discussion if you cap the Itic maximum at, say, \$30,000, then someone in r5 versus r20, the r20 is going to see a \$100,000 savings and somebody at a r5 could potentially a \$50,000 savings. In the interests of working to be equitable in terms of the size of frontages and what we were seeing in our analysis that it was based on if one had a property that either was a corner lot or some sort of angled lock what if we looked at the frontage of the zone so that's how we calculated the maximum.

Wheeler: Very good. Any further questions? Commissioner Fritz.

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Fritz: I continue to be concerned about the low income exemption looking at page 14 of the administrative rules. 50% of the area median income seems quite low as an expectation that people will be able to buy and owner occupy a property and pay this amount of money. Is there a process for changing that?

Hill: Sure if council would like to offer an amendment we would be happy to change that amount. The way we came to that amount again we explained how we came to that but if council would like for us to change it we would be happy to do so.

Eudaly: I had also raised a concern that it was too low and I understand you based it on some bds code and unfortunately I didn't get the information that I had asked for, which was how many people are -- how many if any are applying for this because it's so unlikely that someone that low income would be developing property or looking into land use, but I just don't know that it's very meaningful.

Fritz: The ombudsman and office of human rights says 50% is very low income that hud says it's 80% is low income. I would move that we change it to 80%.

Wheeler: We have a motion and second. Can I call that Fritz exhibit a?

Fritz: Call it whatever you like, mayor.

Wheeler: Very good. Further discussion? Commissioner Fritz.

Fritz: The hardship exemption. Tell me again how you're going to deal with figuring out what the criteria are.

Krueger: Quick trip down memory lane on the administrative rule. We tried to anticipate hardships when we first set it up in 2016 so we carefully crafted language that anticipated a fire damage situation, a fire occurred, somebody needed to spend some time dealing with an insurance company to get funds secured to replace that structure. So we created a two-year exemption program that if your home was damaged due to fire and you're replacing it we wouldn't charge this program. We're trying to expand that to a hardship, those cases we don't know what might come at us but set a system in place where someone can make a hardship case, come before the committee and have that evaluated. We frankly have had one situation that I can think of in a year and a half. It's one that was in the Willamette week unique situation, but the hundreds of permits that we processed in the last year and a half we had one that fit that category.

Fritz: For the most part people are building fancy new homes that may not qualify but the one in Willamette was a manufactured home. As we look at more tiny homes and more minimalist ways of developing it would seem like we should have something that if the value of the improvements is less than x, or less than x percent of the ltic -- I guess I would like that process to coming back to council because at that point then we could decide actually it shouldn't belong as an administrative decision for the appeal it should go to the hearings officer.

Eudaly: For instance the gentleman who gave the testimony about his clients who want to sub divide their property and it currently would cost them as much or more than the value of the property, would that be a potential hardship exemption?

Krueger: That would not I don't want to spend too much time here today. What we don't want to do is create an exemption or appeal process that puts us in the same situation that got us here in the first place as Ms. Fitzgerald pointed out. We have thousands of waivers on file where we created exemptions and not required improvements. This effort was really to correct that practice and start collecting funds. I appreciate the gentleman's concern I'm going to talk with him after the hearing I think there's a couple creative ways we can do as he was asking moving that collection to a building permit scenario. That's a unique one. Most of the time with we're working with applicants that are dividing a property or we're working with a developer. It's unique we're dealing with an estate situation. Happy to take a look at that.

Eudaly: Okay.

Wheeler: Commissioner Fritz.

Fritz: So then my concerns are the issue of allocation to the beyond those two, the three areas that have street plans to focus at least some of the resources on the area scoring three under the equity analysis within each of the areas where it's being collected.

Hill: The issue we have is there's too many streets. That's why when we did the equity screen as the first step then we looked at the streets of the second step, because we had too many for the amount of money, that is why we then look to those neighborhood street plans that had neighborhood commitment. What's difficult is if you just look at those areas and you still have too much still too many streets for the amount of money, how do you choose.

Fritz: I agree. I understand that. I guess I'm just agreeing that I think we should go back to the equity scores and include the neighborhoods and that there should potentially be some benefit to the area even the coalition area Southeast is a very big area for them to get none of the money doesn't seem fair or reasonable particularly when there are neighborhoods like Brentwood Darlington that are not particularly affluent, on the lower end. I would like to see something that involves the community in that allocation. Even within what you've defined we don't have enough money. This should be I think opportunities like we just had this great example of the lid over on 82nd near.

Saltzman: Mill, 80th and Mill.

Fritz: 80th and Mill yes right near the school where lots of different bureaus are putting money in so the whole thing gets to be bigger than the sum of the parts, which is great and it seems to me we want some opportunity to do that. I'm also interested in east Portland in action and southwest Portland in action. Essentially if there's more need than funds available giving the community a choice in a robust public process to decide what is their choice, when we did that in southwest for things like prioritizing sidewalks and neighborhood collectors, surprisingly people think everybody is going to advocate for their own area and just like the process I did where should we allocate park system development money, actually people do care about giving it to people who need it more. I would like you to look at some method of doing that. My final concern is the lid issue and I can just see coming to council with an lid where somebody has already paid it and we have no policy guidance at that time to say this person just paid \$60,000 and they already paid at the office. They shouldn't have to pay again.

Krueger: Taking a couple steps forward, this effort was to focus on areas of city where we thought we could bring projects back to city council with some funding. We'll be back in front of council to actually select projects and get your endorsement on those projects. We will be back in front of you. I think we can take your concerns as we look at those projects and come back and respond to your concerns.

Fritz: I would not want to vote for yes, go ahead and do this project, unless that has been decided.

Krueger: I think we would like to commit to you that we also look at the issue of the lid because I think it probably is going to involve some future conversations and look at some different nuances of that before we make that decision, but we can bring back that discussion with the project selection.

Hill: Just one point of clarification, the allocation methodology are just the three steps used. Once council says we agree that equity effectiveness and some sort of looking at where there has been neighborhood involvement, that those are the three steps once that's approved. Then we have to go figure out the neighborhood and we have to go to the neighborhoods, figure out the streets that make sense. If we're going to do a financing package with bes we have to come back to council for that financing package. This step is

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does council agree with the three steps of equity, effectiveness and efficiency. That's the allocation methodology. The selection in 2018 is the next -- will be the next step that we have to come back to council with absolutely because of how we plan to finance the money.

Fritz: Does step 3 is just based on the three that we happen to have done. That's the one I have the most concern about.

Hill: That's for 2018. The step 3 is just once you have those first two like you're suggesting we were working to be careful that in ten years we didn't say you absolutely had to use a plan. You absolutely had to go to a coalition because what if the coalitions were something else in ten years. So we said I think what it says in the rules is that that third step is -- hold on. I'm working to get to the language -- says it right here in your -- on the last page. Page 18. It says the project would be consistent with adopted plans or respect the results of previous community involvement efforts and other related improvements occurring in the city and make efficient use of city resources. This is on page 18 of exhibit c.

Fritz: Doesn't specify what the adopted plans are.

Hill: Right because this is just a methodology because in ten years those plans might be different plans.

Fritz: Right. I encourage you not to just stick with those three particular street plans.

Hill: No, that was our proposal for how we spend it in 2018, that we use those three plans for the first round. Not that that would be where we would spend the money. Every time, but what I'm hearing you say is in respect to that you would still like us to relook at how we're even looking at applying this third step and not just look at those three plans.

Fritz: Go back to within those if that's how we're doing it this year look at where the most needy areas within those plans.

Hill: Right.

Fritz: And involve the neighborhoods and other community groups who may want to be involved in we have this amount of money.

Hill: Right. Absolutely. Just for clarification, we have been meeting with the neighborhoods and the coalitions since the spring. We also sent as I said in December 28,000 post cards to every single person who lived on one of these streets cause we wanted to dig in about the lid question and their appetite to pay and what they thought about that. We additionally did the focus groups. We did a special focus group for neighborhood leaders. So then we went back again to do the community surveys. So we sort of built this based on that feedback we got throughout the process and our plan is to go back with whatever streets we think about in terms -- because the one thing that we talked about in the city is if we want to leverage these funds, which is a conversation we heard here at council in December, we at least have to do the first work to be able to go out to a neighborhood and say this is where the cip projects are planned. This is where there's some sdc money being spent so they have that full picture when they look at where those segments are. We would start internally to put that map together to take to the neighborhoods.

Fritz: I do appreciate it's a lot of work being done and you spent a lot of time with me going through it. I think there are still some refinements. This is a problem we'll be grappling with at least for the 25 years I have been involved with city issues. I would like to see the criteria, the hardship criteria and consider whether it should be the hearings officer who hears the appeals rather than administrative. I would like to see the plan for the lid proposal for -- do they have to pay again. Then this final piece of including the community in very soon after you start doing your analysis ask the community.

Saltzman: Do you want us to come back and respond for the second reading?

Fritz: It would seem like a tall order to bring it back next week, but do we need to amend the ordinance to specify when that would come back?

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Saltzman: We can do something like that.

Krueger: Can we commit to bring the answers to the questions or responses to the questions when we bring the project selection back than will give us time to have some of that community conversation? We won't spend the money until we come back to council asking for approval, so that seems like a good time to come back and respond to it.

Fritz: Yes, except I'm really hoping when we get to that point we don't have people coming in saying they haven't been fully engaged and they don't support the choices. That's going to need to inform how you come back to us.

Krueger: I'm going to prompt the council before you vote if there was an appetite to consider emergency ordinance today only that we had.

Fritz: I need to look into it. I'm sorry, Kurt.

Krueger: No worries.

Fritz: I'm also thinking about these hardship waivers and so people come in, as commissioner Eudaly said or their testimony we heard there needs to be I think more information on that. Is that something that could come back next week or when you bring it back?

Saltzman: I'll turn to them and ask them. Is that pushing it too soon?

Hill: Just so we have a few things here. We're going to amend adjust the 50% and 80% by amending today. Then we have the hardship criteria how we're going to address that component and how we are addressing if someone pays an lid. Those are things I'm looking to Kurt since he --

Krueger: I'm selfishly looking at a very intensive appeal that's going to be before city council next Thursday afternoon and there's a fair amount of time its going to be involved in preparing for that appeal. I want to be fair in the commitment to council and I'm not sure we could deliver.

Saltzman: What if we set it over two weeks from now for a second reading?

Krueger: That would be great.

Fritz: Or even three.

Hill: In terms of community involvement I think to the extent -- the allocation methodology again what this is passing is just the three-step process but if there's a desire to add an amendment or something to the ordinance to reinforce that when we come back with project selection that something about the community involvement, robust, we're happy to add that to the ordinance.

Fritz: Where there are adopted plans like east Portland in motion as southwest in motion will be adopted that those are kind of part of the adopted plan consideration also.

Hill: Sure.

Fritz: We don't actually have to specify when you bring this back, commissioner. It's up to you to schedule when you want to do a second reading. As I said its been 25 years in the making so it would be worth getting a little bit further this time around.

Hill: The piece that the developers are interested in that we keep getting calls about is the maximum because they are waiting to file their plans because if the maximum goes into effect they are looking at paying potentially less money. That's the piece that we're getting calls about.

Fritz: I don't know if anyone has any qualms about that piece. We did hear testimony on it, but I think there has to be some upper maximum, especially if we start doing this. So is there a way to do that in a more expedited way, just pull that piece out?

Krueger: Certainly council can adopt this and direct us to make it retroactive so anyone that submits we can go back and refund appropriately for that cap. I think we're hearing that message was made very clear we can communicate that to applicants from this point forward.

Fritz: Thank you.

Wheeler: Any further questions? All right. We have an ordinance before us today. The ordinance has exhibits, exhibit a makes amendments to city code, exhibit c would make changes to the policy trn-1.26 governing the Itic. Before is a substitute exhibit a dated 2/01/18 this includes changes that were discussed earlier but not adopted and also new changes that are highlighted. Likewise before us is a substitute exhibit c, dated 2/01/18 that includes changes discussed earlier but not yet adopted and also new changes that are highlighted. Commissioner Saltzman, you made a motion to adopt substitute exhibit a. Legal counsel would like to clarify a second.

Fritz: Second.

Wheeler: Commissioner Fritz seconds please call the roll.

Fritz: This is merely substituting the new proposal. Aye.

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

Wheeler: Aye. Substitute exhibit a is adopted. Commissioner Saltzman also made a motion to adopt substitute exhibit c. Could I get a second?

Eudaly: Second.

Wheeler: Commissioner Eudaly seconds substitute exhibit c please call the roll.

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

Wheeler: Aye. Substitute exhibit c is adopted. Commissioner Fritz had offered up an amendment with regard to adjustment of the lower limit legal counsel wanted a clear statement on that for the record.

Fritz: Help me out, Kurt. Where is the language in this?

Hill: It's on page 14 of exhibit c, it highlighted, number 2. Under low income.

Fritz: On page 14 of 18, low income owner occupancy under number 2, change 50% to 80%.

Wheeler: This would be an amendment to substitute exhibit c. Correct?

Fritz: Correct.

Wheeler: Call the roll.

Fritz: And commissioner Eudaly seconded that amendment.

Wheeler: Commissioner Eudaly seconds. Call the roll.

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

Wheeler: Aye. The amendment is adopted. This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you, everybody. Item 110, please.

Item 110.

Wheeler: Commissioner Eudaly.

Eudaly: Mayor, colleagues, I'm very pleased to be bringing this to you today. Lead based paint and lead contaminated dust in older buildings are the most common sources of lead poisoning. Children younger than six are especially vulnerable to lead poisoning. According to the center for disease control and prevention, 535,000 children have blood lead levels high enough to damage their health but lead poisoning is 100% preventable. That's why I supported this policy work at bds, and I'm bringing it forward for consideration today. Dangerous asbestos and lead based paint can spread to neighboring properties during demolitions. In 2016, council passed an ordinance requiring homes and certain other buildings built in 1916 or earlier to be deconstructed rather than demolished in order to keep reusable materials out of our waste stream and toxins out of our air. Unfortunately, this left significant areas of our city such as east Portland with little to no protection or benefit because so much of so many of their buildings were built after 1916. This ordinance fixes that unintended consequence by protecting all residents equally. In 2017 the state legislature led by speaker Kotek, senator Dembrow and representative Kenny gayer enacted sb871. The legislation does two things. Number one it allows cities to

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require a copy of the asbestos survey and number 2, it directed the Oregon health authority and deq to develop a menu of best practices for addressing lead based paint. This ordinance adopts some of the best practices that the Oregon health authority and deq developed for lead-based paint control during residential demolitions and it requires a copy of the asbestos survey to be provided to bds. The process to develop the ordinance was thorough. Bds, other city staff and many stakeholders participated in the state's advisory committee that developed statewide best practices. Many of those same agencies and stakeholders currently participated in bds meetings to develop this ordinance. Cooperation and collaboration among the parties made the process efficient and the policies stronger. I'm going to save my further acknowledgements and thank yous for the conclusion of the hearing and turn it over to Nancy Thorington to walk us through the details of the ordinance, welcome Nancy.

Wheeler: Good afternoon.

Moore-Love: Nancy can you turn that mic on sorry it got turned off.

Nancy Thorington, Bureau of Development Services: Thank you Nancy Thorington for the bureau of development services. First I would like to thank speaker kotek's office and senator Dembrow and representative Kenny-Guyer in their efforts to get sb871 passed. It's been a really good and productive process. I would like to thank Perry Cabot with Multnomah county health department for his efforts in this and our development review advisory committee, our subcommittee on demolitions and in particular Maryhelen Kincaid. She started getting these agencies working together several years ago to talk about some of the issues with the demolitions and that transition basically into some of the things that are before you now, 871 in this ordinance. I want to thank everybody for that. Sb871, as the commissioner just said, basically addresses -- there was a gap because there were no regulations for lead based paint in residential demolitions. There was for asbestos, so this allows basically it required the local or the Oregon health authority to sit down with deq and other stakeholders to develop best practices and it also allows jurisdictions to require a copy of the asbestos survey which it wasn't required previously. As commissioner Eudaly noted, we worked on a parallel track with Oregon health authority and deq, and that was a very beneficial project, way of approaching it for everybody because we definitely were able to bounce ideas off each other and come up with much better best practices at the end of the day. So this is a summary of the ordinance itself. It applies to one to four family unit structures and the accessory structures that are over 200 square feet, the 200 square feet is what's required for a building code. So that's where we got that. We estimate that this is going to cover about 700 projects a year that would be 300 single family and duplexes that we currently have some regulations for, then it would add the three to four units and approximately 300 accessory structures. There would be another 50 in the three to four units, so that's where you get the 700. It requires the best practices include creating a demolition plan for every site that outlines the dust and site control measures that would have to be done. One ever the big ones would be removing all of the exterior painted materials. We talked through that quite a bit with the stakeholders and it was determined that from the subject matter experts that removing the exterior materials was the most efficient way to do it. There obviously will still be some interior painted materials but with the other dust control measures like wetting down we felt like that was going to cover it and make sure everyone was safe. The ordinance also requires that the neighboring properties within 150 feet get posted with door hangers. Again, this was an issue that we discussed quite a bit. We talked about whether to go 400 feet, which is the farthest distance that uncontained dust has been found to travel in scientific studies. We chose 150 feet because we said we are doing dust containment so we don't necessarily have to go out the full 400 feet if you're already containing it.

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Fritz: What's our current demolition door hanger?

Thorington: Only the ten surrounding houses. This extends that probably about a little more than double.

Fritz: Thank you.

Thorington: So there can't be any mechanical demolition if wind speeds exceed 25 miles an hour, and there will be two additional inspections per project. Right now we only do a post demolition inspection to make sure that the site has site control measures on it and so this would add two more, a pre-demolition inspection to make sure the demolition plan is adequate and correctly tailored for that particular project, and then a during demolition inspection to make sure they are complying with the plan, then the post demolition inspection to make sure the site is secure. The pre-demolition and post demolition inspections will be mandatory. We recently added a component that would make the during demolition inspection discretionary and the reason was in talking with our site development inspector he said there would be some of the projects because now we're including accessory structures which we have never done before, so he indicated that there would be situations, for example, where if they go for the pre-demolition inspection and they are on site and all the machinery is there, the wind speeds are under 25 miles an hour, and everything is looking good, then they would have to -- for lets say a 200 square foot if you have a garage or something and they have all the machinery and there and are doing it that day, then it wouldn't make sense, they would either have to sit and wait until the project is under way, which could be two or three hours in which case they can't do any other inspections, or they would do the other inspections and it would take them a couple hours and by the time they got back the site could already be demolished. So I tried to craft some language that said, okay, maybe just an exception for accessory structures, but an accessory structure can be 1500 to 1800 square feet. We didn't want to say all accessory structures wouldn't have to have this during demolition inspection and vice versa you could have a small house you could have a four, 500 square foot house. I couldn't really craft language in the ordinance that could quite cover it so we're considering probably some admin rules that we can take some time to look at that's another big piece of this. One of the big incentives to comply with this is that we won't issue the building permit for the replacement structure until they already have the demolition permit finalized and we had quite a few builders on our stakeholder group and they said that actually is a bigger incentive to comply than some of the fines.

Fritz: How did you pick 25 miles an hour for the wind?

Thorington: That's just from the subject matter experts. That's pretty standard.

Fritz: Thank you.

Thorington: These are the enforcement mechanisms that we were looking at. Basically we want to focus on gaining compliance through outreach and education. We don't want to fine anyone, but we're going to.

Wheeler: Can I go back to commissioner Fritz's question? What do we know media logically, how often is the wind blowing over 25 miles an hour?

Thorington: I don't have that information. Again, we're because this is all brand new we're going on what other jurisdictions have done. I know for example the city of Eugene, that's 25 miles an hour, all of the other cities that we have looked at, that's their point and Oregon health authority and deq, so I would have to rely on the subject matter.

Wheeler: 25 miles an hour is constitutionally a pretty stiff wind. That's not an inconsequential breeze. That's a robust blow as they say. I'm wondering if there's science behind that or if it was an arbitrary process.

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Thorington: That's a good question. I don't know. I really would have to rely -- we took that number because that's not our purview either. We looked at what was already being done in other jurisdictions and what our subject matter experts say.

Eudaly: I can share with you that 7.9 miles per hour is the average wind speed in Portland and that kind of normal wind range is 10 to 25 miles per hour so it's on the upper end of normal.

Fritz: Are the inspectors when they get there they have a wind speed?

Thorington: They will, yes. I have been told that you can buy them for about 25 bucks at the home depot. So they are not -- anything --

Wheeler: Is that velocity at site?

Thorington: Yes. We tossed around the idea whether to make it site specific or you could look up on your cell phone, but because conditions vary depending where you are we decided to do site specific.

Wheeler: Thank you.

Thorington: Again our compliance we want to make sure that we reach out and we do as much education as possible. We'll be conducting lunch and learns and reaching out to the development community talking to the homebuilders association and others and we'll go out to the neighborhood associations and do as much outreach as we can to make sure that everybody knows what the requirements are. Then once it goes live the first step will be if we find somebody out of compliance they will get a correction notice that basically says this is what you did wrong, this is what you need to do to fix it and then if they still are out of compliance then we have the ability to go in and issue a citation and fines. We have made the fines fairly significant, hopefully enough to get people's attention. The implementation cost because we're adding two additional inspections we would like to add two new site development inspectors debt indicated to doing just this. Basically to fund those new positions we're proposing increasing the permit fees by \$180 per demolition permit. Then the door hangers were already as commissioner Fritz noted we already do some door hangers but instead of having 350 approximately projects per year we'll have, you know, upwards of 700. So we looked at the cost and basically it will be about \$300 per year, so that's not terribly significant. So in summary, our recommendations are to adopt the ordinance, to create two new site development inspector 1 positions and hire for those positions to amend the building and other permits and fee schedules to increase the demolition permit fee by \$180 per permit to amend the enforcement fee and penalty schedule, to add the fines and we're asking for an effective date of July 1 because we need to ramp up for this, this is a brand new program for us, so we have to hire those two new inspectors, which has to go through the city process, and we have to train them. They will be required to have asbestos and lead based paint certifications which are currently not required for our inspectors so this is going to be something new and then obviously we have to do our internal staff training, change certain computer programs to accommodate the new inspections, potentially create some admin rules. So finally, we will be looking to follow up, we'll monitor this as we always do with our ordinances. Potentially adopt some administrative rules and we'll be continuing to meet with the drac demolition subcommittee and we propose coming back to council in January of 2020 with a report on how it's going.

Wheeler: What would it take to expedite this? How can we speed this process up?

Thorington: So I spoke with our h.r. person, our head of inspections and our finance person and they were the ones that gave me the July 1 date. They said the hiring and going out for the process the hiring process, long and short of it, hiring and getting the right people in there with the certifications and getting them trained would take that long.

Wheeler: Can you be more specific will the certifications that are required?

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Thorington: There's an asbestos certification and I think -- asbestos certification. I'll let Perry Cabot correct me on this, but it's a few day training on that and then there's lead certification that also is another few days.

Wheeler: Are there people on staff currently who we could get skilled up with those certifications so that we could speed the process up?

Thorington: The issue is that they are already maxed. They already are -- we're hiring as fast as we can for other positions that already have been in the budget for a long time and we have inspector positions that have been open for months and months. It's really hard because the good news is the economy is doing really well so the building industry is very robust. The downside is, you know, all of the jurisdictions, including Portland and the whole metro area, the whole statewide, are trying to get the same group of people, you know, for the inspector positions.

Wheeler: Is there another way to think of this instead of looking for senior level inspectors with a broad skill set, could we create a category of inspectors in the near term that are specifically trained to this skill set and not the wide range of skill sets?

Thorington: We're only looking for inspector 1. That's the lowest level that we can do and we're bound if they are going to inspect the site they have to have the state certifications. We can't circumvent that process.

Saltzman: Could we hire a firm that provides those skills while were waiting pending us staffing up too that?

Thorington: That's a good question.

Saltzman: Bds we have done that before.

Thorington: That's true.

Saltzman: We have used outside help.

Thorington: Sure. We can look at those options.

Eudaly: I would be happy to contract in the meantime but there's just an issue of a lack of qualified candidates because of how competitive --

Thorington: And this will be a very specific set of skills in terms of they are going to have to know the erosion control side because what we did on this was we were trying to focus on the dust control and the site control piece. We're focusing on having them comply with existing regulations rather than trying to create a whole new set of regulations. The person would have to have that site control piece and then get trained up for the other part.

Wheeler: Maybe there's a possibility to bring back some recent retirees on a temporary basis until we have the positions filled full-time?

Fritz: Obviously this has been a priority of commissioner Eudaly and she's more anxious than anyone to see it implemented. Presumably we can set implementation day of July 1 and if any of these suggestions pan out you could come back and say we're going to implement it, set a new date.

Eudaly: I hear the mayor saying he wants us to start as soon as possible.

Thorington: Understood.

Eudaly: I concur.

Wheeler: The July 1 is not -- that's not the hard and fast deadline. If you could stand it up sooner you could do that.

Eudaly: What can we do in less than six months in city hall.

Wheeler: I hear you, commissioner.

Fritz: We have to have an implementation so people know that its going to be by then. We could always come back if they are ready the beginning of June come back with an ordinance saying implement it tomorrow.

Eudaly: In the meantime we could peer pressure people into safely demolishing their houses. I'm not opposed to that.

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Fritz: It's probably going to rain too.

Eudaly: Oh, yeah. It's raining.

Thorington: Any other questions?

Wheeler: None immediately. Colleagues?

Eudaly: Thank you, Nancy. It is my pleasure to welcome our special guests up next senator Dembrow and representative Keny-Guyer.

Wheeler: Alright special guest.

Eudaly: Thank you for being here today.

Alisa Keny-Guyer: Thank you for having us.

Michael Dembrow: Yes, thank you very much. Mayor commissioners delighted to be here, representative Keny-Guyer and I are preparing for a legislative session that's coming up we're laser focused on looking forward. We're exhausted already you'll notice its not started, but what a pleasure to be able to look back and see something that we worked really hard on actually come to fruition and I have to say I'm really excited with the program as it was described. It really fulfills what we were hoping for. You know we've been working on this issue for several years now and I want to say that this really is the culmination of a long process, but a process that really, it did it right this is what government should be doing. This issue had its genesis actually in a monthly constituent coffee that I have where some constituents and you know I never introduce myself, do I need to do that.

Wheeler: Yes, why don't you do it for the record.

Dembrow: I'm Michael Dembrow I'm the senator for district 23 that's NE and SE Portland. So I had some constituents from my district come and raise this issue of the health effects of demolitions if done wrong and there had been conversations about demolitions and you know their impact on neighborhoods and liability ectara. I was certainly familiar with that, but the issue of what happens when building come down that likely contain lead and asbestos I hadn't thought about, but you know I promised them we would see what we could do. That led to what was then I think it was 2015 senate bill 705 which at the end of the day it turned out that at that time really all we could do asbestos, we wanted to do lead too, lead is a very serious problem, but just for organizational bureaucratic reasons, the state agencies were not prepared to take on lead. We decided ok we'll move forward, deal with the asbestos problem immediately, come back and work on lead and we did that we passed senate bill 705. It turned out in the rule making on senate bill 705 that our initial expectation that cities like Portland would be able to create their own programs and it would have a lot of latitude to enforce the program. Actually the rule making showed that was not possible and that all the enforcement had to be done through the state agency deq on a complaint-driven kind of process, which was unsatisfactory to us and to the city. I want to compliment Nancy Thorington for working with us on this. I know she was frustrated by it and we decided as we were moving forward with the attempt to include lead, that we would also give cities the discretion to create their own programs. The challenge here was that city, your colleague cities had concerns about this becoming an unfunded mandate on them to create a program such as this and I know that you all are very jealous of your prerogatives and I would say that generally you're correct in doing so. So we set up the process so that cities could opt into this program to the extent that they felt comfortable and one of the things that really excites me about this process, or, you know, the ordinance as I see it, is I see a real model for the rest of the state. If city of Portland can do this right, I can certainly see other cities taking this up and taking this on because their residents are equally concerned.

Dembrow: I want to thank you, thank commissioner Eudaly for really putting together a good process. I will say as we were working on senate bill 871, we were able to get a number of stakeholders together to bring this to consensus in the legislature. I don't know

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if it passed unanimously but probably pretty close to it. Your government relations staff Dan Eisenbeis was just invaluable really want to compliment him and all the work that was done. Of course my colleagues and Amy Stephens on behalf of speaker Kotek and I'll turn it over to my colleague.

Alisa Keny-Guyer: I'm Alisa Keny-Guyer represent house district 46 which is parts of southeast and northeast Portland. It's the first time I have testified in front of the city council in your current make-up and it's exciting to be here. I have had the great honor of working with my own senator Dembrow on a number of different productions issues. One I want to mention is also reducing toxics in schools and I know you heard a lot about lead in the water in Portland public schools. So when we had introduced prior legislation on reducing radon in schools and we were like, what, we don't test lead? It was a wake-up call on that and a lot of issues that we have paired up and worked on. So, I came at this particular issue asbestos and lead from three different places. One I share half of his constituents and I was hearing a lot about this. Two, I'm the chair of human services and housing and so I was hearing about demolitions often from people who were very upset about demolitions and wanted to make sure we are preserving our stock of affordable housing. I want to say on that note I want to thank you for the city support of house bill 4007 coming up in the legislature to increase the document recording fee that goes to affordable housing. Some of that is geared toward home ownership and some home ownership dollars are used not only to help people with down payments and financial education, but also for home repairs. So the more that we can get money into home repairs so that people don't feel forced out of the affordable housing they have because they have a leaky roof of something like that is really important. On the other hand, I'm very supportive of demolitions when it makes way for more multifamily affordable housing, we need to have more density and so we need to do it in the safest way possible. The third way I come to this issue is I have a public health degree and I serve on the healthcare committee. Everything we can do to bend the cost curve and reduce costs that are related to people who get sick because of exposure to toxic chemicals is really important. So I'm really delighted, we were back there just, like, you know, nudging each other about all the work we do in the legislature and then we see how the work continues in implementation and the eagerness with which you want to implement this ordinance is really gratifying to us. So just delighted to be here in a state-city partnership. Want to thank the partners, deq, Oregon health authority, Brett sherry, people like that who worked with the city counterparts who did a fabulous job, as well as metro, as well as private stakeholders who are a part of this. It was a great process I'm excited to see the product and I can't wait for you to pass this.

Eudaly: Thank you. All right. Next up, we have a few of our key stakeholders. Perry Cabot from county health, Tony Green deputy city ombudsman. I love that word. Ombudsman. Maryhelen Kincaid the former chair of drac and Paul grove from homebuilders association of metro Portland. You can come forward. Someone is going to have to bring an extra chair and make sure and state your name for the record.

Wheeler: While they are getting situated, I want to thank Michael Dembrow and Alisa Keny-Guyer, for not only being here today cause I know you're very, very busy. Thank you for your leadership in Salem and best of luck to you during the session and I know we'll see lots of you. Thank you.

Eudaly: Welcome.

Tony Green, City Auditors Office: Good afternoon mayor and commissioners. My name is tony green I'm the deputy ombudsman with the office of the ombudsman for the city auditor office. I want commissioner Eudaly for inviting me to speak today and for your offices early and sustained leadership on this matter. My goal is to explain the involvement

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of the ombudsman's office and provide perspective on the ordinance for you today. 14 months ago our office received a complaint about an impending demolition in northeast Portland. The complaint offered a wide ranging critique of the health risks posed by demolitions and lack of regulations in place to protect the public, especially children, from known hazards of exposure to toxic dust. In the last 15 years about 1,300 homes have been demolished in Portland. If they were built before 1978, more than likely they contained lead paint and certainly they were torn down without any requirement to prevent toxic dust from contaminating neighboring properties. Prior to the ordinance before you, the city did take a step towards curbing the health risks posed by demolitions. Two years ago city council adopted an ordinance that requires houses built before 1917 be deconstructed and most of the building materials salvaged for reuse. The deconstruction ordinance was primarily designed to keep construction debris out of the landfill and reduce carbon emissions, but deconstructing a house provides an additional benefit, it reduces the spread of toxic dust to neighboring properties, but for now, the ordinance only applies to houses built before 1917. That year was chosen for practical reasons. It covers the oldest housing with the most valuable building materials it also is selected to limit the number of deconstruction projects. The bureau of planning and sustainability was concerned that choosing a later date at the launch of the program might overwhelm the fledgling deconstruction industry. Choosing 1917 had an unintended consequence. It resulted in geographically disparate community benefits. Now I'll try to explain this point using a map that should be showing up on your screen shortly.

Wheeler: That was short. [laughter]

Green: This map shows the age of housing in Portland. The darkest purple is housing built before 1917 and covered by the deconstruction ordinance. The lighter shade of purple is housing built from 1917 to 1930, which isn't covered now but is expected to be as the deconstruction program expands. The housing in the green areas was built since 1941. The green areas are not likely to be covered by the deconstruction ordinance in the foreseeable future. That's primarily because the quality of built materials dropped off after world war ii. The deconstruction business model relies on the resale of materials so it didn't economically feeble to dismantle most postwar homes. As a result we are likely to see demolition occurring in the purple areas of the map and demolition occurring in the green areas. Lead paint was banned in housing in 1978. Any house purple or green more than likely contains lead if built before 1978, but only children and families in the purple areas get protection from the ordinance and as you can see they fall overwhelmingly in affluent and gentrifying neighborhoods. By contrast families and children in the green area east of interstate 205 will continue to be exposed to toxic dust stirred up by demolitions. When our office discovered this disparity, we recommended the city adopt regulations to contain dust during demolitions all families and all children should be protected from exposure to lead. Of course this is more easier said than done at least nine federal, state and local agencies have some jurisdiction over demolitions and/or lead. Each brings a focus but none comprehensively addresses the release of toxic dust during residential demolitions. To make matters challenging very few jurisdictions around the country have even attempted to address toxic dust suppression during demolitions. There is no model ordinance to borrow and easily adapt to the pattern and volume of demolitions in Portland. To overcome the regulatory in governs gap, our office recommended the bureau of development services and the Multnomah county health department jointly tackle the problem. The ordinance before you today is the result of the effort of city and county staff, leadership and commitment to health equity from commissioner eudaly's office, as well as senate bill 871 directing the Oregon health authority to develop best practices for containing lead dust during demolitions. This is a vital step in protecting children in

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neighborhoods from consequences of lead exposure. It is a model other cities in Oregon and beyond can look to. Thank you for the opportunity to testify. I'd like to turn it to Perry with the health department.

Perry Cabot: Good afternoon mayor and commissioners for the record my name Perry Cabot, I'm the senior program specialist with the Multnomah county environmental health services within the public health division I serve as Multnomah county's subject matter expert on lead and lead poisoning prevention. I'm pleased to be here in support of the city's efforts to protect our community from the impacts of toxic lead dust generated during the demolition of older homes. The dangers of the heavy metal lead are well known and understood Ben Franklin wrote in 1786 of the, quote, "baneful particles and qualities of lead" and yet, according to the centers for disease control and prevention, approximately 500,000 children in the U.S. today have blood lead levels at or above the C.D.C.'s current public health action level. Lead-based paint in older homes is the leading cause of childhood lead poisoning in the nation. There's no safe level of lead in our blood and the neurological and cognitive impacts of even low level exposures are well-documented. Recent studies show that demolition of lead-paint-containing structures may disperse dust 300 feet from the work site. Yet as I speak to you today there are no rules in Oregon and few in the nation requiring demolition contractors to take steps to control the release of fugitive lead dust from demolition projects. Over the last five years in Multnomah county, there were 291 confirmed lead poisoning cases in children under 18 years of age. More than 50% of those cases were determined after environmental investigation to be caused by lead-based paint or dust. While federal and state rules were enacted almost a decade ago to reduce lead poisonings due to renovation and painting projects in older housing, demolitions were not covered by these rules and remain in activity with the potential to contaminate the environment where we live, work, and play. The ordinance before you today is among the first and finest of its kind in the nation. It is the result of a year-long highly collaborative process across multiple agencies and involving key stakeholders with diverse perspectives. Multnomah county is pleased to be a partner in this work and we welcome the enhanced public health protections born of these efforts. Thank you.

Wheeler: Thank you.

Maryhelen Kincaid: I'm Maryhelen Kincaid and today is the first day I can say publicly former chair drac, my term ran out. Also today is the eighth anniversary of when I retired and became busier than when I worked. I sat through the litigation as well as this and to hear the different perspectives and people in the community involvement and so I don't want to take issue with what anybody said, but when they say bureaus and agencies tasked with handling this issue with demolitions and dust, it was really the citizens that started it. It wasn't government, it wasn't regulations. I was -- when I was the chair of drac back in March of 2014, several citizens and I'm going to call her out because she was the one that really took me aback. Kimberly Coaler from east Portland was aghast that right across the school, a house had been demolished and she grabbed my shirt and said, you have to do something about it. She was part of the group United Neighbors for Reform, John Sandy is here today and that started an interesting dialogue. It began a conversation because I, being part of BDCS, had to be informed that handling demolitions and permitting, but they didn't have control over the lead and asbestos handling. I said let's get those people. Who are they? Worked with Nancy Thornton and tried to get those people together and it was kind of a nightmare trying to find these people because there was no conglomerate of people to handle this issue and as Perry mentioned it's a wide and varied group. There are more than nine or 10 agencies. I started calling DEQ, started calling EPA. Sort of got nowhere and unfortunately in north Portland in the Kenton fire house where representative

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Kotek has her office. So, I spoke with her staff Amy Beth. I don't know if she's still back there and said how do I get ahold of somebody that can do something? I was shocked that the next day around noon Audrey O'Brian from deq was head of inspections called and said, what do you need? I thought, that worked really well, but I was also shocked that there was no way to bring those people together. We had a meeting, I wrote the date down here October 20, 2014. 19 people showed up at bds they got us a room and most of the people had something in common. E.p.a. at that time gives their jurisdictional handling of hazmat materials to deq and then they farm that out. At that first meeting there were many people that are not in the room today, but came to be a part of that meeting. Nancy thorington worked with oha and Perry and the group continued on, but I think, had not Kimberly spoken to me and the citizens did something, we wouldn't be here today I really want to emphasize that part. John sandy from unr worked very closely with mike's Dembrow's office because that was at the state regulation and it was a little -- I would say it's hard for citizens because those processes ran parallel. I think this process is indicative of how even unr and drac don't agree on all things, but we worked together to get this process through. I think this shows that good work can come of sometimes contentious meetings. I really applaud the effort and was glad to be part of it. I also wanted to recognize Logan guiles from mike Dembrow's office, he was instrumental in bringing people together to meet. The e.p.a. for all the bureaucracy and stuff we hear today, I forget the woman's name, but she was very helpful in providing direction of federal regulations, state regulations that sort of thing.

Fritz: It was Nina?

Kincaid: Pardon?

Fritz: Nina?

Kincaid: Yes I think

*****: Kim.

Kincaid: Oh, Kim. Ok. We were able to address a number of issues that people had. There was a good result from all of this and I wanted to comment because I made a note, organizational bureaucratic setbacks. There were a ton of those, but I really want to applaud those agencies for coming together to do that and it was also informational. The other comment that I wanted to make in regard to this, I don't have that ordinance in front of me, but you were talking about getting it implemented as soon as possible. I think in the amendment, if you said implement by July 1, that's the drop-dead date, but somebody says, you walk out there and somebody walks out there and says hey I can do this that might be a possibility to put that word in and it won't hold back a set date because there's anxiety why can't we do it sooner I'm going to go back to organizational bureaucratic stumbling blocks. I want to applaud everybody that worked on this and my fellow members of the drac sub committee because they recognized this was important and not necessarily in our mission statement. There were three different commissioners in charge of the bureau through this process and all were very agreeable to the work we did, even though it didn't specifically speak to permits. It spoke to the work that bds does. Thank you. I guess most of all I think the city should take credit for the citizens bringing something forward.

Fritz: Thank you, Maryhelen for your leadership throughout this process from 2014 on and I know commissioner Saltzman joins me in thanking commissioner Eudaly in bringing it over the finish line. I also thank you. My understanding is that the development re advisory committee voted unanimously in support of this proposal. Is that correct?

Kincaid: Yes.

Fritz: That in itself is a major accomplishment and I appreciate all that work.

Kincaid: We were actually quite involved with the discussions of how this could best work.

Fritz: In the spirit of giving credit where due in the united neighborhood for reform, the

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mountain shown by the ombudsman, it was mostly neighbors in the purple areas doing the advocacy this. It's an example of how you would think that the homeowners who were some of the major participants were able to put their time in and it benefits the whole system, including people in areas where they maybe have less opportunity to go to neighborhood and city council meetings. So it was really -- it was a citizen-driven thing and it's taken a lot of people to get it done. Thank you, Maryhelen.

Paul Grove: Thank you. For the record, Paul Grove with the Portland metro home building association. I appreciate the opportunity to testify today with respect to the implementation of senate bill 871. I echo a lot of Maryhelen's comments. I'm kind of new to this game and this issue, but from my perspective, and the perspective of the association, it was very collaborative. The input was indeed meaningful and that started a really from my perspective from the top down and kudos to commissioner Eudaly and her office. Marshall took a great deal of time and effort to come in to talk through things and seek members' input and not just city association, but through drac and elsewhere and as the process continued and unfolded, a lot of kudos to bds, from Rebecca, to Nancy to others. It was very much again meaningful input and I can't tell you how much that goes in terms of policy development to be able to have that feedback dissected and debated and whether incorporated or not, know that it's a welcome year at the end of the day. That allowed us to get to a comfort level with this and then at the end of the day I think moving forward with perspective policy proposals I think using drac as that vehicle to seek input is a great cross-section of neighborhood developers and others that bring unique perspectives to policy development. I think it's a tool that can be further realized on other matters moving forward. Unfortunately without Maryhelen at the table, but nonetheless, I know she'll still be present. Thank you for the opportunity. It's nice to be part of an invited panel for a change, so thank you.

Wheeler: Thank you for -- thank you Maryhelen for your great leadership we appreciate it.

Kincaid: I have more fun things --

Wheeler: I was going to say there's plenty of fun.

Kincaid: I was glad I wasn't here yesterday.

Wheeler: I know. Representative Keny-Guyer said this was the first time she testified in front of city council. I felt a little -- in front of this city council. You haven't really gotten the full welcome yet. We'll have to invite you back on a different day. Perhaps on a Wednesday morning.

Eudaly: Wednesday morning. [laughter]

Wheeler: Very good. Karla, how many folks do we have signed up for public testimony.

Moore-Love: Three people.

Wheeler: Three minutes. Name for the record. How are you today?

John Sandie: Doing fine.

Wheeler: Why don't you start us off. Name for the record. When the red light goes on, your time is up.

John Sandie: Good afternoon. Mayor wheeler and commissioners, my name is john Sandi I'm a resident of northeast Portland and I'm also a member of the united neighborhoods for reform unr. Just over three years ago, united neighborhoods for reform, presented to city council a resolution backed by over 40 neighborhoods that dealt with concerns around new development infill as well as responsible practices during demolitions of existing houses. The ensuing years of unr enlisting community, city bureau and administration as well as state legislative support has resulted in the proposal that we are discussing today. Unr is encouraged by and supports this proposal albeit with further discussion on a few points. The city proposal is modelled after senate bill 871 best practices advisory group which included statewide representatives from the many stakeholders involved in residential

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demolition activities. As a member of the said advisory group, I was encouraged by the broad support of developers and construction companies who recognized that these practices would help level the playing field between companies striving to be responsible and those not so much. Since compliance is key to effectiveness of any ordinance, proper inspections and penalties are a must. Therefore, the quicker the proposed additional inspectors are trained and performing their duties, the better. Echoing other comments, unr would hope that accelerating the target from July 1 should be a priority within bds. In addition the proposal only requires and Nancy Thorington made some comments on this it only requires pre and post demolition inspection, but states that inspections during the actual demolition itself may occur. Since this would be the most critical inspection point, the ambiguity within the code language is of some concern, but as I have talked with Nancy, bds personnel indicated this ambiguity will be clarified through administration rules and we'll hold them accountable to that commitment. Unr has lobbied for the notification be expanded to 400 feet rather than 150 feet as the proposal states. As the 400 foot distance represents the extent of the potential significant lead dust fallout as determined by a number of studies. The argument that 150 feet is adequate with the implementation of this best practice ordinance only holds up if the demonstrated compliance is near or at 100%. Therefore, this should be a performance measurement tracked by bds and available to the public. Also noted within both the sb871 recommendations and the city best practices proposal is the use of full deconstruction as a means of removing residential structure. Unr continues to advocate for this method to be the preferred choice for any and all residential demolitions regardless of the date of construction. As construction, material suppliers cannot guarantee that asbestos-containing materials will never be imported and find their way into American homes. Thank you.

Wheeler: Thank you. Good afternoon.

Margaret Davis: Good afternoon. I'm Margaret Davis I have worked with united neighborhoods for reform and the rose way neighborhood association, but today I'm talking for Portlanders like me who have experienced and will experience demolition within 400 feet. Anti-demolition activists have long sounded the alarm on the release of hazardous materials during demolitions and here at least since 2014. Thank you to everyone who helped craft this public health and safety measure. However, I call your attention to the proposal's exemption for unsafe and hazardous structures. That's at 24.55.205c8 under which certain demolitions would not have to follow the lead hazard reduction requirements. If a structure to be demolished is deemed unsafe and hazardous, the owner should provide expanded notice to neighbors that correspond to the increased disbursement hazardous materials. Well known studies including the major and recent hud analysis show that most hazmat fallout occurs within 300 feet of a demolition. It's not until 400 that measure particulates return to background levels. If we only ask for notification to neighbors within 150 feet of the demolition site we're protecting less than half of the people and properties that will be exposed, I have a graphic to show you. So, is each of these lines represent 100 feet we are about here in our notice and if we are not applying measures to mitigate, we'll be spreading it all the way out. In meetings of the drac subcommittee, I brought up these statistics, but committee members say expanded notice costs too much. Whatever the expense of expanded notification, I'm sure it is less than tutoring for a kid with developmental disabilities or managing illness or brain damage brought about by adjusting lead and or asbestos. Please add an expanded notification to neighbors living within 300, ideally 400 feet from a demolition if a building is deemed unsafe and hazardous. Otherwise, ironically, unsafe and hazardous will refer to anyone living, playing, breathing within that 400 feet. Finally, please keep applying pressure to move up that effective date. We have discussed this basic protection for years and even

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moving up the state by a few weeks, months will protect thousands of people from known toxins. Also don't forget the cheapest greenest building is the one already standing. This week I looked up craigslist there's almost a thousand listings in one day for rentals. We've gone from housing crisis to housing glut with units vacant and a lot of people really wishing for those cheaper well built houses that were put in a landfill. Hopefully we'll see the to fertility, the expense and unnecessary loss involved in demolitions and stop them altogether, keeping viable affordable housing and building only on vacant land. Again, expanding notification for demolitions that are exempted and for the Portland and its people, move up that effective date.

Wheeler: Thank you.

Fritz: Ms. Davis thank you for your leadership over the years, you've put a lot of effort into this.

Wheeler: Good afternoon.

Ramona Runkel: My name is Ramona Runkel I'm 11 years old. I live in a very old house across the street from unthank park. When I was 8 months old, I had an elevated lead level of six micrograms per deciliter. I might be pronouncing that wrong, but I'm probably not. My mom took me to get tested for lead poisoning. She took me to the Josiah hill iii clinic, which no longer exists. If I had even just a little more lead in my blood then six micrograms per deciliter, I could have suffered from permanent social learning and social disabilities as well as a plethora of other health problems, but my parents took the steps needed to make our house safe for me and my lead level dropped to undetected. Passing this ordinance would make it possible for other kids to be safe from lead paint, which is terrible for brains and for blood and this ordinance is very important so other kids don't get sick and get developmentally disabled. This is a good ordinance and it should be passed. [laughter] that's all I have to say.

Wheeler: All right. Well said, right. Good job. Ramona, have you testified here before?

Runkel: No.

Wheeler: You have done an outstanding job. Thank you.

Fritz: Can we suspend the rules?

Wheeler: Yes, rules are suspended.

Eudaly: In case anyone is wondering, that is the daughter of my chief of staff, Marshall Runkel and his lovely wife Mel.

Saltzman: Thought I saw a resemblance.

Wheeler: Is there anybody else signed up for public testimony?

Eudaly: I have a couple of amendments to make.

Wheeler: Very good.

Eudaly: Number one, I might need a little bit of help. I regret we couldn't move this forward months ago. Obviously we needed something to change the state level before we could really do this at the local level. I agree that we should move this quickly as possible, although I can't guarantee we can move faster than five months, but as Maryhelen suggested, we can change the language for item g, which says ordinance will take effect on July 1, 2018. If we change it to by July 1, 2018, does that allow us to kick into gear if we are able to hire the needed staff?

Robert Taylor, Chief Deputy City Attorney: Commissioner Eudaly, there are certain provisions of this ordinance that kick in on the effective date. So, for example, in -- under the therefore clause and d, there are the increases that go into effect and then in e there's a fee and penalty schedule that goes into effect on the effective date. So for those reasons you need a firm effective date when the ordinance will go into effect. To say sometime between now and July would not give that firm date to say when the fees would go into effect for example. So what you could do is, I think, amend g to read, this ordinance shall

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take effect 30 days after passage, which is the case for all nonemergency ordinances, and shall be implemented no later than July 1, 2018, to give the effective date for when the ordinance takes effect and then give the bureau time to implement it between then and later

Wheeler: We have a motion.

Eudaly: Sounds great.

Fritz: Second.

Wheeler: We have a motion from commissioner Eudaly. A second from commissioner Fritz.

Fritz: Presumably there's then mechanisms within development services to tell everybody that its happening on a certain date. You could put it out through the plan examiner or something. Is that right?

Eudaly: Uh-huh.

Fritz: Nancy Thorington is also nodding, thank you.

Eudaly: And then my second amendment is that I do want to increase the notice perimeter from 150 feet to 400.

Fritz: Second.

Eudaly: We really, you know, 150 feet is assuming the best about every developer, about every company doing these demolitions. While I'm not disparaging anyone in particular, I do not think that is appropriate.

Wheeler: We have a motion from commissioner Eudaly. A second from commissioner Fritz.

Fritz: I'm wondering on the expense to the city is not that much more, was given near \$300 for the door hangers having delivered flyers in my neighborhood and thinking about what the radius of 400 feet would be, that would take a fair amount of time to do that door hanging, is that a way of doing some of the notification by mail?

Eudaly: Could you come to the table, please?

Fritz: Because bds routinely notices land use notices by mail.

Kincaid: When drac accepted that same issue about the 400 feet, I think I got sort of one of those misquote -- not misquotes, but quote taken out of context and being part of the drac subcommittee I think Perry Cabot has the science on that. When that issue of 150 to 400 feet. I'm not the scientist and we relied on Perry and the.

Cabot: The studies that are out there talk about completely uncontained demolitions of residential structures and the data available now the study is well done shows that I believe at 300 feet there is a noticeable dust fall increase of lead detected on sidewalks with no controls. So I think the 400 feet extends that even a little bit further to just sort of give a zone, but 300 feet, I believe is the number out of that study.

Kincaid: That was uncontrolled. If they do the containment measures of watering down and containing, it was 150 and I think that's where that amount came from.

Eudaly: Are you recommending 300 feet rather than 400?

Cabot: I don't know if it's my place to recommend one or the other, but from the perspective of the science data out there on this kind of activity, if it's completely uncontained, so if assume there's going to be some noncompliance and we have a dry summer day and the wind is blowing maybe not at 25, I think it's possible that dust can go 300 feet. That's what this study shows. So, 300 feet, you know, would be probably the number that I would settle on if I was looking at this from the lens of maybe there will be people that just don't follow these rules whatsoever, but I'm not -- I'm the health department. I just --

Eudaly: To the question as to whether we can mail these notices rather than do door hangers.

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Fritz: The white area is what I was thinking.

Thorington: Sure or we can do some sort of hybrid. I don't know what you're thinking, but we have to make it clear in the ordinance whatever you decide, whether it's door hangers for 300 feet or 400 feet. The door hangers I think there's a level of effectiveness because the issue with the mailing just doing a mailing is that if you have a renter, it's going to go on our records, it might not get to the person actually living there.

Fritz: Ok.

Eudaly: So I'm going to amend my amendment we are going to do door hangers to 150 feet and we are going to do mailers to the next 150 feet to get to that 300.

Wheeler: Can I put a comment out there? I'm happy either way, but that starts to get really complicated. It might be simpler to say door hangers to 300 feet.

Eudaly: Ok.

Wheeler: My gut is telling me we're out smarting ourselves.

Eudaly: Just trying to save the city a few bucks on door hangers.

Thorington: We are going to come back if that's what your final decision and -- if we have issues during the implementation.

Eudaly: Sure.

Thorington: We'll come back to you.

Eudaly: Final amendment. Door hangers. 300 feet.

Fritz: Who's responsible for the door hangers? Is it the developer or the city?

Thorington: The door hangers the developer. Mailed is the city anything we mail, we do it. If it's door hangers, it's the developer.

Fritz: I'm thinking there may be pushback that it would take too much time to put them, but we can change it later.

Eudaly: Ok. So do I get a second on my third amendment?

Fritz: Yes. It's an amendment to the amendment.

Wheeler: The mover and the seconder both agreed to change it to 300. We have that as an amendment. Very good. Any other amendments? Very good with regard to -- sorry.

Fritz: I was going to say to add an emergency clause it doesn't make any difference because you're going to start doing it anyways right.

Wheeler: We have a motion from commissioner Fritz and second from commissioner Eudaly to put an emergency clause on the ordinance.

Fritz: In the public interest to get these safety precautions enacted as soon as possible.

Wheeler: Very good. Let's go through these in reverse order. Please call the roll on the emergency ordinance. Wait legal counsel is chiming in. Let's hear it.

Taylor: The emergency clause, if you attach it, it would take the place of g. You would have the ordinance would become effective immediately because it is an emergency and then the other motion that was pending was to make it effective 30 days from now with the proviso that it would be implemented no later than July 1.

Wheeler: It's in conflict with Eudaly one in other words is that what you are proposing?

Taylor: Yes.

Fritz: When you say implementation date -- it changed g to the implementation date will be no later than July 1.

Taylor: Correct.

Eudaly: Second.

Taylor: Correct. So there would be a motion to add -- to strike g, to add an emergency clause so it was effective immediately. Then you can add another f to say that it will be implemented no later than July 1, 2018 and then the third motion would be to change 150 feet to 300 feet both in the ordinance and in the exhibit a.

Fritz: I think what another way of saying that is change g to this ordinance will be

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implemented no later than July 1.

Taylor: Yes. Then you need to say the ordinance is effective immediately so the fees are in effect immediately, the changes to the code are in effect immediately and then give the bureau until July 1 to implement all of the changes and get the staff on board to carry it out.

Fritz: The permanent changes aren't being changed immediately. We are not going to charge people a permit fee for a service they are not going to get.

Taylor: If you add the emergency clause and make it effective immediately, then the fees in d and e -- the fee schedule to increase the demolition and deconstruction fee by \$180 per met is effective on the effective date of this ordinance. If it is effective immediately --

Fritz: We change it to the implementation date rather than the effective date in d and e.

Eudaly: I think that would work. Is that what you are saying? There's a difference between effective and implementation?

Taylor: Yeah.

Fritz: So you change effective and you change that into implementation.

Saltzman: How about we just double tap the emergency clause.

Eudaly: Well --

Saltzman: If it's not taking effect until July.

Eudaly: It may take effect sooner and we wanted to acknowledge the people in the room and let them see this vote.

Fritz: I think we can change effective to implementation in d and effective the second effective to implementation date in e.

Wheeler: My preference would be that we not have the emergency clause at this time and it gives us the opportunity to thank everybody twice.

Fritz: Lets vote on the amendments.

Wheeler: Let's do the other ones first. Eudaly one. Which is referencing the timeline. Please call the roll.

Fritz: Aye.

Taylor: Can you please state exactly what the amendment is --

Wheeler: Commissioner Eudaly, could you state Eudaly one with regard to the timeline.

Eudaly: It's going to be changed to by July 1.

Fritz: So amend g to by July 1 instead of on July 1.

Eudaly: Yes.

Fritz: I vote aye on that.

Wheeler: Is that clear, legal counsel? If this is a problem, this is the time to speak up.

Taylor: Mr. Mayor, I think you need to have a date where the ordinance is effective so everybody knows when the law goes into effect and then you can give the bureau and staff time to implement it.

Fritz: The ordinance goes into effect 30 days after we pass it by city code. We don't have to state that in the ordinance.

Taylor: That's correct. So you can be silent and it will be in effect in 30 days. You can state it expressly, as you have here, where it takes effect on July 1. You can attach an emergency clause so it's effective immediately.

Eudaly: All we are trying to achieve is to give us the flexibility to implement the policy before July 1 if we have hired the appropriate staff. So what's the easiest way to achieve that?

Taylor: Thank you, commissioner Eudaly. I believe commissioner Fritz had the right solution to amend d to say that implementation date, amend e to say the implementation date, and then remove g and replace it with an emergency clause so it's effective immediately, with an implementation date of no later than July 1, 2018.

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Eudaly: Except we decided not to do the emergency clause. All right. I accept. That is now my amendment.

Wheeler: That is fabulous. [laughter]

Fritz: So we're withdrawing the previous motion and I didn't vote on it that's why I'm voting on now to add the emergency clause with the implementation by July 1.

Wheeler: Very good.

Fritz: I vote aye.

Wheeler: She votes aye.

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

Wheeler: Aye. The amendments adopted now with regard to commissioner eudaly's 300 notification. Please call the roll.

Fritz: Thank you to united neighborhoods for the reform and for everybody who's worked so hard on this. I think this is a final piece thank you, commissioner Eudaly for being willing to make the change at the hearing. Aye.

Saltzman: Aye.

Eudaly: You guys are going to love this. It's perhaps my longest thank you list ever. Please bear with me.

Fritz: We are going to over the amendment.

Eudaly: Oh. I'm at amendment -- we are all ready to go.

Moore-Love: Which one are we doing now?

Wheeler: Me I get a vote. I sat here through the presentation I was polite to everybody, I didn't kick joe Walsh out. I want my vote. [laughter] Aye the amendment is adopted.

Eudaly: Ok.

Fritz: So we've already amended d and e have we or do we need to vote on that?

Wheeler: I believe that was encompassed under the first I believe that has been withdrawn.

Fritz: So now we're voting on the underlining ordinance?

Wheeler: That is correct, because we have now basically put the emergency clause on. Is that correct?

Taylor: You have adopted two amendments.

Wheeler: one of which includes the emergency clause. Now to the main motion. Call the roll.

Fritz: Well it is very satisfying seeing this come to fruition. Thank you commissioner, Eudaly for your leadership in bringing it and thank you commissioner Saltzman for not letting it die after you were assigned the bureau. I want to thank you former director Paul Scarlett who was very committed to this issue. Maryhelen Kincaid and everybody who cares about the whole city, whether it's a factor in your neighborhood or not. As I said earlier it was mostly people who had the capacity to go to neighborhood meetings who were able to push the city and then the state into making these changes. Thank you to everybody aye.

Wheeler: I would ask a point of privilege to let commissioner Eudaly go last and have the final word on this.

Saltzman: Thank you, commissioner Eudaly, and everybody who worked hard, including our legislators who were here earlier. All legislators as senator Dembrow said started with somebody asking him a question at a town hall meeting and that led to what we are doing here today, adopting a local ordinance to implement this. So it's true testament to how things can work and work well. Thanks aye.

Wheeler: I think this is a great example of what happens when the community works together and we heard all the pieces represented here today. We heard people talk about citizen engagement and citizen activism. We heard about some of our advisory groups

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coming together in a thoughtful and meaningful way. We heard about how state government worked effectively with local government to pass legislation that was required for us to be able to enable this kind of an ordinance and the media played an important role in daylighting the issues that were raised by citizens and there's a number of media folks here today who followed this story, wrote about this issue, gave it the prominence that it ultimately had. That's so important and it required a champion at city hall. That's why I wanted commissioner Eudaly to go last so I can embarrass her a little bit. It required consistent leadership at city hall. While I acknowledge there were many people over many years who worked hard on this, it always takes somebody to run the ball over the last yards across the -- what do you call it -- touchdown -- the end zone. Sports ball. It's all about sports ball. [laughter]

I think it's a great example of how to do policy right. It inspires me to think about the other issues in our community not this well-organized and were not on the same page and we don't have all of these things coalescing all these different people, individuals, groups, organizations coming together in a way to help push our common agenda and I think this just is a great example. I vote aye.

Eudaly: So some of the people I was hoping to thank have left the room. If you know them, please pass this message along. At the top I want to echo Maryhelen and the mayor's sentiments. Once the issues trickle up to this level, it's easy to forget who brought them to our attention to begin with and we really do need to give credit where credit is due and that is to citizen activists and advocates and to local media who in this case really helped daylight this issue. So with no further adieu, here are my thank yous. I want to of course thank senator Dembrow and his staff, in particular Logan Giles. Representative Keny-Guyer, speaker Kotek and Amy Beth-Stevens from her office. We also want to thank the Oregon health authority, department of environmental quality, osha, construction contractors board and the u.s. e.p.a. Perry from Multnomah health department lead program, Paul grove from the Oregon homebuilders association, Maryhelen Kincaid, former drac chair if she were here, I would tell her congratulations on your second retirement, please go have fun now. Jeff Fish from Fish construction, Justin wood from drac and Fish construction, Brice Jacobson from metro, Scott yellton of the rebuilding center. Lydia Nest from restore Oregon, Claire carter drac and she's a neighborhood representative on drac. Robert McCullagh from southeast uplift. United neighbors for reform of course. Al Ellis, John Sandie, John hower, Margaret Davis and Barbara strunk. Michael Malanaro local architect and Dan Forbes, local journalist. And last but not least, our city staff, Dan Eisenbeis from Oregon government relations, Shawn wood of bps, Brandon Spence-Hartle from bps, Nancy Thorington, terry whitehill, Rebecca Esau and our whole bds team. This would not be complete without the thank you to my chief of staff, Marshall Runkel, who had an incredibly personal invested interest in this issue. Finally Ramona Runkel, who joined us today and sat through tedious information to give her important personal testimony. Thank you all. Aye

Wheeler: The ordinance is adopted as amended and we are adjourned.

At 4:30 pm council adjourned.